

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

1938--B

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:

1 Section 1. Section 1-103 of the energy law is amended by adding a new
2 subdivision 14 to read as follows:
3 14. "ALTERNATIVE FUEL" SHALL MEAN ETHANOL, METHANOL, NATURAL GAS,
4 PROPANE, ELECTRICITY (INCLUDING ELECTRICITY FROM SOLAR ENERGY), HYDRO-
5 GEN, AND ANY OTHER FUEL IDENTIFIED WHICH IS SUBSTANTIALLY NOT PETROLE-
6 UM-BASED, WHICH IS CONSISTENT WITH THE GOALS OF PROTECTING THE SAFETY
7 AND HEALTH OF THE PUBLIC AND MINIMIZING EMISSIONS OF AIR POLLUTANTS, AND
8 WHICH IS CONSISTENT WITH ANY APPLICABLE FEDERAL ALTERNATIVE FUEL
9 REQUIREMENTS.
10 S 2. The energy law is amended by adding a new section 5-129 to read
11 as follows:
12 S 5-129. ALTERNATIVE FUELS. STATE ENERGY RESEARCH AND DEVELOPMENT
13 AUTHORITY SHALL PROVIDE THE NEW YORK STATE THRUWAY AUTHORITY WITH A LIST
14 OF THE MOST FEASIBLE ALTERNATIVE FUELS, WHICH SHALL NUMBER NO FEWER THAN
15 THREE, AND ASSIST THE AUTHORITY IN IMPLEMENTING THE REQUIREMENTS OF
16 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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1 S 3. Subdivision 10 of section 354 of the public authorities law, as
2 amended by chapter 766 of the laws of 1992, is amended to read as
3 follows:
4 10. To construct, reconstruct or improve on or along the thruway
5 system in the manner herein provided, suitable facilities for gas
6 stations, restaurants, and other facilities for the public, or to lease
7 the right to construct, reconstruct or improve and operate such facili-
8 ties; such facilities shall be publicly offered for leasing for opera-
9 tion, or the right to construct, reconstruct or improve and operate such
10 facilities shall be publicly offered under rules and regulations to be
11 established by the authority, provided, however, that lessees operating
12 such facilities at the time this act becomes effective, may reconstruct
13 or improve them or may construct additional like facilities, in the
14 manner and upon such terms and conditions as the board shall determine;
15 and provided further, however, that such facilities constructed, recon-
16 structed or improved on or along the canal system shall be consistent
17 with the canal recreationway plan approved pursuant to section one
18 hundred thirty-eight-c of the canal law and section three hundred eight-
19 y-two of this title; AND PROVIDED FURTHER, HOWEVER, THAT EACH SUCH
20 FACILITY WHICH CONTAINS OR CONSISTS OF A GAS STATION SHALL, BEGINNING
21 NOVEMBER FIRST, TWO THOUSAND ELEVEN, INCLUDE A FACILITY FOR SELLING TO
22 THE PUBLIC AN ALTERNATIVE FUEL, AS DEFINED IN SECTION 1-103 OF THE ENER-
23 GY LAW AND EACH ALTERNATIVE FUEL RECOMMENDED TO THE AUTHORITY BY THE NEW
24 YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY PURSUANT TO SECTION
25 5-129 OF THE ENERGY LAW SHALL BE MADE AVAILABLE AT INTERVALS OF NO MORE
26 THAN ONE HUNDRED TWENTY MILES ON EACH SIDE OF THE THRUWAY;
27 S 4. This act shall take effect immediately.