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

8465--A

2015-2016 Regular Sessions

I N  A S S E M B L Y

October 9, 2015

Introduced by M. of A. BRINDISI, JAFFEE, GALEF, MAGEE, MOSLEY, PEOPLES-STOKES, SIMON, ABINANTI, GOTTFRIED, BLAKE, SKOUFIS, STECK -- Multi-Sponsored by -- M. of A. COOK, DenDEKKER, GLICK, HOOPER, RICHARDSON -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing installation and maintenance standards for gas station fire suppression systems

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

Section 1. Section 378 of the executive law is amended by adding a new subdivision 17 to read as follows:

17. STANDARDS FOR GAS STATION FIRE SUPPRESSION SYSTEMS SHALL REQUIRE:

A. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS USING AN EXTINGUISHING AGENT SUITABLE FOR PETROLEUM FIRES.

B. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS AT UNATTENDED SELF-SERVICE MOTOR FUEL-DISPENSING FACILITIES SHALL BE MONITORED BY AN APPROVED SUPERVISING STATION.

C. WHERE FLAMMABLE LIQUID MOTOR FUEL IS DISPENSED AT AN AUTOMOTIVE LIQUID MOTOR FUEL-DISPENSING FACILITY, THE DISPENSING AREA SHALL BE PROVIDED WITH A DRY CHEMICAL FIRE-EXTINGUISHING SYSTEM DESIGNED AND INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

(I) THE FIRE-EXTINGUISHING SYSTEM SHALL BE DESIGNED TO PROVIDE OVERHEAD PROTECTION OF THE DISPENSER AREA;

(II) THE EXTINGUISHING AGENT CONTAINERS SHALL BE EQUIPPED WITH INDICATORS TO SHOW WHETHER THE SYSTEM IS FULLY CHARGED;

(III) THE INSTALLATION, ALTERATION, TESTING AND REPAIR OF THE FIRE-EXTINGUISHING SYSTEM, INCLUDING ANY MAINTENANCE OR MODIFICATION OF THE

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

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SYSTEM, SHALL BE PERFORMED BY A TECHNICIAN WHO IS TRAINED AND KNOWLEDGEABLE IN THE INSTALLATION, OPERATION AND MAINTENANCE OF THE SPECIFIC FIRE-EXTINGUISHING SYSTEM; AND

(IV) DISPENSERS SHALL NOT BE OPERATED WHEN THE FIRE-EXTINGUISHING SYSTEM HAS DISCHARGED OR IS INOPERATIVE, EXCEPT AS AUTHORIZED IN WRITING BY THE DEPARTMENT.

D. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS SHALL BE SERVICED AFTER ACTIVATION OF THE SYSTEM AND AT REGULAR INTERVALS THEREAFTER. INSPECTION RECORDS SHALL ALSO BE KEPT ON PREMISES WHERE THE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS ARE LOCATED FOR A MINIMUM OF FIVE YEARS.

E. SYSTEMS SHALL BE INSPECTED AND TESTED FOR PROPER OPERATION AT INITIAL INSTALLATION AND AT REGULAR INTERVALS THEREAFTER. TESTS SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS AND INCLUDE A CHECK OF THE DETECTION SYSTEM, ALARMS AND RELEASING DEVICES, INCLUDING MANUAL STATIONS AND OTHER ASSOCIATED EQUIPMENT.

F. FAILURE TO COMPLY WITH THE INSTALLATION OR MAINTENANCE REQUIREMENTS OF THIS SECTION SHALL RESULT IN THE REVOCATION OF THE BUILDING'S CERTIFICATE OF OCCUPANCY AND/OR THE PERMIT TO OPERATE FUELING DISPENSERS.

G. THE PROVISIONS OF THIS SUBDIVISION SHALL BE ENFORCED IN ACCORDANCE WITH THE PROVISIONS OF SECTION THREE HUNDRED EIGHTY-ONE OF THIS ARTICLE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the state fire prevention and building code council shall take any and all actions necessary to implement the provisions of this act on or before its effective date.