

1 (2) AN ISOLATED, INADVERTENT INCIDENT INVOLVING ACTIVITY PROHIBITED
2 PURSUANT TO SUBDIVISION (A) OF THIS SECTION SHALL NOT BE A VIOLATION OF
3 THIS SECTION.

4 (C) AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE
5 FOLLOWING MEANINGS:

6 (1) "MOTOR FUEL" MEANS ANY PETROLEUM PRODUCT INCLUDING ANY SPECIAL
7 FUEL WHICH IS USED FOR THE PROPULSION OF ANY MOTOR VEHICLE;

8 (2) "NONREFINER" MEANS ANY PERSON, OTHER THAN A REFINER, ENGAGED IN
9 THE SALE OF MOTOR FUEL;

10 (3) "PERSON" MEANS ANY INDIVIDUAL, PUBLIC OR PRIVATE CORPORATIONS OR
11 LIMITED LIABILITY CORPORATIONS, COMPANIES, ASSOCIATIONS, SOCIETIES,
12 FIRMS, PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, JOINT STOCK COMPA-
13 NIES, THE UNITED STATES, THE STATE OF NEW YORK AND ANY OF ITS POLITICAL
14 SUBDIVISIONS OR AGENTS;

15 (4) "REFINER" MEANS ANY PERSON WHO PRODUCES AND STORES OR EXCHANGES
16 MOTOR FUEL AT A TERMINAL FACILITY AND WHO SELLS OR TRANSFERS MOTOR FUEL
17 THROUGH THE LOADING RACK AT SUCH TERMINAL FACILITY, AND INCLUDES AN
18 AFFILIATE OF SUCH REFINER WITH RESPECT TO SUCH AFFILIATE'S SALE OF MOTOR
19 FUEL;

20 (5) "RETAIL OUTLET" MEANS A FACILITY, INCLUDING LAND AND IMPROVEMENTS,
21 WHERE MOTOR FUEL IS OFFERED FOR SALE AT RETAIL TO THE PUBLIC; AND

22 (6) "SALE" OR "SELL" MEANS ANY TRANSFER, GIFT, BARTER, SALE, OFFER FOR
23 SALE, OR ADVERTISEMENT FOR SALE IN ANY MANNER OR BY ANY MEANS WHATSOEVER,
24 INCLUDING ANY TRANSFER OF MOTOR FUEL FROM A PERSON TO ITSELF OR AN
25 AFFILIATE AT ANOTHER LEVEL OF DISTRIBUTION, BUT DOES NOT INCLUDE PRODUCT
26 EXCHANGES AT THE WHOLESALE LEVEL OF DISTRIBUTION.

27 S 2. This act shall take effect immediately.