

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Retail Service Station Act of 1976 to authorize the Mayor to enforce the statute’s prohibition on certain marketing agreements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Retail Service Station Emergency Amendment Act of 2014”.

Sec. 2. The Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-301.01 *et seq.*), is amended as follows:

(a) Section 3-104(c) (D.C. Official Code § 36-302.04(c)) is amended by striking the phrase “Titles I and III” and inserting the phrase “Titles I, II, and III” in its place

(b) Section 3-105 (D.C. Official Code § 36-302.05) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Title I or III” and inserting the phrase “Title I, II, or III” in its place.

(2) Subsection (b) is amended by striking the phrase “Title I or III” and inserting the phrase “Title I, II, or III” in its place.

(c) Section 4-201 (D.C. Official Code § 36-303.01) is amended by adding a new subsection (c) to read as follows:

1                   “(c)(1) The Attorney General for the District of Columbia, or any of the Attorney  
2 General’s assistants, is hereby empowered to maintain an action or actions in the Superior Court  
3 of the District of Columbia in the name of the District of Columbia to enjoin any person from,  
4 directly or indirectly, making, renewing, or enforcing a marketing agreement provision, term or  
5 condition in violation of this section. The Attorney General may recover the costs of the action  
6 and reasonable attorney’s fees.

7                   “(2) If the Attorney General, in the course of an investigation to  
8 determine whether to bring a court action under this section, has reason to believe that a person  
9 may have information, or may be in possession, custody, or control of documentary material,  
10 relevant to the investigation, the Attorney General may issue in writing and cause to be served  
11 upon the person, a subpoena or subpoenas requiring the person to give oral testimony under oath,  
12 or to produce records, books, papers, contracts, electronically-stored data and other documentary  
13 material for inspection and copying.

14                   “(3) Information obtained pursuant to a subpoena issued in accordance  
15 with paragraph (2) of this subsection shall not be admissible in a later criminal proceeding  
16 against the person who provided the information.

17                   “(4) The Attorney General may petition the Superior Court of the District  
18 of Columbia for an order compelling compliance with a subpoena issued pursuant to paragraph  
19 (2) of this subsection.”.

20                   Sec. 3. Fiscal impact statement.

21                   The Council adopts the fiscal impact statement of the Council Budget Director as the  
22 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule  
23 Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-206.02(c)(3)).

1           Sec. 4. Effective date.

2           This act shall take effect following approval by the Mayor (or in the event of veto by the  
3 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
4 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
5 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
6 D.C. Official Code § 1-204.12(a)).