

ENROLLMENT(S)

(5)

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AN ACT
D.C. ACT 11-358

*Codification
District of
Columbia
Code
1997 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 1996

To amend the Retail Service Station Act of 1976 to extend the moratorium on the conversion of full service retail service stations to limited service retail stations until October 1, 1999, to extend the life of the Gas Station Advisory Board, and to modify the petition for exemption process.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of the Moratorium on Retail Service Station Conversions and the Gas Station Advisory Board Amendment Act of 1996".

Sec. 2. Section 5-301 of the Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Code § 10-231), is amended as follows:

Section
10-231

(a) Subsection (b) is amended by striking the phrase "October 1, 1995" and inserting the phrase "October 1, 1999" in its place.

(b) Subsection (c) is amended by striking the phrase "October 1, 1995" and inserting the phrase "October 1, 1999" in its place.

(c) Subsection (d) is amended to read as follows:

"(d)(1) A petition for exemption shall be filed with the Mayor by both a distributor and a retail dealer ("petitioners"). The Mayor may grant an exemption to the prohibitions contained in subsections (b) and (c) of this section if the petitioners agree in writing that the distributor will perform the following:

"(A) Structurally alter, modify, or otherwise convert a retail service station, irrespective of the type or magnitude of the alteration, modification, or conversion, including, but not limited to, any alteration, modification, or conversion that has the effect of merely obstructing access to an existing garage, service bay, work area, or similar enclosed area by any motor vehicle that was previously accommodated, into a non-full service facility; or

"(B) Substantially reduce the number, type, quantity, or quality of repairs, maintenance, and other services including the retail sale of motor fuels, petroleum products, and automotive products; and

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"(C) Certify that a station is experiencing financial hardship; or

"(D) Certify that there is another retail service station within 1 mile of the station that provides equivalent service facilities; and

"(E) Certify that the distributor will improve the station in the following ways:

"(i) Improve or increase the lighting of the facility;

"(ii) Improve customer accessibility to the gasoline dispensers;

and

"(iii) Improve customer conveniences including separate mens and womens restroom facilities, a working air hose for automobile and bicycle tires, and water for windshield cleaning equipment.

"(2) The Mayor shall issue a determination on the petition within 45 days after the date the petition is submitted and deemed complete. If the Mayor does not issue a recommendation within the 45 days the petition shall be deemed approved."

(d) Subsection (e) is amended to read as follows:

"(e)(1) Within 30 days of the effective date of the Paternity Acknowledgment and Gas Station Advisory Board Re-establishment Emergency Act of 1996, the Mayor shall appoint a Gas Station Advisory Board to make recommendations on petitions for exemptions. The Board shall consist of 5 members: One representing the retail service station dealers, 1 representing the oil companies, 2 representing the consumer interest, and 1 representing the Mayor.

"(2) The Board shall establish and publish, for 30 days comment, the rules and procedures which shall govern its conduct.

"(3) The Board may establish and publish, for 30 days comment, additional criteria which shall be used in reviewing the petitions for exemptions.

"(4) The Board shall cease to exist on October 1, 1999."

(e) New subsections (g) and (h) are added to read as follows:

"(g) Any person, including the principal officers or agents of a corporation or association, who falsely certifies a petition for exemption, or willfully or knowingly fails to provide information required by this act, or intentionally provides misleading information required by this act, upon conviction, shall be subject to a fine of not less than \$500, but not more than \$2,000, for each offense.

"(h) The Mayor shall, pursuant to title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 et seq.), issue rules to implement the provisions of this act which shall include a requirement that each petition for exemption include an estimated date of completion for each phase of a full service retail station conversion."

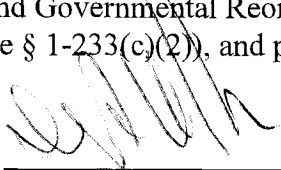
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal

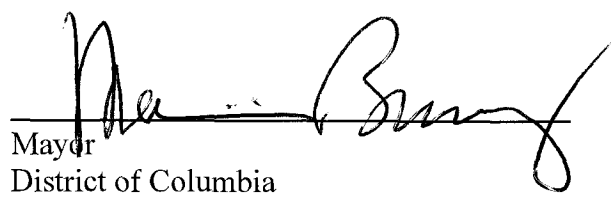
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impact statement required by section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 4. This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(2)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: JULY 26, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-109

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 6-4-96

VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST

ABSENT CHAVOUS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

July 15, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 7-3-96

VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST

ABSENT CHAVOUS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

July 15, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

VOICE VOTE _____
 RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
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Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date