

13-12-2 Definitions.

As used in this act:

- (1) "Distributor" means any person engaged in the refining of gasoline or motor fuels, who is engaged in the sale, consignment, or distribution of gasoline and oil products through retail outlets which it owns, leases, or otherwise controls, and who maintains an oral or written contractual relationship with a dealer for the sale of the products.
- (2) "Dealer" means any person engaged in the retail sale of gasoline products under a marketing agreement entered into with a distributor, other than a person who is an employee of a distributor.
- (3) "Refiner" means a person engaged in the refining of oil products.
- (4) "Marketing agreement" means any agreement or contract between a refiner or a distributor or a distributor and or retailer or between a refiner and a distributor, under which such retailer or distributor is granted authority to use a trade mark, trade name, service mark, or other identifying symbol or name owned by such refiner or distributor, or any agreement or contract between such parties under which a retailer or distributor is granted authority to occupy premises owned, leased, or in any way controlled by a party to such agreement or contract, for the purpose of engaging in the distribution or sale of petroleum products for purposes other than resale.
- (5) "Engaged in the retail sale of gasoline products" means that at least 30% of the dealer's gross revenue is derived from the retail sale of gasoline products.
- (6) "Retail" means the sale of products for purposes other than resale.

Enacted by Chapter 6, 1975 Special Session 1

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