

# STATE OF NEW YORK

6656--A

2019-2020 Regular Sessions

## IN SENATE

August 19, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to the securing of grease traps and interceptors by food establishments

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 "Bryce's law".

3 § 2. The public health law is amended by adding a new section 1352-f  
4 to read as follows:

5 § 1352-f. Securing of grease traps and interceptors by food establish-  
6 ments. 1. For the purposes of this section "food establishment" shall  
7 mean any business or organization engaged in the preparation, sale or  
8 service of food.

9 2. A food establishment with a grease trap or interceptor manhole that  
10 is located outdoors or accessible to the general public shall ensure  
11 that such manhole is designed to withstand expected loads and prevent  
12 access by children. The manhole cover shall be secured by a bolt or  
13 locking mechanism or be constructed of round cast iron or similar  
14 construction rated for heavy road traffic with sufficient weight to  
15 prevent unauthorized access. Such grease trap or interceptor manhole  
16 shall include a secondary protection device consisting of a screen or  
17 netting sufficient to prevent a person from falling into such trap or  
18 interceptor. A public water or sewer authority may specify either manner  
19 of manhole access exclusively, provided it conforms to this subdivision  
20 and prevents unauthorized access.

21 3. (a) A food establishment with a grease trap or interceptor manhole  
22 that is located outdoors or accessible to the general public shall

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

LBD13511-09-9

1 ensure that such grease trap or interceptor manhole is secured or locked  
2 at all times.

3 (b) Notwithstanding paragraph (a) of this subdivision, a food estab-  
4 lishment may unsecure or unlock a grease trap or interceptor manhole for  
5 the purpose of cleaning, maintenance or inspection, provided, however,  
6 that no food establishment shall allow or cause such manhole to be or  
7 remain unattended while unsecured or unlocked.

8 4. A food establishment with a grease trap or interceptor manhole  
9 shall conspicuously display a warning sign at the location of such  
10 manhole. The form and content of such sign shall be promulgated by the  
11 commissioner.

12 5. (a) The commissioner, or his or her duly authorized agent or  
13 employee, shall conduct an annual inspection of the compliance of each  
14 food establishment with the provisions of this section.

15 (b) Every owner, operator, lessor, lessee or person in charge of any  
16 food establishment shall permit the commissioner, or his or her duly  
17 authorized agents or employees, to have access to all parts of any and  
18 all of such food establishment for the purpose of ascertaining whether  
19 the provisions of this section are being observed.

20 § 3. This act shall take effect on the thirtieth day after it shall  
21 have become a law. Effective immediately, the addition, amendment  
22 and/or repeal of any rule or regulation necessary for the implementation  
23 of this act on its effective date are authorized to be made and  
24 completed on or before such effective date.