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

6036

I N  S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. MARTINS -- 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 method of payment pricing of gasoline

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

Section 1. The section heading of section 399-ee of the general business law, as added by chapter 579 of the laws of 2008, is amended to read as follows:

Zone pricing AND METHOD OF PAYMENT PRICING of gasoline prohibited.

S 2. Subdivision 1 of section 399-ee of the general business law is amended by adding two new paragraphs (n) and (o) to read as follows:

(N) "METHOD OF PAYMENT" MEANS THE MANNER IN WHICH A CUSTOMER PAYS FOR MOTOR FUEL AT A RETAIL OUTLET USING CASH, CHECK, DEBIT CARD, CREDIT CARD OR A SIMILAR MEANS OF PAYMENT.

(O) "METHOD OF PAYMENT PRICING" MEANS DIFFERENCES IN THE PRICE PER GALLON OF MOTOR FUEL OF LIKE GRADE OR QUALITY OFFERED FOR SALE OR SOLD BY A RETAIL OUTLET BASED ON THE CUSTOMER'S METHOD OF PAYMENT.

S 3. Subdivision 3 of section 399-ee of the general business law is renumbered subdivision 4 and a new subdivision 3 is added to read as follows:

3. NO DEALER SHALL ENGAGE IN METHOD OF PAYMENT PRICING WITH RESPECT TO ANY MOTOR FUEL OF LIKE GRADE OR QUALITY.

S 4. This act shall take effect on the sixtieth day after 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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