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

7188

I N S E N A T E

May 1, 2012

Introduced by Sen. AVELLA -- 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 rates charged for rental vehicle refueling

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

Section 1. Section 396-z of the general business law is amended by adding a new subdivision 16 to read as follows:

16. (A) NO RENTAL VEHICLE COMPANY, AS PART OF A RENTAL AGREEMENT, SHALL CHARGE AN AUTHORIZED DRIVER A REFUELING RATE WHICH EXCEEDS THE HIGHEST RETAIL PRICE OF GASOLINE CHARGED AT GASOLINE STATIONS OR CONVENIENCE STORES WITHIN A ONE-HALF MILE RADIUS OF SUCH RENTAL VEHICLE COMPANY. SUCH CHARGE MAY BE IMPOSED WHEN A RETURNED RENTAL VEHICLE'S GASOLINE TANK IS NOT FULL TO CAPACITY, BASED ON THE DIFFERENCE BETWEEN DOCUMENTED READING OF SUCH MOTOR VEHICLE'S FUEL GAUGE OBTAINED AT THE TIME SUCH MOTOR VEHICLE WAS DELIVERED OR PICKED UP BY SUCH AUTHORIZED DRIVER, AND THE SUBSEQUENT FUEL GAUGE READING TAKEN AT THE TIME SUCH RENTED MOTOR VEHICLE IS RETURNED TO THE RENTAL VEHICLE COMPANY.

(B) ANY VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL BE SUBJECT TO A FINE OF FIVE HUNDRED DOLLARS PER VIOLATION.

S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that the amendments made to section 396-z of the general business law by section one of this act shall not affect the repeal and reversion of such section and shall be deemed to be repealed therewith.

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

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