STATE OF NEW YORK

937

2019-2020 Regular Sessions

IN SENATE

January 9, 2019

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to authorizing the department of environmental conservation to temporarily waive fuel and fuel additive requirements in extreme and unusual circumstances

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

Section 1. Subdivision 2 of section 19-0301 of the environmental conservation law is amended by adding a new paragraph f to read as follows:

f. Temporarily waive specific requirements of this section, or establish temporary alternative requirements respecting the use of a fuel or fuel additive if the department determines that:

(1) extreme and unusual fuel or fuel additive supply circumstances exist which prevent the distribution of an adequate supply of the fuel or fuel additive to consumers; and

(2) such extreme and unusual fuel or fuel additive supply circumstances are the result of a natural disaster, or another event that could not have been reasonably foreseen.

A temporary fuel and fuel additive supply circumstance waiver pursuant to this paragraph shall (i) be effective for a defined period of time that permits a transitional period after the termination of the temporary waiver to permit wholesalers and retailers to blend down their wholesale and retail inventory; and (ii) apply to all persons in the motor fuel distribution system.

§ 2. This act shall take effect immediately.

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

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