

COUNCIL OF THE DISTRICT OF COLUMBIA

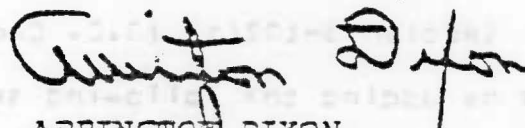
NOTICE

D. C. LAW 3-44

"Moratorium on Retail Service Station Conversion Act of 1979."

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-152, on first and second readings, September 25, 1979 and October 9, 1979 respectively. Following the signature of the Mayor on November 2, 1979, this legislation was assigned Act No. 3-118, published in the November 9, 1979, edition of the D.C. Register, (Vol. 26 page 2093) and transmitted to Congress on November 13, 1979 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and, therefore, cites this enactment as D.C. Law 3-44 effective December 29, 1979.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

November 13, 14, 15, 16, 19, 20, 25, 27, 28, 29, 30

December 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20,
21, 24, 26, 27, 28,

AN ACT

D.C. ACTS - 118

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOV 02 1979

To amend the Retail Service Station Act of 1975 to expand the moratorium on the conversion of full service retail service stations to limited service retail service stations, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this Act may be cited as the "Moratorium on Retail Service Station Conversions Act of 1979".

Sec. 2. The Retail Service Station Act of 1975, effective April 19, 1977 (D.C. Law 1-123; D.C. Code, sec. 10-201), is amended as follows:

- (a) Section 3-102(b) (D.C. Code, sec. 10-212(b)) is amended by adding the following sentence at the end thereof: "However, any entity, which as of October 3, 1973, operates a retail service station in the District of Columbia, and of which a producer, refiner, or manufacturer is defined in section 2(1) only of this Act has no more than forty-nine (50) per centum voting control, may continue to operate such station after January 1, 1981, so long as no producer, refiner or manufacturer as defined in section 2(1) only of

this act has more than forty-nine (49) car count voting control of the entity.

(b) Section 3-101(a) (D.C. Code, sec. 10-211) is amended as follows:

- (1) by inserting the words "by May 1" after the words "and annually thereafter"; and
- (2) by inserting the words "; for all private-in retail service stations, excluding car agencies, parking garages, and operations. This would include gas only self-service islands, gas only mixed service islands, gas only full service islands and gas with automotive repair service" after the words "will utilize in his business".

(c) Section 5-301 (D.C. Code, sec. 10-211) is amended as follows:

- (1) subsection (3) is amended by inserting the words "or any service islands" after the words "or otherwise working on motor vehicles";
- (2) subsections (b) and (c) are amended by deleting the words "January 1, 1973" in both places and inserting in lieu thereof the words "October 1, 1991";

(3) deleting in the section currently designated "5-301(c)" the words "June 1, 1973" and inserting in lieu thereof the words "January 1, 1991"; and

(4) renumbering the current subsection (a) as subsection (f) and inserting the following as subsections (d) and (e) respectively:

"(d) based on the recommendation of the Gas Station Advisory Board (hereinafter referred to as the "Board"). The Mayor may grant exemptions contained in subsections (b) and (c). In considering petitions for exemptions, the Board shall consider the following criteria:

"(1) whether a station is experiencing financial hardship;

"(2) whether there is another retail service station within one (1) mile of the station which provides equivalent service facilities;

"(3) whether the petitioner will agree to improve the station in the following ways:

"(a) improving or increasing the lighting of the facility;

"(b) improving customer accessibility to the gasoline dispensers;

"(c) improving customer conveniences including separate men and ladies restroom facilities, a working air hose for use on automobile and bicycle tires.

and water for windshield cleaning
equipment.

"In no circumstances shall the Mayor approve the conversion of more than seven (7) per centum of the full service retail service stations registered with the Mayor as of November 1, 1979, carrying the same brand name. In computing this number, the Mayor shall only include private-in retail service stations, excluding pumps at car agencies, parking garages, and marinas.

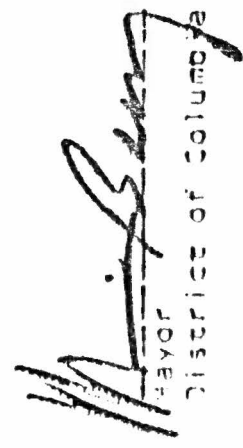
"(e)(1) Within thirty (30) days of the effective date of the Ordinance on Retail Service Station Conversion Act of 1979, Bill 3-152, the Mayor shall appoint a Gas Station Advisory Board to make recommendations on decisions for exemptions. The Board shall consist of five (5) members, one (1) representing the retail service station dealers, one (1) representing the oil companies, two (2) representing the consumer interests, and one (1) representing the Mayor.


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

(3) The Board may establish the public for thirty (30) days comment, additional criteria which shall be used in reviewing the decisions for exemptions.

(*) The Board shall cease to exist on October 1, 1981 or when the ceiling established in section 5-301(d) (D.C. Code, sec. 10-231(d)) shall be reached, whichever date occurs first.

Sec. 3. This act shall take effect as provided for acts of the Council of the District of Columbia in section 502(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.


MAYOR
District of Columbia


Chairman
Council of the District of Columbia

APPROVED: November 2, 1979

COUNCIL OF THE DISTRICT OF COLUMBIA

BOARD OF OFFICIAL COUNCIL ACTION

DOCKET NO: Bill 3-152

ACTION: To Adopt (9-25-79)

VOICE VOTE: Unanimous

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	Y	N	EX	COUNCIL MEMBER	Y	N	EX	COUNCIL MEMBER	Y	N	EX
DIXON				KANE				SHACKLETON			
WINTER				MASON				SPAULDING			
CLARKE				MOORE				WILSON			
HARRY				RAY							
FARVIS				ROTHMAN							

CERTIFICATION OF RECORD

Kathleen K...
Secretary to the Council

ACTION: To Adopt (10-9-79)

VOICE VOTE: Unanimous

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	Y	N	EX	COUNCIL MEMBER	Y	N	EX	COUNCIL MEMBER	Y	N	EX
DIXON				KANE				SHACKLETON			
WINTER				MASON				SPAULDING			
CLARKE				MOORE				WILSON			
HARRY				RAY							
FARVIS				ROTHMAN							

CERTIFICATION OF RECORD

Kathleen K...
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	Y	N	EX	COUNCIL MEMBER	Y	N	EX	COUNCIL MEMBER	Y	N	EX
DIXON				KANE				SHACKLETON			
WINTER				MASON				SPAULDING			
CLARKE				MOORE				WILSON			
HARRY				RAY							
FARVIS				ROTHMAN							

CERTIFICATION OF RECORD