



Legislation Text

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Int. No. 403

By Council Members Vacca, Gerson, Brewer, Foster, Gonzalez, James, Koppell, Mealy, Mendez, Nelson, Palma, Seabrook, Vann, White Jr., Mark-Viverito and Oddo.

A Local Law to amend the administrative code of the city of New York, in relation to requiring gasoline retail outlets to post signs informing disabled drivers of their rights pursuant to the Americans with Disabilities Act.

Be it enacted by the Council as follows:

Section 1. Legislative Intent. Disabled motorists may have difficulty obtaining gasoline for their automobiles because they may be unable to operate the controls, hoses, or nozzles at gasoline retail stations. Therefore, such drivers may be unable to purchase gasoline at self-service stations. At stations offering full-serve and self-serve options, disabled drivers may have no choice but to use full-service pumps which typically cost several cents more per gallon than self-service. Accordingly, the Americans with Disabilities Act (“ADA”) provides rules for gasoline retailers with respect to disabled drivers.

According to ADA guidelines, all gasoline retail outlets must provide refueling assistance upon the request of a person with a disability, unless the premises is operating on a remote control by a single employee, and provide such assistance without any additional charge beyond the self-service price, if the customer purchases fuel only. Additionally, the outlet must post notice that individuals with disabilities can obtain assistance by honking their horn or otherwise signaling a station attendant.

However, many drivers may be unaware of these important protections offered to them. Accordingly, the Council finds that a local law requiring premises where gasoline or diesel motor fuel is sold to post signage notifying consumers of the specific rights conferred upon disabled drivers through the ADA is warranted.

§2. 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 by adding a new subdivision g, to read as follows:

g. Notice to persons with disabilities. All premises where gasoline or diesel motor fuel is sold or offered for sale shall conspicuously post notice of the rights and privileges conferred upon disabled motorists with respect to gasoline retailers pursuant to the federal Americans with Disabilities Act. The terms of such posted notice shall be prescribed by rule of the department.

§3. This local law shall take effect ninety 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.

T.S.F.
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