

Introduced 02.05.2024
Public hearing 02.20.2024
Council action 03.04.2024
Executive action 03.06.2024
Effective date 09.01.2025

County Council of Howard County, Maryland

2024 Legislative Session

Legislative day # 2

BILL NO. 9 – 2024

Introduced by:
Christiana Rigby, Councilmember

Co Sponsored by:
Opel Jones, Councilmember
Deb Jung, Councilmember

AN ACT amending the Public Protection Services title of the Code to require Motor Vehicle Fueling Station operators to add the highest price on their fuel pricing signs; and generally relating to Motor Vehicle Fueling Stations.

Introduced and read first time Feb 5, 2024. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Feb 20, 2024.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Mar 4, 2024 and Passed ✓, Passed with amendments ✓, Failed _____.

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5 day of March, 2024 at 2:00 a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive March 6, 2024

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Motor vehicle fueling facilities often have multi-tiered pricing that ties the
2 price of fuel to either methods of payments or purchases of other services offered by the
3 fueling facility; and

4
5 **WHEREAS**, the current multi-tiered pricing system often results in price confusion by
6 consumers; and

7
8 **WHEREAS**, to protect consumers from being misled into paying higher priced fuel by
9 requiring transparency in fuel pricing signage.

10
11 ***Section 1. Be it enacted by the County Council of Howard County, Maryland, that the***
12 ***Howard County Code is hereby amended as follows:***

13
14 *By Adding:*

15 *Title 17 – “Public Service Protections”*

16 *Subtitle 4. “Consumer Protection”*

17 *Sec. 17.403. “Deceptive or unfair trade practice prohibited.”*

18 *Number 28.*

19
20 *Subtitle 12 - “Miscellaneous”*

21 *Section 1201 – “Motor Vehicle Fueling Facilities – Accurate Signage Required.”*

22
23
24
25 **HOWARD COUNTY CODE**

26 **Title 17. Public Service Protections**

27
28 **Subtitle 4. Consumer Protection**

29
30 **Sec. 17.403. Deceptive or unfair trade practice prohibited.**

31 (a) It shall be unlawful for any merchant to engage in a deceptive or unfair trade practice
32 with respect to any consumer whether or not any consumer has, in fact, been misled,

1 deceived or damaged thereby. Deceptive or unfair trade practices include, but are not
2 limited to:

- 3 (1) Representations that merchandise, goods or services have sponsorship, approval,
4 accessories, characteristics, ingredients, uses, benefits or quantities that they do not
5 have.
- 6 (2) Representations that the merchant has a sponsorship, approval, status, affiliation or
7 connection that he does not have.
- 8 (3) Representations that merchandise or goods are original or new, if they are
9 deteriorated, altered, reconditioned, reclaimed or secondhand.
- 10 (4) Representations that merchandise, goods or services are of particular standard,
11 quality, grade, style or model, if they are of another.
- 12 (5) A misrepresentation as to a material fact which has a tendency to mislead.
- 13 (6) The failure to state a material fact, if such failure deceives or tends to deceive.
- 14 (7) Disparaging the merchandise, goods, services or business of another by false or
15 misleading representations of material facts.
- 16 (8) Advertising or offering merchandise, goods or services without intent to sell them or
17 sell them as advertised or offered.
- 18 (9) Advertising or offering merchandise, goods or services with intent not to supply
19 reasonably expected public demand, unless the advertisement or offer discloses a
20 limitation of quantity or other qualifying conditions.
- 21 (10) Making false or misleading representations of fact concerning: The reasons for,
22 existence of or amounts of price reductions; or the price in comparison to price of
23 competitors or ones own price at a past or future time.
- 24 (11) Knowingly falsely stating that services, replacements or repairs are needed.
- 25 (12) Falsely stating the reasons for offering or supplying merchandise, goods or services at
26 sale or discount prices.
- 27 (13) The harassment of any person, either by telephone, cards or letters, with regard to any
28 act other than legal process.
- 29 (14) Any deception, fraud, false pretense, false premise, misrepresentation or the knowing
30 concealment, suppression or omission of any material fact with the intent that
31 consumers rely upon such concealment, suppression or omission in connection with
32 the sale or advertisement of any merchandise or goods or with the subsequent

1 performance of services, whether or not any person has, in fact, been misled, deceived
2 or damaged thereby.

3 (15) Any false, falsely disparaging or misleading oral or written statement, visual
4 description or other misrepresentation of any kind which has the capacity, tendency or
5 effect of deceiving or misleading consumers and is made in connection with the sale,
6 lease, rental, loan or bailment of merchandise, goods or services, the offering for sale,
7 lease, rental, loan or bailment of merchandise, goods or services, the extension of
8 consumer credit or the collection of consumer debts.

9 (16) Failure to provide a written estimate of repairs, alterations, modifications or servicing
10 when requested by a consumer and then performing such subsequent repair,
11 alteration, modification or servicing of the item without providing the estimate as
12 requested.

13 (17) Making repairs, alterations, modifications or servicing exceeding by ten percent or
14 more the price quoted in a written estimate, without prior written or verbal approval
15 of a consumer.

16 (18) Failure to reassemble or restore an electrical or mechanical apparatus,
17 appliance, chattel or other goods or merchandise to its tendered condition,
18 unless a service or labor charge is paid, without notification of the service or
19 labor charge prior to receiving the tendered item.

20 (19) Failing to supply to a consumer a copy of a sales or service contract, lease,
21 promissory note, trust agreement or other evidence of indebtedness which that person
22 may execute or has, in fact, executed.

23 (20) Selling or leasing or providing merchandise, goods or services on a credit sale basis
24 with knowledge by the merchant, at the time of the transaction, that there was no
25 reasonable probability of payment in full of the obligation by the consumer.

26 (21) Selling, leasing or providing merchandise, goods or services with knowledge by a
27 merchant, at the time of the transaction, of the inability of the consumer to receive
28 substantial benefits from the merchandise, goods or services sold or leased.

29 (22) Selling, leasing or providing merchandise, goods or services where there exists a
30 gross disparity between the price of the merchandise, goods or services sold or leased
31 and the value of the merchandise, goods or services measured by the price at which
32 similar merchandise, goods or services are readily obtainable in transactions by like

1 buyers or lessees. Any insurance commission or rebate received by a merchant shall
2 be considered in determining the existence of a gross disparity.

3 (23) The fact that the merchant failed to disclose that he contracted for or received a
4 commission fee or rebate for insurance with respect to credit sales.

5 (24) The fact that the merchant has knowingly taken advantage of the inability of the
6 consumer to reasonably protect his interests by reason of physical or mental
7 infirmities, ignorance, illiteracy or inability to understand the language of the
8 agreement.

9 (25) Replacing parts or components in an electrical or mechanical apparatus, appliance,
10 chattel or other goods or merchandise when such parts or components are not
11 defective, unless this replacement is specifically requested by the consumer.

12 (26) Falsely stating or representing that repairs, alterations, modifications or servicing
13 have been made when they have not been.

14 (27) Insertion by a merchant, in a contract of sale or lease, of a clause or condition which
15 is so one sided as to be unconscionable under the circumstances existing at the time of
16 the making of the contract.

17 (28) FAILING TO COMPLY WITH SECTION 17.1201.
18
19

20 **Subtitle 12. Miscellaneous**

21 22 **SECTION 17.1201. MOTOR VEHICLE FUELING FACILITIES – ACCURATE SIGNAGE** 23 **REQUIRED.** 24

25 (A) PURPOSE. THE PURPOSE OF THIS PROVISION IS TO REQUIRE FUEL PRICING
26 TRANSPARENCY BY MOTOR VEHICLE FUELING FACILITY OPERATORS BY REQUIRING
27 OPERATORS TO DISCLOSE ON THEIR PRICING SIGNS THE HIGHEST PRICE FOR EACH OF
28 THEIR FUELING OPTIONS IN ADDITION TO ITS LOWEST PRICES.
29

30 (B) DEFINITIONS. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS HAVE THE
31 MEANINGS INDICATED.

32 (1) BUSINESS REGULATION ARTICLE MEANS THE BUSINESS REGULATION
33 ARTICLE OF THE MARYLAND CODE, AS AMENDED.

1 (2) HIGHEST PRICE MEANS THE TOTAL AMOUNT, INCLUDING ANY FEES,
2 PAYABLE TO A MOTOR VEHICLE FUELING FACILITY BY A CUSTOMER FOR
3 ONE WHOLE MEASUREMENT UNIT OF GASOLINE SOLD ON THE PREMISES.
4 HIGHEST PRICE DOES NOT INCLUDE A PRICE THAT FACTORS IN
5 ANCILLARY SERVICES PROVIDED BY THE FUELING STATION, SUCH AS CAR
6 WASHES.

