

HOUSE BILL No. 5562

January 19, 2006, Introduced by Reps. Elsenheimer and Moore and referred to the
Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 541 (MCL 436.1541).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 541. (1) The commission shall not prohibit an applicant
2 for or the holder of a specially designated distributor license or
3 specially designated merchant license from owning or operating
4 motor vehicle fuel pumps on or adjacent to the licensed premises,
5 if both of the following conditions are met:

6 (a) One or both of the following conditions exist:

7 (i) The applicant or licensee is located in a neighborhood
8 shopping center composed of 1 or more commercial establishments
9 organized or operated as a unit which is related in location, size,

1 and type of shop to the trade area that the unit serves, which
2 provides not less than 50,000 square feet of gross leasable retail
3 space, and which provides 5 private off-street parking spaces for
4 each 1,000 square feet of gross leasable retail space.

5 (ii) The applicant or licensee maintains a minimum inventory on
6 the premises, excluding alcoholic liquor and motor vehicle fuel, of
7 not less than \$250,000.00, at cost, of those goods and services
8 customarily marketed by approved types of businesses.

9 (b) The site of payment and selection of alcoholic liquor is
10 not less than 50 feet from that point where motor vehicle fuel is
11 dispensed.

12 (2) The commission shall not prohibit an applicant for or the
13 holder of a specially designated merchant license from owning or
14 operating motor vehicle fuel pumps on or adjacent to the licensed
15 premises if both of the following conditions are met:

16 (a) The applicant or licensee is located in either of the
17 following:

18 (i) A city, incorporated village, or township with a population
19 of ~~3,000~~ 3,500 or less and a county with a population of 31,000
20 or more.

21 (ii) A city, incorporated village, or township with a
22 population of ~~3,500~~ 4,000 or less and a county with a population
23 of less than 31,000.

24 (b) The applicant or licensee maintains a minimum inventory on
25 the premises, excluding alcoholic liquor and motor vehicle fuel, of
26 not less than \$10,000.00, at cost, of those goods and services
27 customarily marketed by approved types of businesses.

1 (3) The commission shall not prohibit an applicant for or the
2 holder of a specially designated distributor license from owning or
3 operating motor vehicle fuel pumps on or adjacent to the licensed
4 premises if both of the following conditions are met:

5 (a) The applicant or licensee is located in either of the
6 following:

7 (i) A city, incorporated village, or township with a population
8 of 3,000 or less and a county with a population of 31,000 or more.

9 (ii) A city, incorporated village, or township with a
10 population of 3,500 or less and a county with a population of less
11 than 31,000.

12 (b) The applicant or licensee maintains a minimum inventory on
13 the premises, excluding alcoholic liquor and motor vehicle fuel, of
14 not less than \$12,500.00, at cost, of those goods and services
15 customarily marketed by approved types of businesses.

16 (4) A person who was issued a specially designated merchant
17 license or specially designated distributor license at a location
18 at which another person owned, operated or maintained motor vehicle
19 fuel pumps at the same location may have or acquire an interest in
20 the ownership, operation or maintenance of those motor vehicle fuel
21 pumps.

22 (5) The commission may transfer ownership of a specially
23 designated merchant license or specially designated distributor
24 license to a person who owns or is acquiring an interest in motor
25 vehicle fuel pumps already in operation at the same location at
26 which the license is issued.