

HOUSE BILL No. 6257

Introduced by Rep. Mayes and referred to the Committee on Agriculture.

A bill to amend 1931 PA 231, entitled

"An act to prohibit fraud and deceit in the sale of liquid fuels, lubricating oils or similar products; to prohibit the sale of such products under false or fictitious names; to prohibit substitution, mixing or adulteration of such products so as to deceive the purchaser thereof as to their nature, quality and identity; to prohibit the use of containers, tanks, pumps or other distributing equipment for the storage or sale of such products, other than those indicated by the name, device, sign or distinguishing marks upon such containers, tanks, pumps or distributing equipment; and to provide a penalty for violations of this act,"

(MCL 752.251 to 752.257) by amending the title and by adding section 6a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to prohibit fraud and deceit in the sale of liquid fuels, lubricating oils, or similar products; to prohibit the sale

1 of ~~such~~ **ANY OF THOSE** products under false or fictitious names; to
2 prohibit substitution, mixing, or adulteration of ~~such~~ **ANY OF THOSE**
3 products ~~so as to deceive the purchaser thereof as to their~~ **THE**
4 nature, quality, and identity **OF THAT PRODUCT**; to prohibit the use
5 of containers, tanks, pumps, or other distributing equipment for
6 the storage or sale of ~~such~~ **ANY OF THOSE** products, other than those
7 indicated by the name, device, sign, or distinguishing marks ~~upon~~
8 ~~such~~ **ON THOSE** containers, tanks, pumps, or distributing equipment;
9 **TO PROHIBIT LIMITING THE QUANTITY OF ANY LIQUID FUELS SOLD OR**
10 **OFFERED FOR SALE AT RETAIL**; and to ~~provide a penalty for violations~~
11 ~~of this act~~ **PRESCRIBE PENALTIES.**

12 **SEC. 6A. (1) IT IS UNLAWFUL FOR A PERSON ENGAGED IN THE RETAIL**
13 **SALE OF ANY LIQUID FUELS AT A RETAIL LOCATION OR FACILITY IN THIS**
14 **STATE TO LIMIT THE QUANTITY OF ANY LIQUID FUELS SOLD OR OFFERED FOR**
15 **SALE TO ANY PURCHASER FROM ANY TANK, CONTAINER, FUEL PUMP, OR OTHER**
16 **DISTRIBUTING DEVICE TO A QUANTITY LESS THAN THE ENTIRE REMAINING**
17 **SUPPLY OF THAT LIQUID FUEL AVAILABLE FOR SALE AT THAT RETAIL**
18 **LOCATION OR FACILITY. THIS SUBSECTION DOES NOT APPLY DURING AN**
19 **EMERGENCY PERIOD IF THE RETAIL LOCATION OR FACILITY IS LOCATED IN**
20 **AN EMERGENCY AREA.**

21 **(2) AS USED IN THIS SECTION:**

22 **(A) "EMERGENCY AREA" MEANS AN AREA OF THIS STATE SUBJECT TO A**
23 **STATE OF EMERGENCY DECLARED BY THE GOVERNOR UNDER THE EMERGENCY**
24 **MANAGEMENT ACT, 1976 PA 390, MCL 30.401 TO 30.421, OR UNDER 1945 PA**
25 **302, MCL 10.31 TO 10.33, OR A STATE OF ENERGY EMERGENCY DECLARED BY**
26 **THE GOVERNOR UNDER 1982 PA 191, MCL 10.81 TO 10.89.**

27 **(B) "EMERGENCY PERIOD" MEANS THE PERIOD DURING WHICH A STATE**

1 OF EMERGENCY DECLARED BY THE GOVERNOR IS EFFECTIVE UNDER THE
2 EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.401 TO 30.421, OR
3 UNDER 1945 PA 302, MCL 10.31 TO 10.33, OR A STATE OF ENERGY
4 EMERGENCY DECLARED BY THE GOVERNOR UNDER 1982 PA 191, MCL 10.81 TO
5 10.89.