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

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2009-2010 Regular Sessions

I N S E N A T E

February 10, 2009

Introduced by Sens. PARKER, BONACIC, DILAN, DUANE, HASSELL-THOMPSON, KRUEGER, ONORATO, PERKINS, SCHNEIDERMAN, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the energy law and the public authorities law, in relation to the availability of alternative fuels along the New York state thruway

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

Section 1. Section 1-103 of the energy law is amended by adding a new subdivision 14 to read as follows:

14. "ALTERNATIVE FUEL" SHALL MEAN ETHANOL, METHANOL, NATURAL GAS, PROPANE, ELECTRICITY (INCLUDING ELECTRICITY FROM SOLAR ENERGY), HYDROGEN, AND ANY OTHER FUEL IDENTIFIED WHICH IS SUBSTANTIALLY NOT PETROLEUM-BASED, WHICH IS CONSISTENT WITH THE GOALS OF PROTECTING THE SAFETY AND HEALTH OF THE PUBLIC AND MINIMIZING EMISSIONS OF AIR POLLUTANTS, AND WHICH IS CONSISTENT WITH ANY APPLICABLE FEDERAL ALTERNATIVE FUEL REQUIREMENTS.

S 2. The energy law is amended by adding a new section 5-129 to read as follows:

S 5-129. ALTERNATIVE FUELS. STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY SHALL PROVIDE THE NEW YORK STATE THRUWAY AUTHORITY WITH A LIST OF THE MOST FEASIBLE ALTERNATIVE FUELS, WHICH SHALL NUMBER NO FEWER THAN THREE, AND ASSIST THE AUTHORITY IN IMPLEMENTING THE REQUIREMENTS OF SECTION THREE HUNDRED FIFTY-FOUR OF THE PUBLIC AUTHORITIES LAW.

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

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S 3. Subdivision 10 of section 354 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

10. To construct, reconstruct or improve on or along the thruway system in the manner herein provided, suitable facilities for gas stations, restaurants, and other facilities for the public, or to lease the right to construct, reconstruct or improve and operate such facilities; such facilities shall be publicly offered for leasing for operation, or the right to construct, reconstruct or improve and operate such facilities shall be publicly offered under rules and regulations to be established by the authority, provided, however, that lessees operating such facilities at the time this act becomes effective, may reconstruct or improve them or may construct additional like facilities, in the manner and upon such terms and conditions as the board shall determine; and provided further, however, that such facilities constructed, reconstructed or improved on or along the canal system shall be consistent with the canal recreationway plan approved pursuant to section one hundred thirty-eight-c of the canal law and section three hundred eighty-two of this title; AND PROVIDED FURTHER, HOWEVER, THAT EACH SUCH FACILITY WHICH CONTAINS OR CONSISTS OF A GAS STATION SHALL, BEGINNING NOVEMBER FIRST, TWO THOUSAND ELEVEN, INCLUDE A FACILITY FOR SELLING TO THE PUBLIC AN ALTERNATIVE FUEL, AS DEFINED IN SECTION 1-103 OF THE ENERGY LAW AND EACH ALTERNATIVE FUEL RECOMMENDED TO THE AUTHORITY BY THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY PURSUANT TO SECTION 5-129 OF THE ENERGY LAW SHALL BE MADE AVAILABLE AT INTERVALS OF NO MORE THAN ONE HUNDRED TWENTY MILES ON EACH SIDE OF THE THRUWAY;

S 4. This act shall take effect immediately.