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

7931

2009-2010 Regular Sessions

I N A S S E M B L Y

April 28, 2009

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the public authorities law and the general business law, in relation to the availability of alternative fuels at service stations

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

Section 1. Section 1851 of the public authorities law is amended by adding a new subdivision 18 to read as follows:

18. "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. Section 1854 of the public authorities law is amended by adding a new subdivision 18 to read as follows:

18. TO PROVIDE DEALERS, AS THAT TERM IS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED NINETY-NINE-A OF THE GENERAL BUSINESS LAW, WITH A LIST OF THE MOST FEASIBLE ALTERNATIVE FUELS FOR USE IN MOTOR VEHICLES, WHICH SHALL NUMBER NO FEWER THAN THREE IN ORDER TO ASSIST SUCH DEALERS IN IMPLEMENTING THE REQUIREMENTS OF SECTION ONE HUNDRED NINETY-NINE-O OF THE GENERAL BUSINESS LAW.

S 3. The general business law is amended by adding a new section 199-o to read as follows:

S 199-O. SALE OF ALTERNATIVE FUELS. ON AND AFTER JANUARY FIRST, TWO THOUSAND THIRTEEN, ANY DEALER ENGAGED IN THE RETAIL SALE OF MOTOR FUELS IN THIS STATE FOR USE IN MOTOR VEHICLES SHALL PROVIDE THAT EACH SERVICE STATION OPERATED BY SUCH DEALER SHALL OFFER FOR SALE AT EACH SUCH SERVICE STATION THE ALTERNATIVE FUELS SET FORTH ON THE LIST PROVIDED BY

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

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THE STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY TO BE THE MOST FEASIBLE ALTERNATIVE FUELS FOR USE IN MOTOR VEHICLES PURSUANT TO SUBDIVISION EIGHTEEN OF SECTION EIGHTEEN HUNDRED FIFTY-FOUR OF THE PUBLIC AUTHORITIES LAW. THE PROVISIONS OF THIS SECTION SHALL APPLY TO ANY SERVICE STATION, WHETHER OR NOT THE RETAIL SALE OF MOTOR FUELS IS CONDUCTED AS THE PRINCIPAL BUSINESS AT SUCH SERVICE STATION.

S 4. This act shall take effect immediately.