

6141--B

Cal. No. 133

2009-2010 Regular Sessions

I N S E N A T E

August 28, 2009

Introduced by Sens. SQUADRON, ADAMS, HASSELL-THOMPSON, STEWART-COUSINS, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

LBD14603-07-0

1 (A) THE TITLE HEADING "GALLONS-PER-MILE (GPM) FUEL SAVINGS GUIDE" WITH
2 A SUBTITLE HEADING "WHY USE GPM?";
3 (B) AN EXPLANATION OF HOW TO CALCULATE GPM AND THE PURPOSE OF THE GPM
4 MEASUREMENT;
5 (C) A CHART WITH FOUR COLUMNS INCLUDING THE FOLLOWING INFORMATION:
6 (I) MILES-PER-GALLON (MPG) FROM TEN MPG TO FIFTY MPG IN INCREMENTS OF
7 FIVE;
8 (II) THE CORRESPONDING GALLONS PER ONE THOUSAND MILES;
9 (III) THE COST OF FUEL PER ONE THOUSAND MILES BASED ON THE MOST RECENT
10 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S FUEL ECONOMY GUIDE PRICE
11 OF GAS;
12 (IV) THE INCREMENTAL SAVINGS PER ONE THOUSAND MILES AS COMPARED TO THE
13 PREVIOUS INCREMENT, BASED ON THE MOST RECENT UNITED STATES ENVIRONMENTAL
14 PROTECTION AGENCY'S FUEL ECONOMY GUIDE PRICE OF GAS;
15 (D) SUCH OTHER INFORMATION AS THE DEPARTMENT DEEMS NECESSARY, INCLUD-
16 ING APPROPRIATE DISCLAIMERS.

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

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

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