STATE OF NEW YORK

3567--C

2025-2026 Regular Sessions

IN SENATE

January 28, 2025

Introduced by Sens. CLEARE, FERNANDEZ, C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to enacting the "consumer protection and automotive transparency act"

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

Section 1. Short title. This act shall be known and may be cited as the "consumer protection and automotive transparency act".

§ 2. Legislative purpose and intent. The purpose of this act is to mandate transparency in automotive labeling, ensuring consumers are accurately informed about the materials used in the interiors of automobiles. Consumers are often misled by the marketing of different types of materials used in making seating surfaces, steering wheels and gear shifters in the automotive industry. This misleading marketing can result in consumers paying more for products that are not what they were expecting or buying a product that they assume is a certain material and it is not. It is important to protect consumers (monetarily, ethically and health-related) by requiring automotive manufacturers to disclose the materials used in their interior products. This legislation aims to protect consumers from deceptive marketing practices and promote transparency across the automotive industry.

(a) The purpose of this legislation is to protect consumers in the automotive industry by ensuring transparency and accurate labeling of materials used in automobile interiors.

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

LBD05727-07-5

(b) This legislation aims to prevent misleading marketing practices and provide consumers with clear and understandable information about the content of automobile interiors.

(c) This legislation mandates transparency in the labeling of automotive interiors to protect consumers from misleading marketing practices related to leather, fabric and plastic materials.

(d) This legislation aims to ensure that consumers can make informed decisions about the materials used in automotive interiors.

(e) This legislation seeks to establish clear and simple labeling requirements, avoiding unnecessary complexity and ensuring accessibility for consumers of all educational backgrounds.

§ 3. The general business law is amended by adding a new section 198-d to read as follows:

§ 198-d. Consumer protection and automotive transparency. (a) Definitions. For the purposes of this section, the following terms shall have the following meanings:

(1) "Leather" means any hide or skin products derived from animals that possess an intact original fibrous structure, obtained from hides tanned to prevent decay, that may have been split before or after tanning into layers or segments, and that may have a coating applied.

(2) "Fabric" means any cloth or material produced by weaving or knitting fibers.

(3) "Plastic and coated materials" means rolled goods, or sheets of woven, knit, or non-woven textiles to which a polymer or resin mixture is applied as a surface coating or layer and makes up the majority of the base material.

(4) "Label" means any tag, label, or other writing that is attached to or accompanies an automotive product.

(b) Labeling requirements. (1) Automotive manufacturers of new motor vehicles shall clearly label the interior materials of such motor vehicles using terms that are easily understandable to the average consumer.

(2) The interior threshold required for defined labeling shall be based upon the percent of material used on the interactive interior surfaces of a motor vehicle. Interactive interior surfaces shall mean seating surfaces in all rows of the motor vehicle, headrests, steering wheel, and gear shift. Interactive interior surfaces shall not include seating side and back panels and all other non-seating surfaces in the motor vehicle.

(3) The following terms shall be used to describe the materials used in motor vehicle interiors: leather, fabric, plastic and coated materials, and any other material that accurately represents the nature of the interior.

(4) The interactive interior surfaces labels shall be clearly visible and prominently displayed on any marketing materials provided to the consumer with the motor vehicle and printed in type no less than twelve-point font.

(c) Prohibition of deceptive practices. It shall be unlawful to sell, market, or advertise motor vehicle interiors using terms such as "leather," "skin," "tanned skin," "coated leather," or any other terms defined in this section, as a means of naming any other materials which do not comply with the characteristics defined in subdivision (a) of this section, regardless of the language used, unless entered as prefixes or suffixes in other words which clearly differentiate the material labeled, including but not limited to terms such as "faux leather" or "vegan leather".

(d) Enforcement and penalties. (1) Whenever a violation of this section has occurred, a civil penalty shall be imposed on the manufacturer of up to two hundred and fifty dollars per violation for the first offense and up to five hundred dollars per violation for subsequent offenses.

(2) Any violation of subdivision (c) of this section shall be deemed a deceptive practice within the meaning of section three hundred forty-nine of this chapter.

§ 4. Severability. If any provision of this act is held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of any other provision of this act.

§ 5. This act shall take effect one year after it shall have become a law.