SENATE DOCKET, NO. 259 FILED ON: 1/19/2011

SENATE . . . . . No. 1640

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Baddour

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:

An Act to protect motor fuel service station owners..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven A. Baddour	*[District]*

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By Mr. Baddour, a petition (accompanied by bill, Senate, No. 1640) of Steven A. Baddour for legislation to protect motor fuel service station owners. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *106* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to protect motor fuel service station owners..

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

Section 1 of Chapter 93E is hereby amended by inserting the following definitions in alphabetical order:

"producer" means any person engaged directly or indirectly in the extraction of or the production of crude oil or refined crude oil products:

"refiner" means any person engaged directly or indirectly in the refining of motor fuel, or a producer who contracts with another to refine petroleum products for the purposes of sale of motor fuel by the producer.

Section 2. Chapter 93E is hereby amended by inserting after section 5A the following new section 5B:

Section 5B. (a) It shall be unlawful for any supplier which also is a refiner or producer to operate any motor fuel service station in the Commonwealth of Massachusetts through an employee or commissioned agent with the following exceptions;

- Any station already operated through an employee or commissioned agent as of January 1, 2009.

15 - A supplier which is also a refiner may operate additional motor fuel service stations if
16 said stations are without Lessee dealers for a limited period of time of not more than 12 months.
17 These motor fuel service stations shall be dealer operated after this 12 month period.

18 (b). It shall be unlawful for any supplier which operates as an interstate chain marketer to
19 operate any motor fuel service station in the commonwealth of Massachusetts through an
20 employee or commissioned agent.