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## A BILL FOR AN ACT

RELATING TO PETROLEUM PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1           SECTION 1. Chapter 486H, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§486H-           Cooperative purchasing authorized. (a) A  
5 gasoline dealer who operates an independent retail station or  
6 stations may participate in, sponsor, conduct, or administer a  
7 cooperative purchasing agreement for the purchase of gasoline  
8 with one or more gasoline dealers pursuant to rules adopted by  
9 the public utilities commission and an agreement entered into  
10 between the participants. Cooperative purchasing agreements  
11 under this section shall be for the purpose of providing  
12 gasoline dealers purchasing power to acquire discounts on  
13 purchases of gasoline and thereby lower costs for dealers and  
14 consumers. The cooperative purchasing may include joint or  
15 multi-party contracts between gasoline dealers.

16           (b) Cooperative purchasing agreements under this section  
17 are not in restraint of trade. No gasoline dealer, or method or  
18 act thereof that complies with this section, shall be deemed a



1 conspiracy or combination in restraint of trade or an illegal  
 2 monopoly, or an attempt to lessen competition or fix prices  
 3 arbitrarily, or the creation of a combination or pool, or to  
 4 accomplish any improper or illegal purpose. Any agreements  
 5 authorized under this section shall not be considered as  
 6 illegal, in restraint of trade, or as part of a conspiracy or  
 7 combination to accomplish an illegal purpose or act."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Fons Chey*  
*[Signature]*  
*[Signature]*  
*[Signature]*

JAN 26 2011

**Report Title:**

Gasoline Dealers; Cooperative Purchasing

**Description:**

Allows gasoline dealers to enter into cooperative purchasing agreements to acquire discounts on gasoline purchases.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

