Bill No	7-23			
Concerning: C	Consumer	Protection -		
Gasoline Station Signage				
		_ Draft No. <u>5</u>		
Introduced:	February 7	7, 2023		
Enacted:	March 28,	2023		
Executive:	April 10, 2	023		
Effective:	October 10	0, 2023		
Sunset Date: _	See Sec. 2	2		
Ch 11 Lav	ws of Mont	Co 2023		

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Albornoz

Co-Sponsors: Councilmembers Katz, Stewart, Luedtke, Balcombe, Sayles, and Mink, Council Vice-President Friedson, Council President Glass, and Councilmember Jawando

AN ACT to:

- (1) define and prohibit certain deceptive trade practices by gasoline stations;
- (2) require the inclusion of certain supplemental information on state-required signage at gasoline stations; and
- (3) generally amend the law regarding deceptive, unfair, or unconscionable trade practices.

By amending

Montgomery County Code Chapter 11, Consumer Protection Section 11-4

By adding

Section 11-4C

Boldface	Heading or defined term.
<u>Underlining</u>	Added to existing law by original bill.
[Single boldface brackets]	Deleted from existing law by original bill.
Double underlining	Added by amendment.
[[Double boldface brackets]]	Deleted from existing law or the bill by amendment.
* * *	Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec 1	. Secti	on 11-4 is amended, and Section 11-4C is added, as follows:
2	11-4. Decep	tive tr	rade practices.
3	A me	rchant	must not engage in a deceptive, unfair, or unconscionable trade
4	practi	ice, wh	ether or not any specific consumer has, in fact, been misled,
5	deceived, or damaged thereby. Deceptive, unfair, or unconscionable trade		
6	practi	ices inc	clude:
7			* * *
8	(y)	taking	g payment for goods or services without delivering the goods or
9		perfo	rming the services; [or] <u>or</u>
10	(z)	practi	icing, or in any way engaging in, any trade, occupation, or profession
11		withc	out a license, registration, certificate, or other evidence of training or
12		exper	rience required by law[[; or
13	<u>(aa)</u>	<u>a viol</u>	ation of Section 11-4C]].
14	11-4C. Gas	<u>oline</u> <u>S</u>	Stations – Accurate Signage Required.
15	<u>(a)</u>	For p	burposes of this section, the following terms have the meanings
16		indica	ated.
17		<u>(1)</u>	Business Regulation Article means the Business Regulation
18			Article of the Maryland Code, as amended.
19		<u>(2)</u>	<u>Credit price</u> means the <u>highest</u> total amount, including any fees,
20			payable to a gas station by a customer using a credit card or other
21			non-cash form of payment, for one whole measurement unit of
22			regular gasoline sold on the premises.
23		<u>(3)</u>	Gasoline station means a merchant who sells motor fuel at
24			retail under Section 10-315 of the Business Regulation Article.
25	<u>(b)</u>	A gas	soline station must:

26			<u>(1)</u>	comply with Section 10-315 of the Business Regulation Article;
27				<u>and</u>
28			<u>(2)</u>	if the gas station posts a sign under Section 10-315(e) of the
29				Business Regulation Article, include within the sign additional
30				pricing information required under subsection (c) of this Section.
31		<u>(c)</u>	A sign	n posted by a gas station under Section 10-315(e)(2) of the Business
32			Regu	lation Article must include[[, clearly and visibly,]] the [[highest]]
33			credit	price.
34	<u>(</u>	<u>(d)</u>	If the	lowest price under the Business Regulation Article and the credit
35			price	are the same, subsection (c) does not apply.
36	<u>(</u>	<u>(e)</u>	<u>Altern</u>	native method of compliance - subject to sunset.
37			<u>(1)</u>	This subsection must sunset and must have no further effect 7 years
38				after this Section takes effect.
39			<u>(2)</u>	Notwithstanding any other provision of this Section, a gas station
40				may satisfy the requirements of subsections (b) and (c) of this
41				Section if it posts, on a sign visible to motorists and separate from
42				the sign required under Section 10-315(e) of the Business
43				Regulation Article, the credit price.
44			<u>(3)</u>	If a gas station posts the credit price under paragraph (2) of this
45				subsection, the letters and numerals on the separate sign must
46				appear in the same size and font as those used on the sign posted
47				under Section 10-315(e) of the Business Regulation Article.
48	<u> </u>	<u>Sec. 2</u>	2. Effe	ctive Date. This Act must take effect 6 months after it becomes
49	<u>law.</u>			

- 50 Sec. 3. Limited Sunset. Subsection (e) of Section 11-4C, added under Section
- 51 <u>1 of this Act, must sunset and must have no further effect 7 years after this Act takes</u>
- 52 <u>effect.</u>

Approved:		
Eran Glim	3/29/2023	
Evan Glass, President, County Council	Date	
Approved:		
Mare ER	4/10/2023	
Marc Elrich, County Executive	Date	
This is a correct copy of Council action.		
and Suns	4/10/2023	
Judy Rupp, Clerk of the Council	Date	