

9132--B

2009-2010 Regular Sessions

I N   A S S E M B L Y

September 4, 2009

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Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to requiring automobile dealers display a "Gallons-Per-Mile (GPM) Fuel Savings Guide"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Legislative intent. It is the purpose of this act to  
2 encourage the purchase of more efficient vehicles through the provision  
3 of clear and accessible information to the public regarding cost savings  
4 and fuel usage comparisons between vehicles by emphasizing the gallons  
5 of gasoline used by a vehicle rather than the number of miles driven.  
6     S 2. The environmental conservation law is amended by adding a new  
7 section 3-0319 to read as follows:  
8 S 3-0319. CONSUMER FUEL CONSUMPTION INFORMATION.  
9     1. THE DEPARTMENT SHALL DEVELOP A MODEL SIGN WHICH PROVIDES CONSUMER  
10 FUEL CONSUMPTION INFORMATION. THE MODEL SIGN SHALL BE ENTITLED  
11 "GALLONS-PER-MILE (GPM) FUEL SAVINGS GUIDE". THE MODEL SIGN AND INFORMA-  
12 TION REGARDING POSTING REQUIREMENTS SHALL BE AVAILABLE ON THE DEPART-  
13 MENT'S WEBSITE.  
14     2. THE "GALLONS-PER-MILE (GPM) FUEL SAVINGS GUIDE" SIGN SHALL BEAR THE  
15 FOLLOWING INFORMATION:  
16     (A) THE TITLE HEADING "GALLONS-PER-MILE (GPM) FUEL SAVINGS GUIDE" WITH  
17 A SUBTITLE HEADING "WHY USE GPM?";  
18     (B) AN EXPLANATION OF HOW TO CALCULATE GPM AND THE PURPOSE OF THE GPM  
19 MEASUREMENT;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 (C) A CHART WITH FOUR COLUMNS INCLUDING THE FOLLOWING INFORMATION:

2 (I) MILES-PER-GALLON (MPG) FROM TEN MPG TO FIFTY MPG IN INCREMENTS OF  
3 FIVE;

4 (II) THE CORRESPONDING GALLONS PER ONE THOUSAND MILES;

5 (III) THE COST OF FUEL PER ONE THOUSAND MILES BASED ON THE MOST RECENT  
6 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S FUEL ECONOMY GUIDE PRICE  
7 OF GAS;

8 (IV) THE INCREMENTAL SAVINGS PER ONE THOUSAND MILES AS COMPARED TO THE  
9 PREVIOUS INCREMENT, BASED ON THE MOST RECENT UNITED STATES ENVIRONMENTAL  
10 PROTECTION AGENCY'S FUEL ECONOMY GUIDE PRICE OF GAS;

11 (D) SUCH OTHER INFORMATION AS THE DEPARTMENT DEEMS NECESSARY, INCLUD-  
12 ING APPROPRIATE DISCLAIMERS.

13 3. AUTOMOBILE DEALERS THAT OFFER FOR SALE OR LEASE NEW PASSENGER MOTOR  
14 VEHICLES SHALL DISPLAY THE "GALLONS-PER-MILE (GPM) FUEL SAVINGS GUIDE"  
15 ON A SIGN NOT LESS THAN EIGHTEEN INCHES BY TWENTY-FOUR INCHES IN SIZE  
16 WITH FONT OF A SIZE NOT LESS THAN ONE INCH IN HEIGHT. THE SIGN SHALL BE  
17 DISPLAYED IN A PROMINENT AND CONSPICUOUS LOCATION INSIDE THE DEALERSHIP.

18 4. ANY AUTOMOBILE DEALER WHO VIOLATES SUBDIVISION THREE OF THIS  
19 SECTION, SHALL UPON THE FIRST VIOLATION BE PROVIDED A WRITTEN WARNING,  
20 AND SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIFTY DOLLARS  
21 FOR A SECOND VIOLATION AND NOT MORE THAN ONE HUNDRED FIFTY DOLLARS FOR A  
22 THIRD AND ANY SUBSEQUENT VIOLATION.

23 S 3. This act shall take effect on the first of January next succeed-  
24 ing the date upon which it shall have become a law; provided, however,  
25 that subdivision 4 of section 3-0319 of the environmental conservation  
26 law, as added by section two of this act, shall take effect one year  
27 after such effective date.