7 (3)MOTOR VEHICLE FUELING FACILITY MEANS A MERCHANT WHO SELLS MOTOR
8 FUEL AT RETAIL UNDER SECTION 10-315 OF THE BUSINESS REGULATION
9 ARTICLE.

10
11 (C) A MOTOR VEHICLE FUELING FACILITY SHALL:

12 (1) COMPLY WITH SECTION 10-315 OF THE BUSINESS
13 REGULATION ARTICLE; AND

14 (2) IF THE MOTOR VEHICLE FUELING FACILITY POSTS A SIGN UNDER SECTION
15 10-315(E) OF THE BUSINESS REGULATION ARTICLE, IT SHALL INCLUDE WITHIN
16 THE SIGN ADDITIONAL PRICING INFORMATION REQUIRED UNDER SUBSECTION (D)
17 OF THIS SECTION.

18
19 (D) ANY PRICING SIGN POSTED BY A MOTOR VEHICLE FUELING STATION UNDER SECTION
20 10-315(E)(2) OF THE BUSINESS REGULATION ARTICLE SHALL INCLUDE, IN ADDITION
21 TO THE LOWEST PRICE, A CLEAR AND VISIBLE HIGHEST PRICE.

22
23 (E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A MOTOR VEHICLE
24 FUELING FACILITY MAY SATISFY THE REQUIREMENTS OF SUBSECTION (D) OF THIS
25 SECTION IF IT POSTS, ON A SIGN VISIBLE TO MOTORISTS AND SEPARATE FROM THE SIGN
26 REQUIRED UNDER SECTION 10-315(E) OF THE BUSINESS REGULATION ARTICLE, THE
27 HIGHEST PRICE.

28
29 (F) IF A MOTOR VEHICLE FUELING FACILITY POSTS THE HIGHEST PRICE UNDER SUBSECTION
30 (D) OF THIS SUBSECTION, THE LETTERS AND NUMERALS ON THE SEPARATE SIGN MUST
31 APPEAR IN THE SAME SIZE AND FONT AS THOSE USED ON THE SIGN POSTED UNDER
32 SECTION 10-315(E) OF THE BUSINESS REGULATION ARTICLE.

1

2 **Section 2. Be it further enacted** by the County Council of Howard County, Maryland, that
3 this Act shall become effective September 1, 2025. HOWEVER, IF A STATE LAW HAS NOT BEEN
4 ENACTED WHICH REMOVES THE LOWEST GAS PRICE PROVISIONS IN SECTION 10-315 (E)(2) OF
5 THE BUSINESS REGULATION ARTICLE BY SEPTEMBER 1, 2025, THEN THE PROVISIONS OF THIS
6 ACT SHALL SUNSET AND SHALL HAVE NO FURTHER EFFECT.

Amendment 1 to Council Bill No. 9-2024

BY: Christiana Rigby

Legislative Day 3

Date: March 4, 2024

Amendment No. 1

(This amendment clarifies that "highest price" for fuel does not include a price that factors in ancillary services, such as car washes.)

On page 5, in line 3, immediately following the period, insert "HIGHEST PRICE DOES NOT INCLUDE A PRICE THAT FACTORS IN ANCILLARY SERVICES PROVIDED BY THE FUELING STATION, SUCH AS CAR WASHES.".

I certify this is a true copy of

AI To CB9-2024

passed on March 4, 2024

Michaela Sherrill
Council Administrator

Amendment 2 to Council Bill No. 9-2024

BY: Christiana Rigby

Legislative Day 3

Date: March 4, 2024

Amendment No. 2

~~(This amendment establishes a seven-year sunset provision.)~~

On page 5, immediately following line 33, insert the following:

~~“SECTION 3. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF HOWARD COUNTY, MARYLAND, THAT THE PROVISIONS OF THIS ACT SHALL SUNSET AND SHALL HAVE NO FURTHER EFFECT SEVEN YEARS AFTER THIS ACT BECOMES EFFECTIVE.”.~~

(This amendment changes the effective date of the legislation to add a sunset provision that will have the County ordinance expire if the state has not removed the lowest gas price provisions in Section 10-315 (e)(2) of the Business Regulation Article by September 1, 2025.)

