

907

2009-2010 Regular Sessions

I N S E N A T E

January 21, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to excessive refueling charges by motor vehicle rental agencies

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

1 Section 1. The general business law is amended by adding a new section
2 391-q to read as follows:
3 S 391-Q. RENTAL OF MOTOR VEHICLES; EXCESSIVE REFUELING CHARGES. 1.
4 DEFINITIONS. AS USED IN THIS SECTION:
5 A. "MOTOR VEHICLE RENTAL AGENCY," OR "AGENCY," SHALL MEAN A PERSON
6 ENGAGED IN THE BUSINESS OF RENTING MOTOR VEHICLES IN THIS STATE;
7 B. "PERSON" SHALL MEAN ANY INDIVIDUAL, FIRM, CORPORATION OR OTHER
8 LEGAL ENTITY;
9 C. "MOTOR VEHICLE" SHALL HAVE THE MEANING ASCRIBED THERETO BY SECTION
10 ONE HUNDRED TWENTY-FIVE OF THE VEHICLE AND TRAFFIC LAW.
11 2. IT SHALL BE UNLAWFUL FOR ANY MOTOR VEHICLE RENTAL AGENCY TO CHARGE
12 A PERSON WHO RENTS A MOTOR VEHICLE FROM SUCH AGENCY MORE THAN TEN
13 PERCENT ABOVE THE AVERAGE PRICE OF GASOLINE WITHIN A FIVE MILE RADIUS OF
14 SUCH AGENCY'S LOCATION AS THE COST OF REFUELING SUCH VEHICLE UPON ITS
15 RETURN.
16 3. ANY VIOLATION OF THIS SECTION SHALL CONSTITUTE A MISDEMEANOR AND
17 SHALL BE PUNISHABLE BY A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS, OR
18 NOT MORE THAN ONE HUNDRED DAYS IN JAIL, OR BOTH.
19 S 2. This act shall take effect on the first of November next succeeding
20 the date on which it shall have become a law.

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

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