

S T A T E O F N E W Y O R K

9132--A

2009-2010 Regular Sessions

I N A S S E M B L Y

September 4, 2009

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

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 CONJUNC-
14 TION WITH THE COMMISSIONER OF THE DEPARTMENT OF MOTOR VEHICLES, SHALL
15 DETERMINE THE FORMAT, SIZE, TYPE LEGIBILITY AND PLACEMENT OF SUCH STATE-
16 MENT. 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.

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

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1 2. ANY MANUFACTURER WHO VIOLATES SUBDIVISION ONE OF THIS SECTION,
2 WITHOUT JUST CAUSE, SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN
3 ONE HUNDRED DOLLARS PER VEHICLE WITH RESPECT TO WHICH THERE HAS BEEN A
4 VIOLATION OF THIS SECTION. CIVIL PENALTIES SO ASSESSED MAY NOT BE
5 DEDUCTED AS AN EXPENSE FROM ANY TAX LIABILITY DUE TO ANY LOCAL OR STATE
6 TAX JURISDICTION.

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