

STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE  
COMMISSIONER OF TAXATION AND FINANCE  
ALBANY, NEW YORK

Pursuant to the authority contained in subdivision First of section 171, subdivision (c) of section 301-h, subdivision 7 of section 509, subdivision (b) of section 523, and subdivision (a) of section 528 of the Tax Law, the First Deputy Commissioner of Taxation and Finance, being duly authorized to act due to the vacancy in the office of the Commissioner of Taxation and Finance, hereby proposes to make and adopt the following amendment to the Fuel Use Tax Regulations, as published in Article 3 of Subchapter C of Chapter III of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

Section 1. Paragraph (1) of subdivision (b) of section 492.1 of such regulations is amended by adding a new subparagraph (lxi) to read as follows:

Motor Fuel			Diesel Motor Fuel			
Sales Tax	Composite	Aggregate	Sales Tax	Composite	Aggregate	
Component	Rate	Rate	Component	Rate	Rate	
(lx) October - December 2010						
	15.6	23.6	39.9	16.0	24.0	38.55
<u>(lxi) January - March 2011</u>						
	<u>15.9</u>	<u>23.9</u>	<u>40.9</u>	<u>16.0</u>	<u>24.0</u>	<u>39.25</u>

Dated: Albany, New York  
November 18, 2010

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Jamie Woodward  
Acting Commissioner and Executive Deputy  
Commissioner of Taxation and Finance