§ 38-0103. Definitions.

The following terms, whenever used or referred to in this article, shall have the following meaning unless a different meaning clearly appears from the context:

1. "Chlorofluorocarbon compounds" shall mean one or more of the following substances used alone or in combination with other compounds: CFC-11, CFC-12, CFC-113, CFC-114, or CFC-115.

2. "Ozone" means an allotropic, triatomic form of oxygen, chemically described as O3.

3. "Halon compounds" shall mean one or more of the following substances: halon-1211, halon-1301 and halon-2402.

4. "Person" shall mean any person, business enterprise or state authority, locality or municipality.

5. "Motor vehicle" shall mean motor vehicle as defined by section one hundred twenty-five and omnibus as defined by section one hundred twenty-six of the vehicle and traffic law.

6. "Motor vehicle air conditioner" means mechanical vapor compression refrigeration equipment used to cool the drivers or passenger compartment of any motor vehicle.

7. "Approved motor vehicle refrigerant recapturing equipment" means equipment that is certified by Underwriters Laboratories (or another independent standards testing organization acceptable to the department) to meet the Underwriters Laboratories standard applicable to equipment for the removal and storage of used CFC refrigerants from motor vehicle air conditioners (Underwriters Laboratories standards 1963, October 2, 1989) unless such standard is modified by the commissioner through regulation. Equipment purchased before the date of such certification shall be considered approved if the manufacturer provides proof that the model is functionally identical to a model which is certified pursuant

to this section.

8. "Approved motor vehicle refrigerant recycling equipment" means equipment that is certified by Underwriters Laboratories (or another independent standards testing organization acceptable to the department) to meet the society of automotive engineers standard applicable to equipment for the extraction and reclamation of refrigerant from motor vehicle air conditioners (SAE standard J-1990, October, 1989), unless such standard is modified by the commissioner through regulation. Equipment purchased before the date of such certification shall be considered approved if the manufacturer provides proof that the model is functionally identical to the model which is certified pursuant to this section.

9. "Properly using" approved motor vehicle refrigerant recycling equipment means using such equipment in conformity with the Society of Automotive Engineers standard establishing the recommended service procedure for containment of CFC-12 refrigerant (SAE standard J-1989 or revisions thereof).

10. "Recycle" means to decontaminate, reclaim, or reprocess CFC refrigerants captured from a motor vehicle air conditioner or refrigeration system for reuse, or to destroy such compounds by methods approved by either the United States Environmental Protection Agency or the commissioner.

11. "Refrigeration system" shall mean and shall be limited to: refrigerators used in retail stores, cold storage warehouse refrigeration systems, and air conditioning systems in large buildings, including but not limited to, those systems commonly referred to as chillers.