On page 5, in line 33, after the period, insert the following:

“HOWEVER, IF A STATE LAW HAS NOT BEEN ENACTED WHICH REMOVES THE LOWEST GAS PRICE PROVISIONS IN SECTION 10-315 (E)(2) OF THE BUSINESS REGULATION ARTICLE BY SEPTEMBER 1, 2025, THEN THE PROVISIONS OF THIS ACT SHALL SUNSET AND SHALL HAVE NO FURTHER EFFECT.”.

I certify this is a true copy of

A 2 to CB9-2024

passed on March 4, 2024

Christiana Rigby
Council Administrator

**Amendment 1 to Amendment 2
to Council Bill No. 9-2024**

BY: David Yungmann

**Legislative Day 3
Date: March 4, 2024**

Amendment No. 1 to Amendment No. 2

(This amendment changes the effective date of the legislation to add a sunset provision that will have the County ordinance expire if the state has not removed the lowest gas price provisions in Section 10-315 (e)(2) of the Business Regulation Article by September 1, 2025.)

1

2 On page 1, strike lines 1 through 7 in their entirety.

3

4 Insert on page 1, in line 1:

5 “(This amendment changes the effective date of the legislation to add a sunset provision that will
6 have the County ordinance expire if the state has not removed the lowest gas price provisions in
7 Section 10-315 (e)(2) of the Business Regulation Article by September 1, 2025.)

8

9 On page 5, in line 33, after the period, insert the following:

10 HOWEVER, IF A STATE LAW HAS NOT BEEN ENACTED WHICH REMOVES THE LOWEST GAS PRICE
11 PROVISIONS IN SECTION 10-315 (E)(2) OF THE BUSINESS REGULATION ARTICLE BY SEPTEMBER 1,
12 2025, THEN THE PROVISIONS OF THIS ACT SHALL SUNSET AND SHALL HAVE NO FURTHER EFFECT.”.

13

I certify this is a true copy of
A1 A2 to CB9-2024
passed on March 4, 2024
Michael H. Reed
Council Administrator

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on March 2, 2024.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2024.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

Introduced 02.05.2024
Public hearing 02.20.2024
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2024 Legislative Session

Legislative day # 2

BILL NO. 9 - 2024

Introduced by:
Christiana Rigby, Councilmember

Co Sponsored by:
Opel Jones, Councilmember
Deb Jung, Councilmember

AN ACT amending the Public Protection Services title of the Code to require Motor Vehicle Fueling Station operators to add the highest price on their fuel pricing signs; and generally relating to Motor Vehicle Fueling Stations.

Introduced and read first time Feb 5, 2024. Ordered posted and hearing scheduled.

By order

Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Feb 20, 2024.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2024 and Passed ____, Passed with amendments ____, Failed ____.

By order

Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2024 at ____ a.m./p.m.

By order

Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2024

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Motor vehicle fueling facilities often have multi-tiered pricing that ties the
2 price of fuel to either methods of payments or purchases of other services offered by the
3 fueling facility; and

4
5 **WHEREAS**, the current multi-tiered pricing system often results in price confusion by
6 consumers; and

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8 **WHEREAS**, to protect consumers from being misled into paying higher priced fuel by
9 requiring transparency in fuel pricing signage.

10
11 ***Section 1. Be it enacted by the County Council of Howard County, Maryland, that the***
12 ***Howard County Code is hereby amended as follows:***

13
14 *By Adding:*

15 *Title 17 – “Public Service Protections”*

16 *Subtitle 4. “Consumer Protection”*

17 *Sec. 17.403. “Deceptive or unfair trade practice prohibited.”*

18 *Number 28.*

19
20 *Subtitle 12 - “Miscellaneous”*

21 *Section 1201 – “Motor Vehicle Fueling Facilities – Accurate Signage Required.”*

22
23
24
25 **HOWARD COUNTY CODE**

26 **Title 17. Public Service Protections**

27
28 **Subtitle 4. Consumer Protection**

29
30 **Sec. 17.403. Deceptive or unfair trade practice prohibited.**

31 (a) It shall be unlawful for any merchant to engage in a deceptive or unfair trade practice
32 with respect to any consumer whether or not any consumer has, in fact, been misled,

1 deceived or damaged thereby. Deceptive or unfair trade practices include, but are not
2 limited to:

