

HOUSE No. 206

The Commonwealth of Massachusetts

PRESENTED BY:

James J. Dwyer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to Ensure Fairness and Competition for Consumers.

PETITION OF:

NAME:

James J. Dwyer

DISTRICT/ADDRESS:

30th Middlesex

HOUSE No. 206

By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 206) of James J. Dwyer relative to retail sale of gasoline to the motoring public . Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to Ensure Fairness and Competition for Consumers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 3A of Chapter 93E of the general laws is hereby amended by inserting the
2 following new section:

3 Section 3B.

4 Section 1. Definitions.

5 (1) The term “retail dealer” shall mean any person operating a service station, filling
6 station, store, garage or other place of business for the retail sale of motor fuel or automotive
7 lubricating oil or the sale of or dispensing of motor fuel for delivery into the service tank or tanks
8 of any motor vehicle which is propelled by an internal combustion motor other than such a motor
9 vehicle belonging to the person owning or operating said place of business.

10 (2) The term “motor fuel” shall mean (a) a light distillate of petroleum or allied substance
11 with suitable volatility and other characteristics to be used as a fuel for operating internal
12 combustion engines, whether or not it is mixed with other materials, or (b) any other product or
13 liquid when sold for use as a fuel in any type of internal combustion engine furnishing power to
14 operate a motor vehicle.

15 Section 2. No retail dealer engaged in the retail sale of gasoline to the motoring public in
16 the commonwealth shall coordinate and partnership with a grocery store, retail store or wholesale
17 club offer any discount, promotion, premium, coupon, give-away, or rebate in the operation of
18 the business that results in a price per gallon of gasoline below cost.

19 Section 3. A grocery store, retail store or wholesale club may offer a discount,
20 promotion, premium, coupon, give-away, or rebate for retail purchases in said stores when the
21 discount, promotion, premium, coupon, give-away, or rebate is a direct result of the consumers
22 purchase of gasoline.