

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 24-0480

Introduced by: Councilmember Conway
Introduced and read first time: January 8, 2024
Assigned to: Public Safety and Government Operations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: March 4, 2024

AN ORDINANCE CONCERNING

Motor Fuel Credit Price – Signage

1

2 FOR the purpose of requiring a certain retail dealer in motor fuel to display the credit price of
3 motor fuel on a certain sign; defining certain terms; establishing certain penalties; and
4 generally relating to a retail dealer in motor fuel’s credit price for motor fuel.

5 BY repealing and re-ordaining, with amendments,
6 Article 1 - Mayor, City Council, and Municipal Agencies
7 Section 41-14(.5)
8 Baltimore City Code
9 (Edition 2000)

10 BY repealing and re-ordaining, with amendments,
11 Article 2 - Consumer Protections
12 Sections 10-1, 10-4, and 10-8
13 Baltimore City Code
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
16 Laws of Baltimore City read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 41. Civil Citations

§ 41-14. Definitions.

(.5) Article 2. Consumer Protections

SUBTITLE 10. MOTOR FUEL SALES

§ 10-4(C). FAILURE TO DISPLAY HIGHEST CREDIT PRICE FOR MOTOR FUEL

| | |
|---------------------------------------|---------|
| 1 ST OFFENSE | \$100 |
| 2 ND OFFENSE | \$250 |
| 3 RD OFFENSE | \$500 |
| 4 TH OR SUBSEQUENT OFFENSE | \$1,000 |

Subtitle 16. Ticket Sales – Charges by Operators and Agents \$750

Subtitle 17. Ticket Sales – Ticket Purchasing Software \$750

Article 2. Consumer Protections

Subtitle 10. Motor Fuel Sales

§ 10-1. Definitions.

(A) IN GENERAL.

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *CREDIT PRICE*.

“CREDIT PRICE” MEANS THE TOTAL COST, INCLUDING ANY FEES, FOR 1 WHOLE MEASUREMENT UNIT OF REGULAR GASOLINE SOLD ON THE PREMISES THAT IS PAYABLE TO A FUEL STATION BY A CUSTOMER USING A CREDIT CARD OR OTHER NON-CASH FORM OF PAYMENT.

[(a) *Retail dealer*.]

[The term “retail dealer” shall mean any person, firm, or corporation operating a service station, filling station, store, garage, or other place of business for the retail sale of motor fuel or the sale or dispensing of motor fuel for delivery into the service tank or tanks of any motor vehicle which is propelled by an internal combustion motor, other than such a motor vehicle belonging to the person owning or operating said place of business.]

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1 (C) [(b)] *Motor fuel.*

2 [The term “motor fuel” shall mean:]

3 “MOTOR FUEL” MEANS:

4 (1) a light distillate of petroleum or allied substance with suitable volatility and other
5 characteristics to be used as a fuel for operating internal combustion engines
6 whether or not it is mixed with other materials; or

7 (2) any other product or liquid when sold for use as a fuel in any type of internal
8 combustion engine furnishing power to operate a motor vehicle.

9 (D) *RETAIL DEALER.*

10 “RETAIL DEALER” MEANS ANY PERSON, FIRM, OR CORPORATION OPERATING A SERVICE
11 STATION, FILLING STATION, STORE, GARAGE, OR OTHER PLACE OF BUSINESS FOR THE
12 RETAIL SALE OF MOTOR FUEL OR THE SALE OR DISPENSING OF MOTOR FUEL FOR DELIVERY
13 INTO THE SERVICE TANK OR TANKS OF ANY MOTOR VEHICLE WHICH IS PROPELLED BY AN
14 INTERNAL COMBUSTION MOTOR, OTHER THAN SUCH A MOTOR VEHICLE BELONGING TO THE
15 PERSON OWNING OR OPERATING SAID PLACE OF BUSINESS.

