



NEW YORK STATE SENATOR

Timothy M. Kennedy

Following Death of Rochester Toddler, Senator Tim Kennedy and Assemblymember Jamie Romeo Introduce Bill to Strengthen Safeguards for Outdoor Grease Traps

TIMOTHY M. KENNEDY September 13, 2019

| ISSUE: **CHILD SAFETY, CHILD SAFETY ZONES**



Two Months After Toddler Tragically Falls Through Unsecured Plastic Lid of Underground Grease Interceptor, State Legislators Introduce Reform to Enhance Safety Regulations

BUFFALO, N.Y. – Senator Tim Kennedy (D-Buffalo) and Assemblymember Jamie Romeo (D-Irondequoit), joined by Assemblymember Sean Ryan (D-Buffalo) and Assemblymember Karen McMahon (D-Amherst), announced the introduction of S.6656/A.8525 Friday, which

seeks to ensure that all grease traps and interceptors that are located outdoors, or are accessible to the general public, are properly secured and annually inspected. The legislation was introduced in direct response to the death of a 3-year-old Rochester, New York toddler who fell through an unsecured, plastic covered grease trap in early July, and was unable to be resuscitated. The boy's death revealed gaps in state law; currently, grease traps in New York State are regulated by local wastewater treatment requirements, but those don't always specify safety standards for grease trap lids or designs.

The new state legislation would require food establishments with a publicly accessible outdoor grease trap or interceptor manhole to ensure that the hole is secured by a bolt or locking mechanism, and be constructed of cast iron or construction rated material to prevent unauthorized or accidental access. The bill requires the grease trap to be locked at all times, other than during cleaning or maintenance, during which the hole must not be left unattended while uncovered. Additionally, the food establishment must display a warning sign near the manhole, and annual inspections are required to assess the compliance of the trap every year.

"These common sense reforms are designed to ensure that no other families have to endure the sort of unimaginable heartbreak that this family did, and will prioritize public safety and regulation of these interceptors moving forward," said **Senator Tim Kennedy**. "I thank Assemblymember Romeo for introducing this important legislation, and am proud to sponsor this bill in the State Senate. Together, we're committed to seeing both houses move this measure forward aggressively when legislative session resumes."

"The tragic death of a 3-year-old child that occurred in Monroe County should never happen again and this law will go a long way in ensuring that it does not," said **Assemblymember Jamie Romeo**. "It is extremely important to me that no family ever endure the loss of a loved one when simple steps can be taken to prevent it. It continues to disturb me that children

have died in related situations in other states, and that these deaths have not led to industry-wide reforms. That is why it will be one of my top priorities to see that this State legislation, Bryce's Law, is passed as soon as we get back to Albany. I appreciate Senator Kennedy's partnership in carrying this bill in the Senate and I know that like me, he believes we have no higher duty than ensure the safety of our most vulnerable citizens."

"This legislation will help ensure that another tragedy like the one that happened in Rochester involving a toddler never happens again," said **NYS Assembly Majority Leader Peoples-Stokes**. "I commend my colleagues in the Senate and Assembly for their quick action in drafting legislation that requires restaurants to secure their grease traps to make sure no family ever has to experience this type of pain."

"Grease traps are often located in areas that are easily accessible to the general public," said **Assemblyman Sean Ryan**. "Recently we saw just how dangerous this could be when a 3 year old child in Rochester died after falling into a trap that had been left unsecured. This bill will help us better identify and secure these potential hazards to ensure that there is not another tragedy like this in our state. This is common sense legislation that will help keep New New Yorkers safe and I'm proud to support it."

"This legislation tightens the regulations concerning grease traps and interceptors that tragically proved to be hazardous and life-threatening to the public," said **Assemblymember Karen McMahan**. "I join my colleagues in the Senate and Assembly in their concern that grease traps are accessible to the public and should be secured and properly marked in an effort to prevent another terrible tragedy."

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RELATED LEGISLATION

2019-S6656

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- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
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- - Passed Assembly
 - Passed Senate
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Relates to the securing of grease traps and interceptors by food establishments

August 19, 2019

In Senate Committee [Rules](#)

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