S T A T E O F N E W Y O R K

8037

2009-2010 Regular Sessions

I N A S S E M B L Y

May 1, 2009

Introduced by M. of A. MILLMAN, ORTIZ, FIELDS, COOK, ESPAILLAT, MARKEY, CAHILL, GREENE, CASTRO -- Multi-Sponsored by -- M. of A. BARRON, BOYLAND, EDDINGTON, GALEF, GOTTFRIED, JEFFRIES, McENENY, PHEFFER, REILLY, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to repair work guarantees

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

Section 1. Section 398-d of the vehicle and traffic law is amended by adding a new subdivision 8 to read as follows:

8. (A) THE INVOICE PROVIDED BY THE MOTOR VEHICLE REPAIR SHOP IN ACCORDANCE WITH SUBDIVISION ONE OF THIS SECTION SHALL CONSPICUOUSLY SET FORTH THE TERMS AND TIME LIMIT OF ANY GUARANTEE FOR THE REPAIR WORK PERFORMED. WHERE NO GUARANTEE IS GIVEN, THE INVOICE SHALL SO STATE.

(B) THE INVOICE SHALL FURTHER CONTAIN A STATEMENT TO THE EFFECT THAT COMPLAINTS REGARDING THE FUNCTIONAL ADEQUACY OF THE REPAIR WORK PERFORMED MAY BE DIRECTED TO THE DEPARTMENT, BUT IN NO EVENT LATER THAN NINETY DAYS OR THREE THOUSAND MILES OF THE REPAIR, WHICHEVER COMES FIRST.

(C) THE PROVISIONS OF THIS SUBDIVISION SHALL NOT BE CONSTRUED TO LIMIT OR ABRIDGE ANY STATUTORY OR OTHER RIGHT OR REMEDY OF A CONSUMER AT LAW OR IN EQUITY.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

LBD04954-01-9