

6069--A

2015-2016 Regular Sessions

I N S E N A T E

October 16, 2015

Introduced by Sens. CARLUCCI, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommended to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- 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:

- 1 Section 1. Section 378 of the executive law is amended by adding a new
2 subdivision 17 to read as follows:
3 17. STANDARDS FOR GAS STATION FIRE SUPPRESSION SYSTEMS SHALL REQUIRE:
4 A. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS USING AN EXTINGUISHING AGENT
5 SUITABLE FOR PETROLEUM FIRES.
6 B. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS AT UNATTENDED SELF-SERVICE
7 MOTOR FUEL-DISPENSING FACILITIES SHALL BE MONITORED BY AN APPROVED
8 SUPERVISING STATION.
9 C. WHERE FLAMMABLE LIQUID MOTOR FUEL IS DISPENSED AT AN AUTOMOTIVE
10 LIQUID MOTOR FUEL-DISPENSING FACILITY, THE DISPENSING AREA SHALL BE
11 PROVIDED WITH A DRY CHEMICAL FIRE-EXTINGUISHING SYSTEM DESIGNED AND
12 INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
13 (I) THE FIRE-EXTINGUISHING SYSTEM SHALL BE DESIGNED TO PROVIDE OVER-
14 HEAD PROTECTION OF THE DISPENSER AREA;
15 (II) THE EXTINGUISHING AGENT CONTAINERS SHALL BE EQUIPPED WITH INDICA-
16 TORS TO SHOW WHETHER THE SYSTEM IS FULLY CHARGED;
17 (III) THE INSTALLATION, ALTERATION, TESTING AND REPAIR OF THE FIRE-EX-
18 TINGUISHING SYSTEM, INCLUDING ANY MAINTENANCE OR MODIFICATION OF THE
19 SYSTEM, SHALL BE PERFORMED BY A TECHNICIAN WHO IS TRAINED AND KNOWLEDGE-

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

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1 ABLE IN THE INSTALLATION, OPERATION AND MAINTENANCE OF THE SPECIFIC
2 FIRE-EXTINGUISHING SYSTEM; AND

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

6 D. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS SHALL BE SERVICED AFTER ACTI-
7 VATION OF THE SYSTEM AND AT REGULAR INTERVALS THEREAFTER. INSPECTION
8 RECORDS SHALL ALSO BE KEPT ON PREMISES WHERE THE AUTOMATIC FIRE-EXTIN-
9 GUISHING SYSTEMS ARE LOCATED FOR A MINIMUM OF FIVE YEARS.

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

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

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

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