

STATE OF NEW YORK

4495--A

2019-2020 Regular Sessions

IN SENATE

March 13, 2019

Introduced by Sens. MARTINEZ, FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- recommitted to the Committee on Agriculture 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 agriculture and markets law and the general business law, in relation to automobile tire inflation machines

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph b of subdivision 6 of section 192 of the agricul-
2 ture and markets law, as added by chapter 126 of the laws of 1985, is
3 amended to read as follows:

4 b. Any dealer must provide on the premises where motor fuel is sold at
5 retail for use in motor vehicles a functioning motor driven air compres-
6 sor capable of inflating automobile tires for use by customers during
7 hours in which such station is open for business. Jurisdiction in all
8 matters pertaining to this subdivision shall be vested exclusively in
9 the state. Any provision of any local law or ordinance or any rule or
10 regulation promulgated thereto governing tire inflation operation or
11 equipment shall upon the effective date of the chapter of the laws of
12 two thousand twenty that amended this paragraph be preempted. Nothing in
13 this section shall be construed to restrict a municipality from enforc-
14 ing the provisions of this subdivision as it relates to providing func-
15 tioning tire inflation equipment as required by the commissioner.

16 § 2. Subdivision 2 of section 396-x of the general business law, as
17 added by chapter 616 of the laws of 1984, is amended to read as follows:

18 2. Any dealer must provide on the premises where motor fuel is sold at
19 retail for use in motor vehicles a functioning motor driven air compres-
20 sor capable of inflating automobile tires for use by customers during
21 hours in which such station is open for business. Jurisdiction in all
22 matters pertaining to this subdivision shall be vested exclusively in

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

LBD09797-04-0

1 the state. Any provision of any local law or ordinance or any rule or
2 regulation promulgated thereto governing tire inflation operation or
3 equipment shall upon the effective date of the chapter of the laws of
4 two thousand twenty that amended this subdivision be preempted. Nothing
5 in this section shall be construed to restrict a municipality from
6 enforcing the provisions of this subdivision as it relates to providing
7 functioning tire inflation equipment as required by the commissioner of
8 agriculture and markets.

9 § 3. This act shall take effect immediately.