

STATE OF NEW YORK  
DEPARTMENT 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 in the absence of the Commissioner of Taxation and Finance, hereby proposes to make and adopt the following amendments to the regulations with respect to the Fuel Use Tax, 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 (xxxiv) to read as follows:

Motor Fuel			Diesel Motor Fuel				
Sales Tax	Composite	Aggregate	Sales Tax	Composite	Aggregate		
Component	Rate	Rate	Component	Rate	Rate		
( xxxiii) January - March 2004							
	10.5	18.5	33.1		10.3	18.3	31.15
<u>( xxxiv) April - June 2004</u>							
	<u>10.5</u>	<u>18.5</u>	<u>33.1</u>		<u>11.0</u>	<u>19.0</u>	<u>31.85</u>

DATED: Albany, New York  
February 24, 2004

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Barbara G. Billet  
Executive Deputy Commissioner of Taxation and Finance