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3631

2011-2012 Regular Sessions

I N   S E N A T E

February 28, 2011
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Introduced by Sen. ADAMS -- 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 protecting
consumers from price gouging and product tampering of gasoline

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

1   Section 1. Section 396-x of the general business law, as added by
2 chapter 616 of the laws of 1984, is amended to read as follows:
3   S 396-x. Gasoline stations; air pumps, SIGNAGE required. 1. Defi-
4 nition. As used in this section: "dealer" shall mean any person owning
5 or operating a premise or facility with four or more gas dispensing
6 nozzles for the retail sale of motor fuels for use in motor vehicles.
7   2. Any dealer must provide on the premises where motor fuel is sold at
8 retail for use in motor vehicles a functioning motor driven air compres-
9 sor capable of inflating automobile tires for use by customers during
10 hours in which such station is open for business.
11   3. FOR THE   PURPOSE OF CONSUMER COMPLAINTS BASED ON (I) OVERCHARGING
12 FOR GASOLINE OR (II) PRODUCT TAMPERING OF GASOLINE, ALL DEALERS MUST
13 PROVIDE CLEAR AND CONSPICUOUS NOTICE OF CONSUMER COMPLAINT CONTACT
14 INFORMATION BY CAUSING SIGNS TO BE POSTED AT ALL SERVICE DESKS, GAS
15 DISPENSING AREAS AND OTHER APPROPRIATE AREAS AS NECESSARY WHICH SHALL
16 CONTAIN INFORMATION, INCLUDING, BUT NOT LIMITED TO, A TELEPHONE NUMBER
17 AND MAILING ADDRESS OF THE STATE CONSUMER PROTECTION BOARD.
18   4. Wilful failure to comply with the provisions of this section shall
19 subject a dealer to a civil penalty of up to twenty-five dollars for
20 each day such failure occurs. If the failure to comply results from the
21 breakdown of the air compressor, the failure to repair within a reason-
22 able time shall constitute wilful conduct.
23   S 2. This act shall take effect on the thirtieth day after it shall
24 have become a law.

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

LBD07520-01-1