

**§1109. Acquisition of gasoline and heating oil assets**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Gasoline sales" means the retail sale of internal combustion fuel for motor vehicles as defined in Title 29-A, section 101, subsection 42. [PL 1995, c. 65, Pt. A, §13 (AMD); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

B. "Heating oil sales" means the retail sale of #2 fuel oil used for heating residential, industrial or commercial space or water. [PL 1991, c. 488 (NEW).]

[PL 1995, c. 65, Pt. A, §13 (AMD); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

**2. Prohibition.** A person may not acquire, directly or indirectly, from a business engaged in gasoline sales or heating oil sales in this State, without prior notice as required under subsection 3:

A. Controlling stock; or [PL 1989, c. 750 (NEW).]

B. Substantial assets that include those used in gasoline sales or heating oil sales. [PL 1991, c. 488 (AMD).]

[PL 1991, c. 488 (AMD).]

**3. Report.** The person acquiring stock or assets under subsection 2 shall provide notice of this acquisition to the Department of the Attorney General at least 90 days prior to the date of acquisition. That period may be shortened with the consent of the Attorney General.

[PL 2023, c. 538, §3 (AMD).]

**4. Confidentiality.** Information received by the Department of the Attorney General as a result of this reporting requirement is confidential.

[PL 1993, c. 719, §2 (AMD); PL 1993, c. 719, §12 (AFF).]

**5. Penalty.** Violation of this section is a civil violation for which a civil penalty not to exceed \$50,000 may be assessed.

[PL 2023, c. 538, §4 (AMD).]

**SECTION HISTORY**

PL 1989, c. 750 (NEW). PL 1991, c. 488 (AMD). PL 1993, c. 719, §2 (AMD). PL 1993, c. 719, §12 (AFF). PL 1995, c. 65, §A13 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 2023, c. 538, §§3, 4 (AMD).

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