

105TH CONGRESS
2D SESSION

H. R. 3847

To prohibit certain transfers or assignments of franchises, and to prohibit certain fixing or maintaining of motor fuel prices, under the Petroleum Marketing Practices Act.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1998

Mr. WYNN introduced the following bill; which was referred to the Committee on Commerce

A BILL

To prohibit certain transfers or assignments of franchises, and to prohibit certain fixing or maintaining of motor fuel prices, under the Petroleum Marketing Practices Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TRANSFER OR ASSIGNMENT OF FRANCHISE.**

4 Section 102 of the Petroleum Marketing Practices
5 Act (15 U.S.C. 2802) is amended by adding at the end
6 the following new subsection:

7 “(e) A franchisor of leased marketing premises shall
8 not transfer or assign its interests in the franchise during

1 the term of the franchise unless the franchisor, at least
 2 45 days before the proposed transfer or assignment, has—

3 “(1) made a bona fide offer to sell, transfer, or
 4 assign to the franchisee the franchisor’s interests in
 5 the leased marketing premises; or

6 “(2) if applicable, offered the franchisee a right
 7 of first refusal of at least 45 days duration of an
 8 offer, made by another, to purchase or acquire the
 9 franchisor’s interests in the leased marketing prem-
 10 ises.”.

11 **SEC. 2. RETAIL PRICE SETTING.**

12 (a) AMENDMENT.—Title I of the Petroleum Market-
 13 ing Practices Act (15 U.S.C. 2801 et seq.) is amended
 14 by adding at the end the following new section:

15 “RETAIL PRICES

16 “SEC. 107. It shall be a violation of this title for a
 17 refiner or distributor to fix or maintain the retail price
 18 of motor fuel at a retail outlet supplied by that refiner
 19 or distributor. This section shall not apply to retail outlets
 20 operated by the refiner or distributor.”.

21 (b) CONFORMING AMENDMENTS.—Subsections (a),
 22 (b), and (d) of section 105 of the Petroleum Marketing
 23 Practices Act (15 U.S.C. 2805(a), (b), and (d)) are
 24 amended by striking “102 or 103” each place it appears
 25 and inserting “102, 103, or 107”.

1 (c) TABLE OF CONTENTS AMENDMENT.—The table
2 of contents of the Petroleum Marketing Practices Act is
3 amended by inserting after the item relating to section
4 106 the following new item:

“Sec. 107. Retail prices.”.

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