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

2476

2009-2010 Regular Sessions

I N A S S E M B L Y

January 16, 2009

Introduced by M. of A. PRETLOW, GREENE, CUSICK -- Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CLARK, COOK, DIAZ, GALEF, GLICK, GOTTFRIED, MAYERSOHN, McENENY, PHEFFER -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to requiring oil companies to clean up spillage occurring during a delivery

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

Section 1. The general business law is amended by adding a new section 309 to read as follows:

S 309. OIL DELIVERY SPILLAGE. ANY SPILLAGE OCCURRING IN THE COURSE OF OIL DELIVERY SHALL BE CLEANED UP BY THE OIL DELIVERY COMPANY WITHIN TWENTY-FOUR HOURS. IF THE SPILL AFFECTS SOIL THE CLEAN UP SHALL INCLUDE REPLACING THE AFFECTED SOIL WITH NEW SOIL. VIOLATION OF THIS SECTION SHALL RESULT IN A FINE OF FIVE HUNDRED DOLLARS FOR THE FIRST OFFENSE AND ONE THOUSAND DOLLARS FOR EACH ADDITIONAL OFFENSE, NOT TO EXCEED TEN THOUSAND DOLLARS PAYABLE BY THE OIL DELIVERY COMPANY.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD01710-01-9