



Legislation Text

File #: Int 0296-2006, Version: A

Int. No. 296-A

By Council Members Liu, Comrie, Addabbo Jr., Brewer, Clarke, Foster, Gennaro, Gentile, Gonzalez, James, Mark-Viverito, Martinez, Monserrate, Nelson, Weprin, Gerson, Dickens and The Public Advocate (Ms. Gotbaum)

A Local Law to amend the administrative code of the city of New York, in relation to regulating the effective period of prices posted on signs, posters or placards for the sale of gasoline and diesel motor fuel.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 20-672 of subchapter 5 of chapter 4 of title 20 of the administrative code of the city of New York is hereby amended to read as follows:

(b) Where a sign, poster or placard advertises the selling price per gallon of gasoline or diesel motor fuel on, at or about the premises where such gasoline or diesel motor fuel is sold or offered for sale, or where such sign, poster or placard directly or indirectly refers to a premises where the advertised gasoline or diesel motor fuel is sold or offered for sale, such sign, poster or placard shall state the name, trade name, brand, mark or symbol and grade or quality classification of such gasoline or diesel motor fuel, together with the total selling price per gallon. Total selling price shall be the sum of the basic price per gallon plus all applicable taxes. A retail dealer shall only sell at such posted price. Any such price when posted may not be raised for a period of not less than twenty-four hours. Such sign, poster or placard shall conform to the rules and regulations of all governmental agencies with jurisdiction as to structure and location.

§2. Subchapter 5 of chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-672.1 to read as follows:

§20-672.1 Sales Record Keeping Requirements . a. Every retail dealer of petroleum products

shall maintain a daily sales record of all petroleum products for which prices are required to be posted as provided in section 20-672. Such records shall document the total volume of each such type of product sold each day, the unit price and the total daily amount of sales for each such type of product, and the date and time when a change to the price posting specified in section 20-672 was made.

b. All records required to be maintained shall be preserved in a manner that ensures their security and accessibility for inspection by the department for a period of one year.

c. All records required to be maintained shall be kept in chronological order, either in writing or electronically, and shall be available for inspection by the department as follows:

1. Records maintained in writing shall be retained at the premises where sales are made for each of the immediately preceding thirty days. Such records shall be made available on demand to the department at such premises. The records required to be kept for the period beyond the immediately preceding thirty days shall be presented at the offices of the department within five business days after demand to produce them has been served on a retail dealer.

2. Records maintained electronically shall be retained on the premises in a manner that displays the data for the entire period for which the electronic data system retains such data to permit an inspector to view it on demand on the device, and if such period is for less than the immediately preceding thirty days, then the data must be provided on demand in a chronologically ordered print-out for the full thirty days. A complete and accurate print out of the electronically maintained records that are required to be kept for the period beyond the immediately preceding thirty days shall be presented at the offices of the department within five business days after demand to produce them has been served on a retail dealer.

§3. This local law shall take effect thirty days after it shall have been enacted into law; provided, however, that the commissioner of consumer affairs may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, establishing guidelines and promulgating rules.

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Resub. Int. 714/2005
07/11/06