



Legislation Details (With Text)

File #: Int 0111-2014 **Version:** * **Name:** Prohibiting the selling and buying of gasoline by certain persons.
Type: Introduction **Status:** Filed (End of Session)
In control: Committee on Transportation

On agenda: 2/26/2014

Enactment date: **Enactment #:**

Title: A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the selling and buying of gasoline by certain persons.

Sponsors: James Vacca, Fernando Cabrera, Peter A. Koo, (by request of the Bronx Borough President)

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Attachments:

Date	Ver.	Action By	Action	Result
2/26/2014	*	City Council	Introduced by Council	
2/26/2014	*	City Council	Referred to Comm by Council	
12/31/2017	*	City Council	Filed (End of Session)	

Int. No. 111

By Council Members Vacca, Cabrera and Koo (by request of the Bronx Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the selling and buying of gasoline by certain persons.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-176.2 of the administrative code of the city of New York is amended to read as follows:

a. For purposes of this [section] subchapter, the term "motorized scooter" shall mean any wheeled device that has handlebars that is designed to be stood or sat upon by the operator, is powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York State Department of Motor Vehicles. For the purposes of this [section] subchapter, the term motorized scooter shall not include wheelchairs or other mobility aids designed for use by disabled persons.

§ 2. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-176.3 to read as follows:

§19-176.3 Prohibition on gasoline sales to and purchases by operators of unregistered vehicles and unregistered drivers. a. It shall be unlawful for a person at a location where a primary purpose is of selling gasoline and other petroleum products to sell gasoline or other petroleum products to the operator of a motorized scooter or any other unregistered motor vehicle within the city of New York, or to a person that does not provide proof of having a current valid driver's license.

b. It shall be unlawful for the operator of an unregistered motor vehicle or an operator who fails to produce proof of having a current valid driver's license to purchase gasoline or other petroleum products from a location where a primary purpose of such location is to sell gasoline or petroleum products, within the city of New York.

c. Any person who violates any of the provisions of this section or any rules or regulations promulgated thereunder shall be guilty of a misdemeanor, and shall be subject to a fine of not less than nor more than one thousand dollars, imprisonment of not more than fifteen days or both such fine and imprisonment. In addition to or in the alternative to such penalty, such person shall be subject to a civil penalty of not less than nor more than one thousand dollars, returnable to the environmental control board, for each such offense.

d. This section may be enforced by the department, police department or the department of consumer affairs. Any police officer may seize any vehicle which he or she has probable cause to believe is unregistered and has been filled with gasoline in violation of this section.

§3. This local law shall take effect sixty days following enactment.

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LS#5111, 5113
1/16/14