

STATE OF NEW YORK

8867

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing the "New York state vehicle security circumvention device act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 article 12-E to read as follows:

ARTICLE 12-E

NEW YORK STATE VEHICLE SECURITY CIRCUMVENTION DEVICE ACT

3 Section 399-aa. Short title.

4 399-bb. Legislative intent.

5 399-cc. Definitions.

6 399-dd. Prohibited acts.

7 399-ee. Reporting of lost or stolen vehicle security circum-
8 vention devices.

9 399-ff. Penalties.

10 399-gg. Severability.

11 § 399-aa. Short title. This act shall be known and may be cited as the
12 "New York state vehicle security circumvention device act".

13 § 399-bb. Legislative intent. In two thousand twenty-four, over eight
14 hundred fifty thousand vehicles were stolen, often by organized crime
15 rings. Motor vehicle key programming or emulating devices and relay
16 attack devices are increasingly used by thieves to steal vehicles. A
17 motor vehicle key programming or emulating device is a device used to
18 electronically communicate with a motor vehicle to program a blank key
19 fob or emulate a key fob for the purpose of starting and operating the
20 vehicle. A relay attack device is a device used to intercept a key fob
21 signal to unlock and/or remotely activate the ignition of a motor vehi-
22 cle. Prohibiting the manufacturing, sale, offering to sell, or
23 possession of the devices outside of lawful and reasonable purposes will
24
25

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD13335-01-5

1 help align vehicle theft statutes with 21st century criminal tactics and
2 provide law enforcement the necessary tools they need to combat car
3 thieves using today's most sophisticated technology.

4 The vehicle security circumvention device act prohibits the unlawful
5 manufacturing, possession, transfer, or sale of a motor vehicle key
6 programming or emulating device or relay attack device. It requires a
7 person lawfully authorized to possess a motor vehicle key programming or
8 emulating device or relay attack device to report to law enforcement
9 within forty-eight hours a lost or stolen device. This act establishes
10 criminal penalties to combat auto theft.

11 § 399-cc. Definitions. As used in this article, the following terms
12 shall have the following meanings:

13 1. "Motor vehicle key programming or emulating device" means any
14 device, computer program, application, or software designed or used to
15 electronically communicate with a motor vehicle for the purpose of
16 programming or emulating a motor vehicle key fob that is capable of
17 being used to unlock or start the motor vehicle.

18 2. "Relay attack device" means any device, computer program, applica-
19 tion, or software designed or used to intercept the signal from the key
20 fob of a motor vehicle to unlock or start the motor vehicle.

21 § 399-dd. Prohibited acts. No person shall knowingly manufacture,
22 sell, offer to sell, transfer, or possess a motor vehicle key program-
23 ming or emulating device or relay attack device, or aid or permit anoth-
24 er to use a motor vehicle key programming or emulating device or relay
25 attack device. This section shall not apply to the manufacturing, sale,
26 offering to sell, transfer, possession, or use of a motor vehicle key
27 programming or emulating device or relay attack device for a lawful and
28 reasonable purpose by or to a law enforcement officer, an employee of
29 the National Insurance Crime Bureau, or an employee of a licensed: deal-
30 er, distributor or manufacturer of motor vehicles or motor vehicle
31 locks; motor vehicle mechanic shop; locksmith company; or repossession
32 agency.

33 § 399-ee. Reporting of lost or stolen vehicle security circumvention
34 devices. A person authorized to possess a motor vehicle key programming
35 or emulating device or relay attack device shall report a lost or stolen
36 motor vehicle key programming or emulating device or relay attack device
37 within forty-eight hours of becoming aware that such device was lost or
38 stolen to a law enforcement agency within the jurisdiction in which the
39 device is known or thought to be lost or stolen.

40 § 399-ff. Penalties. Any person convicted of an offense committed
41 under section three hundred ninety-nine-dd of this article shall be
42 guilty of a class E felony. Any person who fails to report under section
43 three hundred ninety-nine-ee of this article shall be subject to a fine
44 of up to five thousand dollars or a class A misdemeanor.

45 § 399-gg. Severability. If any provision of this act or its applica-
46 tion to any person, legal entity, or circumstance is held invalid, the
47 remainder of this act or the application of the provision to other
48 persons, legal entities or circumstances shall not be affected.

49 § 2. This act shall take effect immediately.