

§1209. Reports

1. Requirement. Whenever the price of motor fuel sold at a retail outlet operated or controlled by a wholesaler of motor fuel is less than the dealer tankwagon price charged for the same motor fuel to any independent retail outlet supplied by the wholesaler and located within one mile of the wholesaler's outlet, the wholesaler shall file a written report with the Attorney General setting forth the information specified in subsection 2. This section shall apply only when the price at the wholesaler's outlet is less, for one full business day, than the most recent dealer tankwagon price to the independent outlet, provided that such sale was made to the independent retail outlet within 30 days prior to the date the lower price was posted by the wholesaler. "Dealer tankwagon price" means the wholesaler's price for motor fuel delivered to the independent retail outlet.

[PL 1981, c. 423, §2 (NEW).]

2. Contents. The report required from the wholesaler shall contain the following information:

- A. The date on which the underpricing occurred; [PL 1981, c. 423, §2 (NEW).]
- B. The name and location of the wholesaler's retail outlet; [PL 1981, c. 423, §2 (NEW).]
- C. The wholesale cost of the motor fuel sold at that outlet; [PL 1981, c. 423, §2 (NEW).]
- D. The retail price the wholesaler charged on the date the underpricing occurred; [PL 1981, c. 423, §2 (NEW).]
- E. The name and location of the independent outlet which the wholesaler has underpriced; [PL 1981, c. 423, §2 (NEW).]
- F. The most recent dealer tankwagon price and date of sale to the independent retail outlet; and [PL 1981, c. 423, §2 (NEW).]
- G. The retail price of the independent on the date the underpricing occurred. [PL 1981, c. 423, §2 (NEW).]

The report shall be filed by postmarking it within 5 business days of the date on which the underpricing occurred.

[PL 1981, c. 423, §2 (NEW).]

3. Penalty. A person who fails to file a report as required by this section is subject to a penalty of not more than \$500 a day for each day after the first 5 business days on which the person fails to file a report by postmarking it. The penalty must be payable to the State and recoverable in a civil action.

[RR 2023, c. 2, Pt. C, §21 (COR).]

SECTION HISTORY

PL 1981, c. 423, §2 (NEW). RR 2023, c. 2, Pt. C, §21 (COR).

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