16 **§ 10-4. Signs.**

17 (a) *Legislative finding.*

18 The City Council finds that the preservation of the natural beauty of Baltimore City
19 requires the limitation of signs advertising prices of motor vehicle fuels at places
20 dispersing fuels in Baltimore City. Such limitation will equally serve to protect the safety
21 and recreational value of public travel on streets in the City and will better protect the
22 public investment in its streets and highways. In furtherance of these purposes, the
23 following limitations are enacted.

24 (b) *Price signs on pumps.*

25 (1) Every retail dealer in motor fuel shall publicly display and maintain on each pump or
26 other dispensing device, from which motor fuel is sold by him, at least 1 sign and not
27 more than 2 signs stating the price per gallon of the motor fuel, the State and Federal
28 taxes, and the total price, sold by him from such pump or device.

29 (2) Said sign or signs shall be of a size not larger than 8 inches by 10 inches.

30 (3) The price shown on each of such signs shall include an itemization of the cost per
31 gallon of said motor fuel, the amount of Federal taxes, and the amount of State taxes.

32 (4) All figures, including fractions, upon said signs, other than figures and fractions used
33 in any price-computing mechanism constituting a part of any such pump or dispensing
34 device, shall be of the same size.

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1 (C) *CREDIT PRICE MUST BE DISPLAYED.*

2 IF A RETAIL DEALER IN MOTOR FUEL POSTS A SIGN UNDER § 10-315(E) OF THE STATE
3 BUSINESS REGULATION ARTICLE, THE SIGN MUST INCLUDE, CLEARLY AND VISIBLY, THE
4 HIGHEST CREDIT PRICE.

5 (D) [(c)] *Other price signs prohibited.*

6 No signs stating or relating to the prices of motor fuel and no signs designed or calculated
7 to cause the public to believe that they state or relate to the price of motor fuel, other than
8 the signs referred to in [subsection (b)] SUBSECTIONS (B) AND (C) of this section and
9 required to be displayed upon pumps and other dispensing devices, shall be posted or
10 displayed on or about the premises where motor fuel is sold at retail, and within the view
11 of any public highway or reservation.

12 **§ 10-8. Penalties.**

13 (a) *In general.*

14 (1) Except as provided under [subsection (b)] SUBSECTIONS (B) AND (C) of this section,
15 whoever, himself or by his agent or servant, violates any provision of this subtitle
16 shall be punished by a fine of not less than \$10 nor more than \$100.

17 (2) Upon the 2nd conviction of any licensee or any such violation, whether by himself or
18 by his agent or servant, the Director of Finance may suspend the right of such licensee
19 to engage in the business of selling motor fuel at retail for a period not exceeding 3
20 months.

21 (3) Upon a 3rd or subsequent conviction of any license of any such violation, whether by
22 himself or by his agent or servant, the Director of Finance may suspend such right for
23 a period not exceeding 1 year.

24 (B) *VIOLATIONS OF § 10-4(C).*

25 ANY RETAIL DEALER OF MOTOR FUEL VIOLATING § 10-4(C) OF THIS SUBTITLE IS SUBJECT
26 TO:

27 (I) FOR A FIRST OFFENSE, A FINE OF NOT MORE THAN \$100;

28 (II) FOR A SECOND OFFENSE, A FINE OF NOT MORE THAN \$250;

29 (III) FOR A THIRD OFFENSE, A FINE OF NOT MORE THAN \$500; AND

30 (IV) FOR A FOURTH OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN \$1,000
31 AND THE SUSPENSION OF THE RETAIL DEALER'S LICENSE UNDER § 10-2 OF THIS
32 SUBTITLE.

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1 (C) [(b)] *Violations of §10-6.*

2 Any retail service station dealer who is convicted of a violation of any provision of § 10-6
3 of this subtitle is subject to a fine of not more than \$25.

4 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
5 after the date it is enacted.

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Certified as duly passed this 18 day of March, 2024




President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this 18 day of March, 2024



Chief Clerk

Approved this 24 day of April, 2024



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 19th Day of March, 2024.
Elena R. DiPietro

Chief Solicitor