- 3 (1) Representations that merchandise, goods or services have sponsorship, approval,
4 accessories, characteristics, ingredients, uses, benefits or quantities that they do not
5 have.
- 6 (2) Representations that the merchant has a sponsorship, approval, status, affiliation or
7 connection that he does not have.
- 8 (3) Representations that merchandise or goods are original or new, if they are
9 deteriorated, altered, reconditioned, reclaimed or secondhand.
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11 quality, grade, style or model, if they are of another.
- 12 (5) A misrepresentation as to a material fact which has a tendency to mislead.
- 13 (6) The failure to state a material fact, if such failure deceives or tends to deceive.
- 14 (7) Disparaging the merchandise, goods, services or business of another by false or
15 misleading representations of material facts.
- 16 (8) Advertising or offering merchandise, goods or services without intent to sell them or
17 sell them as advertised or offered.
- 18 (9) Advertising or offering merchandise, goods or services with intent not to supply
19 reasonably expected public demand, unless the advertisement or offer discloses a
20 limitation of quantity or other qualifying conditions.
- 21 (10) Making false or misleading representations of fact concerning: The reasons for,
22 existence of or amounts of price reductions; or the price in comparison to price of
23 competitors or ones own price at a past or future time.
- 24 (11) Knowingly falsely stating that services, replacements or repairs are needed.
- 25 (12) Falsely stating the reasons for offering or supplying merchandise, goods or services at
26 sale or discount prices.
- 27 (13) The harassment of any person, either by telephone, cards or letters, with regard to any
28 act other than legal process.
- 29 (14) Any deception, fraud, false pretense, false premise, misrepresentation or the knowing
30 concealment, suppression or omission of any material fact with the intent that
31 consumers rely upon such concealment, suppression or omission in connection with
32 the sale or advertisement of any merchandise or goods or with the subsequent

1 performance of services, whether or not any person has, in fact, been misled, deceived
2 or damaged thereby.

3 (15) Any false, falsely disparaging or misleading oral or written statement, visual
4 description or other misrepresentation of any kind which has the capacity, tendency or
5 effect of deceiving or misleading consumers and is made in connection with the sale,
6 lease, rental, loan or bailment of merchandise, goods or services, the offering for sale,
7 lease, rental, loan or bailment of merchandise, goods or services, the extension of
8 consumer credit or the collection of consumer debts.

9 (16) Failure to provide a written estimate of repairs, alterations, modifications or servicing
10 when requested by a consumer and then performing such subsequent repair,
11 alteration, modification or servicing of the item without providing the estimate as
12 requested.

13 (17) Making repairs, alterations, modifications or servicing exceeding by ten percent or
14 more the price quoted in a written estimate, without prior written or verbal approval
15 of a consumer.

16 (18) Failure to reassemble or restore an electrical or mechanical apparatus,
17 appliance, chattel or other goods or merchandise to its tendered condition,
18 unless a service or labor charge is paid, without notification of the service or
19 labor charge prior to receiving the tendered item.

20 (19) Failing to supply to a consumer a copy of a sales or service contract, lease,
21 promissory note, trust agreement or other evidence of indebtedness which that person
22 may execute or has, in fact, executed.

23 (20) Selling or leasing or providing merchandise, goods or services on a credit sale basis
24 with knowledge by the merchant, at the time of the transaction, that there was no
25 reasonable probability of payment in full of the obligation by the consumer.

26 (21) Selling, leasing or providing merchandise, goods or services with knowledge by a
27 merchant, at the time of the transaction, of the inability of the consumer to receive
28 substantial benefits from the merchandise, goods or services sold or leased.

29 (22) Selling, leasing or providing merchandise, goods or services where there exists a
30 gross disparity between the price of the merchandise, goods or services sold or leased
31 and the value of the merchandise, goods or services measured by the price at which
32 similar merchandise, goods or services are readily obtainable in transactions by like

1 buyers or lessees. Any insurance commission or rebate received by a merchant shall
2 be considered in determining the existence of a gross disparity.

3 (23) The fact that the merchant failed to disclose that he contracted for or received a
4 commission fee or rebate for insurance with respect to credit sales.

5 (24) The fact that the merchant has knowingly taken advantage of the inability of the
6 consumer to reasonably protect his interests by reason of physical or mental
7 infirmities, ignorance, illiteracy or inability to understand the language of the
8 agreement.

9 (25) Replacing parts or components in an electrical or mechanical apparatus, appliance,
10 chattel or other goods or merchandise when such parts or components are not
11 defective, unless this replacement is specifically requested by the consumer.

