

9132

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

AN ACT to amend the environmental conservation law, in relation to requiring automobile dealers display a fuel economy label on all new vehicles

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     promote awareness of fuel mileage and to encourage the purchase of more  
3     fuel efficient vehicles through the provision of information to the  
4     public concerning the fuel efficiency of the vehicle.  
5     S 2. The environmental conservation law is amended by adding a new  
6     section 19-1104 to read as follows:  
7     S 19-1104. FUEL ECONOMY LABEL REQUIREMENTS.  
8     1. IT SHALL BE UNLAWFUL FOR ANY MANUFACTURER TO SELL OR LEASE OR TO  
9     OFFER TO SELL OR LEASE IN THIS STATE FOR THE PURPOSE OF REGISTRATION IN  
10    THIS STATE ANY NEW PASSENGER MOTOR VEHICLE MANUFACTURED OR ASSEMBLED  
11    DURING ANY MODEL YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, EXCEPT  
12    OMNIBUS VEHICLES, UNLESS SUCH VEHICLE HAS AFFIXED THERETO A  
13    "GALLONS-PER-MILE FUEL IMPACT STATEMENT". THE COMMISSIONER, IN CONJUNCTION  
14    WITH THE COMMISSIONER OF THE DEPARTMENT OF MOTOR VEHICLES, SHALL  
15    DETERMINE THE FORMAT, SIZE, TYPE LEGIBILITY AND PLACEMENT OF SUCH STATEMENT.  
16    THE "GALLONS-PER-MILE FUEL IMPACT STATEMENT" SHALL SET FORTH THE  
17    AVERAGE NUMBER OF GALLONS THE VEHICLE IS EXPECTED TO USE WHEN TRAVELING  
18    A DISTANCE OF ONE THOUSAND MILES OF CITY MILEAGE, ONE THOUSAND MILES OF  
19    HIGHWAY MILEAGE AND ONE THOUSAND MILES OF COMBINED CITY AND HIGHWAY  
20    MILEAGE.  
21    2. ANY MANUFACTURER WHO VIOLATES SUBDIVISION ONE OF THIS SECTION,  
22    WITHOUT JUST CAUSE, SHALL BE SUBJECT TO A CIVIL FINE OF NOT MORE THAN  
23    ONE HUNDRED DOLLARS PER VEHICLE WITH RESPECT TO WHICH THERE HAS BEEN A  
24    VIOLATION OF THIS SECTION. CIVIL PENALTIES SO ASSESSED MAY NOT BE

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

LBD14603-04-9

1 DEDUCTED AS AN EXPENSE FROM ANY TAX LIABILITY DUE TO ANY LOCAL OR STATE  
2 TAX JURISDICTION.

3 S 3. This act shall take effect on the first of January next succeed-  
4 ing the date upon which it shall have become a law.