



**S.F. No. 966, as introduced - 87th Legislative Session (2011-2012) [11-0699]**

2.1       Sec. 2. **REPEALER.**

2.2             Minnesota Statutes 2010, sections 325D.01, subdivisions 11 and 12; and 325D.71,  
2.3 are repealed.

2.4       Sec. 3. **EFFECTIVE DATE.**

2.5             Sections 1 and 2 are effective the day following final enactment.

**325D.01 DEFINITIONS.**

Subd. 11. **Terminal.** "Terminal" means a storage facility to which gasoline is shipped by pipeline, barge, or rail, and from which gasoline is subsequently transferred into motor vehicles for delivery to other locations. For purposes of this chapter, an oil refinery is also a terminal.

Subd. 12. **Average terminal price.** "Average terminal price" means the arithmetic mean of all prices for an individual grade of gasoline at a terminal as published by a nationally recognized petroleum price reporting service.

**325D.71 UNLAWFUL GASOLINE SALES.**

Any offer for sale of gasoline by a retailer by way of posted price or indicating meter that is below cost, as defined by section 325D.01, subdivision 5, clause (3), is a violation of section 325D.04, except that the criminal penalties in section 325D.071 do not apply. In addition to the penalties for violations and the remedies provided for injured parties set forth elsewhere in this chapter, the commissioner of commerce may use the authority under section 45.027 for the purpose of preventing violations of this section. A retailer who sells gasoline at the same or higher legally posted price of a competitor in the same market area, on the same day, is not in violation of this section.

A retailer who offers gasoline for sale at a price below cost as part of a promotion at an individual location for no more than three days in any calendar quarter is not in violation of this section.