

SENATE BILL 651

C2

4lr3250
CF HB 882

By: **Senator Kagan**

Introduced and read first time: January 29, 2024

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Business Regulation – Sale of Motor Fuel – Pricing Signage**
3 **(Gas Price ~~Couging~~ Clarity Act)**

4 FOR the purpose of establishing that certain provisions governing signage at retail service
5 stations supersede inconsistent local law; altering a signage requirement for retail
6 service stations relating to the price of regular gasoline; altering a signage
7 authorization for retail service stations relating to the price of diesel and other motor
8 fuel products; repealing an exemption from a certain signage requirement for retail
9 service station dealers with not more than a certain number of dispensing units and
10 nozzles; and generally relating to pricing 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 2023 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A)** THIS SECTION SUPERSEDES ANY INCONSISTENT PROVISION OF LOCAL
2 LAW.

3 ~~(B)~~ **(B)** A person who sells motor fuel at retail shall display signs in accordance
4 with this section.

5 ~~(C)~~ **(C)** (1) All dispensing equipment for motor fuel shall be marked
6 conspicuously to show in numerals of equal size the price, including taxes, of a gallon of the
7 motor fuel offered for sale.

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

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

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

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

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

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

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

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

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

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

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

4 **A. THE CREDIT AND DEBIT PRICE, IF HIGHER THAN THE**
5 **CASH PRICE; OR**

6 **B. THE CREDIT AND DEBIT PRICE AND THE CASH PRICE;**

7 2. states the unit of measurement used; and

8 3. is readable by passing motorists.

9 (ii) The sign required under subparagraph (i) of this paragraph also
10 may [state the lowest price] **PROMINENTLY DISPLAY CLEARLY AND VISIBLY**, for a whole
11 measurement unit of diesel and other motor fuel products sold on the premises:

12 **1. THE CREDIT AND DEBIT PRICE, IF HIGHER THAN THE**
13 **CASH PRICE; OR**

14 **2. THE CREDIT AND DEBIT PRICE AND THE CASH PRICE.**

15 **[(3)] (2)** All numerals on the sign shall:

16 (i) be uniform;

17 (ii) **BE THE SAME SIZE;**

18 **(III)** be at least 8 inches high and 3.5 inches wide; and

19 ~~(iii)~~ **(IV)** have a brush stroke of at least 1 inch.

20 **[(4)] (3)** A numeral in a fraction or a letter shall be at least one-third the
21 height of a numeral that indicates a whole number.

22 **[(5)] (4)** If a new or additional sign is required to comply with this
23 subsection, the supplier of the gasoline shall provide the sign and numerals without cost to
24 the retail service station dealer.

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

28 (1) the total number of signs permitted; and

1 (2) the area of signs permitted.

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.