

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. PHEFFER, V. LOPEZ, GIANARIS, COOK, GALEF, ORTIZ,  
POWELL, JAFFEE -- Multi-Sponsored by -- M. of A. CAHILL, COLTON,  
GABRYSZAK, J. RIVERA, ROBINSON, TOWNS, WEISENBERG -- read once and  
referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the personal property law, in relation to requiring a  
visual inspection of a leased vehicle

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 343 of the personal property law  
2 is amended by adding a new paragraph (c) to read as follows:  
3 (C) UPON TERMINATION OF A RETAIL LEASE AGREEMENT AND UPON PHYSICAL  
4 POSSESSION OF THE LEASED VEHICLE BY THE HOLDER OR ITS AGENTS, THE HOLDER  
5 OR AN AGENT THEREOF SHALL COMPLETE A VISUAL INSPECTION OF THE VEHICLE'S  
6 CONDITION WHILE IN THE LESSEE'S PRESENCE.  
7 THE VISUAL INSPECTION SHALL COVER BUT NOT BE LIMITED TO THE EXTERIOR  
8 BODY OF THE VEHICLE, THE INTERIOR OF THE VEHICLE AND THE VEHICLE'S  
9 TIRES. THE VISUAL INSPECTION FORM SHALL BE SIGNED BY THE HOLDER OR AN  
10 AGENT THEREOF AND A COPY SHALL BE IMMEDIATELY SUPPLIED TO THE LESSEE.  
11 THE VISUAL INSPECTION SHALL NOT IMPAIR THE RIGHTS OF THE HOLDER TO  
12 CONDUCT A MORE THOROUGH INSPECTION WITHIN THIRTY DAYS OF COMING INTO  
13 ACTUAL PHYSICAL POSSESSION OF THE VEHICLE.  
14 S 2. This act shall take effect on the sixtieth day after it shall  
15 have become a law.

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

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