

REPEAL OF MOTOR FUEL MARKETING ACT

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: David L. Zolman

Katherine M. Bryson

AN ACT RELATING TO COMMERCE; REPEALING MOTOR FUEL MARKETING ACT;

~~h [AND MAKING TECHNICAL CORRECTIONS.]~~ **MAKING TECHNICAL CHANGES; PROVIDING AN**

EFFECTIVE DATE; AND PROVIDING A COORDINATION CLAUSE. h

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

13-2-1, as last amended by Chapters 150 and 324, Laws of Utah 1998

REPEALS:

13-16-1, as repealed and reenacted by Chapter 189, Laws of Utah 1987

13-16-2, as last amended by Chapter 260, Laws of Utah 1991

13-16-3, as last amended by Chapter 189, Laws of Utah 1987

13-16-4, as last amended by Chapter 300, Laws of Utah 1992

13-16-5, as last amended by Chapter 189, Laws of Utah 1987

13-16-6, as last amended by Chapter 279, Laws of Utah 1994

13-16-7, as last amended by Chapter 260, Laws of Utah 1991

13-16-8, as last amended by Chapter 189, Laws of Utah 1987

13-16-9, as last amended by Chapter 189, Laws of Utah 1987

13-16-10, as last amended by Chapter 300, Laws of Utah 1992

13-16-11, as enacted by Chapter 260, Laws of Utah 1991

13-16-12, as enacted by Chapter 279, Laws of Utah 1994

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **13-2-1** is amended to read:

13-2-1. Consumer protection division established -- Functions.

There is established within the Department of Commerce the Division of Consumer

28 Protection. The division shall administer and enforce the following:

- 29 (1) Chapter 5, Unfair Practices Act;
- 30 (2) Chapter 10a, Music Licensing Practices Act;
- 31 (3) Chapter 11, Utah Consumer Sales Practices Act;
- 32 (4) Chapter 15, Business Opportunity Disclosure Act;
- 33 [~~5~~] Chapter 16, ~~Motor Fuel Marketing Act~~;
- 34 [~~6~~] (5) Chapter 20, New Motor [~~Vehicle~~] Vehicles Warranties Act;
- 35 [~~7~~] (6) Chapter 21, Credit Services Organizations Act;
- 36 [~~8~~] (7) Chapter 22, Charitable Solicitations Act;
- 37 [~~9~~] (8) Chapter 23, Health Spa Services Protection Act;
- 38 [~~10~~] (9) Chapter 25a, Telephone and Facsimile Solicitation Act;
- 39 [~~11~~] (10) Chapter 26, Telephone Fraud Prevention Act; [~~and~~]
- 40 [~~12~~] (11) Chapter 28, Prize Notices Regulation Act[-]; and
- 41 [~~13~~] (12) Chapter 30, Utah Personal Introduction Services Protection Act.

42 Section 2. **Repealer.**

43 This act repeals:

44 Section 13-16-1, **Short title.**

45 Section 13-16-2, **Definitions.**

46 Section 13-16-3, **Refiners to disclose "transfer prices."**

47 Section 13-16-4, **Unlawful sale by persons engaged in commerce.**

48 Section 13-16-5, **Unlawful sale by refiner.**

49 Section 13-16-6, **Sales not considered violations.**

50 Section 13-16-7, **Civil actions authorized -- Expenses -- Jurisdiction and venue.**

51 Section 13-16-8, **Burden of proof in civil action.**

52 Section 13-16-9, **Right of purchaser to obtain price and cost information from**
53 **marketer.**

54 Section 13-16-10, **Recordkeeping -- Civil penalty.**

55 Section 13-16-11, **Applicability.**

56 Section 13-16-12, **Rulemaking authority.**

56a **h Section 3. Effective date.**

56b **THIS ACT TAKES EFFECT ON JULY 1, 2003.**

56c **Section. 4. Coordination clause.**

56d **IF THIS BILL AND S.B. 46, MOTOR FUEL MARKETING AMENDMENTS, BOTH PASS, IT IS THE**
56e **INTENT OF THE LEGISLATURE THAT ANY NEW SECTION IN TITLE 13, CHAPTER 16, MOTOR FUEL**
56f **MARKETING ACT, ENACTED BY S.B. 46, INCLUDING SECTION 13-16-13, BE REPEALED ON JULY 1,**
56g **2003.** **h**

Legislative Review Note
as of 11-29-99 10:11 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel