

10-204. INJUNCTION TO BAR MARKETING VIOLATION.

IF THE COMPTROLLER FINDS THAT A PERSON IS WILLFULLY MARKETING IN THE STATE MOTOR FUEL REGULATED BY THIS TITLE THAT DOES NOT MEET MINIMUM SPECIFICATIONS SET BY THE COMPTROLLER OR OTHERWISE WILLFULLY MARKETING MOTOR FUEL IN VIOLATION OF THIS TITLE OR THE TAX - GENERAL ARTICLE OR ANY REGULATION ADOPTED UNDER THIS TITLE OR THE TAX - GENERAL ARTICLE, THE COMPTROLLER:

(1) SHALL ORDER THE PERSON TO STOP THE VIOLATION, INCLUDING ANY SALE OR DISTRIBUTION; AND

(2) IF THE VIOLATION CONTINUES, SHALL SUE FOR AN INJUNCTION TO STOP THE VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first and second sentences of former Art. 56, § 157B(b).

In item (2) of this section, the former reference to asking the Attorney General to apply for an injunction is deleted to conform with similar provisions in this article.

The third sentence of former Art. 56, § 157B(b), which gave the appropriate court jurisdiction to grant a temporary or permanent injunction, is deleted as unnecessary in light of the inherent powers of a court.

Defined terms: "Comptroller" § 1-101

"Motor fuel" § 10-101

"Person" § 1-101

10-205. LIQUEFIED PETROLEUM GAS.

(A) REGULATION NOT REQUIRED.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE COMPTROLLER NEED NOT ANALYZE, COLLECT, INSPECT, OR SET MINIMUM SPECIFICATIONS FOR LIQUEFIED PETROLEUM GAS.

(B) EXCEPTION.

IF IT IS NECESSARY TO PROTECT THE PUBLIC WELFARE, LIQUEFIED PETROLEUM GAS IS SUBJECT TO THE SAME PROVISIONS OF THIS TITLE AS MOTOR FUEL.

REVISOR'S NOTE: This section is new language derived without substantive change from the sixth and seventh sentences of former Art. 56, § 157B(a).

In subsection (a) of this section, the former word "test" is deleted as included in the word "analyze".