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## **New York Localities Pre-empted From Regulating Tire Inflation Equipment**

On October 7, 2020, Governor Cuomo signed into law a bill clarifying that the state Department of Agriculture and Markets has sole jurisdiction over the regulation of tire inflation machines at fueling stations.

For many years, New York gas stations have been required by state law to provide an on-premise, motor-driven compressor capable of inflating automobile tires for use by motorists during hours the station is open for business.

In recent years, however, certain localities on Long Island had sought to adopt local laws requiring retailers to provide this service free of charge, depriving retailers of the opportunity to recoup their costs of maintaining the equipment in good working order.

In supporting passage, NYACS argued there should be one, uniform set of regulations governing gas station tire inflation equipment, and that it should be administered by the state Department of Agriculture and Markets. This bill achieves that, while allowing municipal weights-and-measures inspectors to continue to enforce the state law within their jurisdictions.

NYACS commends state Senator Monica Martinez and Assemblyman Peter Abbate for sponsoring the bill and Governor Cuomo for signing it.

NYACS was pleased to have worked with the New York Association of Service Stations and Repair Shops as well as the Long Island Gasoline Retailers Association to win approval of this legislation.