

SENATE BILL 220

C2
SB 453/19 – FIN

0lr0561
CF HB 101

By: **Senator Kagan**

Introduced and read first time: January 17, 2020

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Gas Price Gouging Act**

3 FOR the purpose of altering the information about a certain measurement of certain
4 gasoline that must be stated on a certain sign on the premises of a retail service
5 station dealer to require that the highest price, or the cash price and the credit price,
6 be stated in a certain manner; authorizing a certain sign to state the highest price,
7 or the cash price and the credit price, for a certain measurement of certain other
8 motor fuel products; repealing a certain exemption from a certain signage
9 requirement for certain retail service station dealers; and generally relating to
10 required signs at retail service stations.

11 BY repealing and reenacting, with amendments,
12 Article – Business Regulation
13 Section 10–315
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2019 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Business Regulation**

19 10–315.

20 (a) A person who sells motor fuel at retail shall display signs in accordance with
21 this section.

22 (b) (1) All dispensing equipment for motor fuel shall be marked conspicuously
23 to show in numerals of equal size the price, including taxes, of a gallon of the motor fuel
24 offered for sale.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) If numerals that show a fractional cent are used, the combined height and width of the numerator and denominator shall equal the height and width of the other numerals used.

(c) (1) A sign or other means on the premises and approaches to a retail outlet that advertises the retail price of motor fuel:

(i) may list the price and each tax separately if the listing of the total of the price and all taxes is the same size as the separate listing of the price; but

(ii) shall list the total of the price and all taxes by numerals of uniform size.

(2) In the listing of the total of the price and all taxes, a denominator need not be used to indicate a fraction, but:

(i) if a denominator is used, the numerator and denominator combined shall be the same size as the numeral that indicates the whole number; or

(ii) if a denominator is not used, the numerator shall be the same size as the numeral that indicates the whole number.

(d) If the retail price of motor fuel is advertised on a sign or by other means on the premises of and approaches to the retail outlet, the grade designation displayed for any motor fuel in the advertisement shall be the same as the grade designation that is required to be displayed for that motor fuel on the retail dispensing pump as specified by the Comptroller.

(e) (1) [This subsection does not apply to a retail service station dealer who operates with not more than 3 dispensing units that combined have not more than 6 nozzles.

(2)] (i) Each retail service station dealer shall keep a sign on the premises that:

1. states [the lowest price] **CLEARLY AND VISIBLY** for a whole measurement unit of regular gasoline sold on the premises:

A. THE HIGHEST PRICE; OR

B. THE CASH PRICE AND THE CREDIT PRICE;

2. states the unit of measurement used; and

3. is readable by passing motorists.

(ii) The sign required under subparagraph (i) of this paragraph also may state [the lowest price] for a whole measurement unit of diesel and other motor fuel products sold on the premises:

1. THE HIGHEST PRICE; OR

2. THE CASH PRICE AND THE CREDIT PRICE.

[(3)] (2) All numerals on the sign shall:

(i) be uniform;

(ii) be at least 8 inches high and 3.5 inches wide; and

(iii) have a brush stroke of at least 1 inch.

[(4)] (3) A numeral in a fraction or a letter shall be at least one-third the height of a numeral that indicates a whole number.

[(5)] (4) If a new or additional sign is required to comply with this subsection, the supplier of the gasoline shall provide the sign and numerals without cost to the retail service station dealer.

(f) A sign required at a service station by this section or any other State or federal law is exempt from the provisions of a local law, ordinance, or regulation for the purpose of determining:

(1) the total number of signs permitted; and

(2) the area of signs permitted.

(g) Except as provided in subsection (f) of this section, signs regulated by this section or other State law or by federal law may be regulated by the local zoning authority and shall be consistent with the local law, ordinance, or regulation governing signs.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.