

**HOUSE . . . . . No. 183**

---

The Commonwealth of Massachusetts

PRESENTED BY:

*James J. Dwyer*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to Ensure Fairness and Competition for Consumers.

PETITION OF:

NAME:

*James J. Dwyer*

*Steven S. Howitt*

DISTRICT/ADDRESS:

*30th Middlesex*

*4th Bristol*

**HOUSE . . . . . No. 183**

---

By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 183) of James J. Dwyer and Steven S. Howitt relative to retail sale of gasoline to the motoring public . Consumer Protection and Professional Licensure.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 206 OF 2013-2014.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
—————

An Act to Ensure Fairness and Competition for Consumers.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 3A of Chapter 93E of the general laws is hereby amended by inserting the  
2 following new section:

3           Section 3B.

4           Section 1. Definitions.

5           (1) The term “retail dealer” shall mean any person operating a service station, filling  
6 station, store, garage or other place of business for the retail sale of motor fuel or automotive  
7 lubricating oil or the sale of or dispensing of motor fuel for delivery into the service tank or tanks  
8 of any motor vehicle which is propelled by an internal combustion motor other than such a motor  
9 vehicle belonging to the person owning or operating said place of business.

10           (2) The term “motor fuel” shall mean (a) a light distillate of petroleum or allied substance  
11 with suitable volatility and other characteristics to be used as a fuel for operating internal  
12 combustion engines, whether or not it is mixed with other materials, or (b) any other product or  
13 liquid when sold for use as a fuel in any type of internal combustion engine furnishing power to  
14 operate a motor vehicle.

15           Section 2. No retail dealer engaged in the retail sale of gasoline to the motoring public in  
16 the commonwealth shall coordinate and partnership with a grocery store, retail store or wholesale  
17 club offer any discount, promotion, premium, coupon, give-away, or rebate in the operation of  
18 the business that results in a price per gallon of gasoline below cost.

19           Section 3. A grocery store, retail store or wholesale club may offer a discount,  
20 promotion, premium, coupon, give-away, or rebate for retail purchases in said stores when the  
21 discount, promotion, premium, coupon, give-away, or rebate is a direct result of the consumers  
22 purchase of gasoline.