

Article - Commercial Law

Section 11-304(k) [[and 11-304(l)]]

Annotated Code of Maryland

(As enacted by Chapter _____ (HB 26) of the
Acts of the General Assembly of 1975)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new [[Sections 11-304(k) and 11-304(l) be and they are]] Section 11-304(k) be and it is hereby added to Article - Commercial Law, of the Annotated Code of Maryland (As enacted by Chapter _____ (HB 26) of the Acts of the General Assembly of 1975) to read as follows:

Article - Commercial Law

11-304.

(K) A CLAUSE IN ANY LEASE OR CONTRACT FROM A PRODUCER OR REFINER TO A DEALER FOR THE USE OF A RETAIL SERVICE STATION PROVIDING FOR A MINIMUM MONTHLY RENTAL BASED ON A CERTAIN VOLUME OF SALES IS NOT ENFORCEABLE TO THE EXTENT THE MINIMUM RENT EXCEEDS A SUM EQUAL TO THE MINIMUM RENT PROVIDED FOR IN THE LEASE OR CONTRACT TIMES A FRACTION, THE DENOMINATOR OF WHICH IS THE NUMBER OF GALLONS OF GASOLINE ON WHICH THE MINIMUM RENT IS BASED AND THE NUMERATOR OF WHICH IS THE NUMBER OF GALLONS OF GASOLINE MADE AVAILABLE BY THE PRODUCER OR REFINER TO THE DEALER FOR THAT MONTH.

[[(L) A LEASE OR CONTRACT BETWEEN A PRODUCER OR REFINER AND A DEALER FOR THE USE OF A RETAIL SERVICE STATION WHICH IS RENEWED OR ENTERED INTO AFTER JULY 1, 1975, MAY NOT PROVIDE FOR A FIXED MINIMUM RENTAL, BUT ANY RENTALS UNDER THE LEASE SHALL BE BASED ONLY ON THE GALLONS OF GASOLINE SOLD BY THE DEALER DURING THE PERIOD COVERED BY THE RENTAL.]]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1975.

Approved April 22, 1975.

CHAPTER 374

(Senate Bill 954)

AN ACT concerning