12 (26) Falsely stating or representing that repairs, alterations, modifications or servicing
13 have been made when they have not been.

14 (27) Insertion by a merchant, in a contract of sale or lease, of a clause or condition which
15 is so one sided as to be unconscionable under the circumstances existing at the time of
16 the making of the contract.

17 (28) FAILING TO COMPLY WITH SECTION 17.1201.
18
19

20 **Subtitle 12. Miscellaneous**

21 22 **SECTION 17.1201. MOTOR VEHICLE FUELING FACILITIES – ACCURATE SIGNAGE** 23 **REQUIRED.** 24

25 (A) PURPOSE. THE PURPOSE OF THIS PROVISION IS TO REQUIRE FUEL PRICING
26 TRANSPARENCY BY MOTOR VEHICLE FUELING FACILITY OPERATORS BY REQUIRING
27 OPERATORS TO DISCLOSE ON THEIR PRICING SIGNS THE HIGHEST PRICE FOR EACH OF
28 THEIR FUELING OPTIONS IN ADDITION TO ITS LOWEST PRICES.
29

30 (B) DEFINITIONS. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS HAVE THE
31 MEANINGS INDICATED.

32 (1) BUSINESS REGULATION ARTICLE MEANS THE BUSINESS REGULATION
33 ARTICLE OF THE MARYLAND CODE, AS AMENDED.

(2) HIGHEST PRICE MEANS THE TOTAL AMOUNT, INCLUDING ANY FEES,
PAYABLE TO A MOTOR VEHICLE FUELING FACILITY BY A CUSTOMER FOR
ONE WHOLE MEASUREMENT UNIT OF GASOLINE SOLD ON THE PREMISES.

(3) MOTOR VEHICLE FUELING FACILITY MEANS A MERCHANT WHO SELLS MOTOR
FUEL AT RETAIL UNDER SECTION 10-315 OF THE BUSINESS REGULATION
ARTICLE.

(C) A MOTOR VEHICLE FUELING FACILITY SHALL:

(1) COMPLY WITH SECTION 10-315 OF THE BUSINESS
REGULATION ARTICLE; AND

(2) IF THE MOTOR VEHICLE FUELING FACILITY POSTS A SIGN UNDER SECTION
10-315(E) OF THE BUSINESS REGULATION ARTICLE, IT SHALL INCLUDE WITHIN
THE SIGN ADDITIONAL PRICING INFORMATION REQUIRED UNDER SUBSECTION (D)
OF THIS SECTION.

(D) ANY PRICING SIGN POSTED BY A MOTOR VEHICLE FUELING STATION UNDER SECTION
10-315(E)(2) OF THE BUSINESS REGULATION ARTICLE SHALL INCLUDE, IN ADDITION
TO THE LOWEST PRICE, A CLEAR AND VISIBLE HIGHEST PRICE.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A MOTOR VEHICLE
FUELING FACILITY MAY SATISFY THE REQUIREMENTS OF SUBSECTION (D) OF THIS
SECTION IF IT POSTS, ON A SIGN VISIBLE TO MOTORISTS AND SEPARATE FROM THE SIGN
REQUIRED UNDER SECTION 10-315(E) OF THE BUSINESS REGULATION ARTICLE, THE
HIGHEST PRICE.

(F) IF A MOTOR VEHICLE FUELING FACILITY POSTS THE HIGHEST PRICE UNDER SUBSECTION
(D) OF THIS SUBSECTION, THE LETTERS AND NUMERALS ON THE SEPARATE SIGN MUST
APPEAR IN THE SAME SIZE AND FONT AS THOSE USED ON THE SIGN POSTED UNDER
SECTION 10-315(E) OF THE BUSINESS REGULATION ARTICLE.

***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that
this Act shall become effective September 1, 2025.***

Amendment 2 to Council Bill No. 9-2024

BY: Christiana Rigby

Legislative Day 3
Date: March 4, 2024

Amendment No. 2

(This amendment establishes a seven-year sunset provision.)

On page 5, immediately following line 33, insert the following:

**“SECTION 3. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF HOWARD COUNTY, MARYLAND,
THAT THE PROVISIONS OF THIS ACT SHALL SUNSET AND SHALL HAVE NO FURTHER EFFECT SEVEN YEARS
AFTER THIS ACT BECOMES EFFECTIVE.”.**