STATE OF NEW YORK

6147--A

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

Introduced by M. of A. DARLING -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring hands-free gas dispensing at self-service gas stations in the county of Nassau

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

Section 1. The general business law is amended by adding a new section 396-xx to read as follows:

§ 396-xx. Hands-free gas dispensing in the county of Nassau. 1. Notwithstanding any other law, rule or regulation to the contrary, any person, firm or corporation owning or operating a premises or facility for the retail sale of motor fuels for use in motor vehicles and offering self-service in the county of Nassau at the time this section takes effect shall be required to equip gasoline and diesel fuel dispensing nozzles on the premises with hold open clips to allow for hands-free gasoline and diesel fuel dispensing.

2. Such hands-free gasoline and diesel fuel dispensing nozzles shall only be acceptable for use if:

(a) the gasoline and diesel fuel dispensing nozzles meet acceptable safety standards as set forth by law, rule or regulation; and

(b) a sign is posted in a clear and conspicuous manner indicating that any person, other than an attendant, who uses a hands-free gasoline or diesel fuel dispensing nozzle shall remain within ten feet and within plain sight of the refueling point during any refueling operation.

3. It shall be the responsibility of the person, firm or corporation owning or operating a premises or facility for the retail sale of motor fuels for use in motor vehicles in the county of Nassau to familiarize

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

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attendant employees of such premises or facility with the location and operation of the stations' emergency fuel shut-off switch.

4. Any new premises or facility being constructed for the retail sale of motor fuels for use in motor vehicles in the county of Nassau shall be required, at the time of initial construction, to equip every gasoline and diesel fuel dispensing nozzle on the premises with a hold open clip to allow for hands-free gasoline and diesel fuel dispensing.

5. For purposes of this section, "hold open clip" means a small metal lever within a gas pump handle which allows a gasoline or diesel fuel dispensing nozzle to continue pumping gasoline or diesel fuel without an individual having to manually and continuously hold the gas pump handle.

§ 2. This act shall take effect ninety days after it shall have become a law.