

4264

2009-2010 Regular Sessions

I N A S S E M B L Y

February 2, 2009

Introduced by M. of A. MENG -- read once and referred to the Committee
on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to the purchase,
sale, or installation of salvaged high-intensity discharge headlamps

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

1 Section 1. The general business law is amended by adding a new section
2 398-e to read as follows:

3 S 398-E. PURCHASE, SALE, OR INSTALLATION OF SALVAGED HIGH-INTENSITY
4 DISCHARGE HEADLAMPS. 1. FOR THE PURPOSES OF THIS SECTION, A "HIGH-INTEN-
5 SITY DISCHARGE/HID HEADLAMP" MEANS A HEADLAMP WHICH EMITS TWICE THE
6 LIGHT OF A CONVENTIONAL HALOGEN HEADLAMP AND PRODUCES A BLUE-WHITE
7 LIGHT.

8 2. ANY PERSON ENGAGED IN THE BUSINESS OF PURCHASING, SELLING, OR
9 INSTALLING SALVAGED HIGH-INTENSITY DISCHARGE HEADLAMPS SHALL MAINTAIN A
10 MANUAL OR ELECTRONIC RECORD OF THE PURCHASE, SALE, OR INSTALLATION,
11 WHICH MUST INCLUDE THE IDENTIFICATION NUMBER OF THE SALVAGED HID HEAD-
12 LAMP; THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE FROM WHICH THE
13 SALVAGED HID HEADLAMP WAS REMOVED; THE NAME, ADDRESS, AND DRIVER'S
14 LICENSE NUMBER OR OTHER MEANS OF IDENTIFICATION OF THE PERSON FROM WHOM
15 THE SALVAGED HID HEADLAMP WAS PURCHASED; AND, IN THE EVENT THAT THE
16 SALVAGED HID HEADLAMP IS INSTALLED, THE VEHICLE IDENTIFICATION NUMBER OF
17 THE VEHICLE INTO WHICH THE HID HEADLAMP IS INSTALLED. SUCH RECORD MUST
18 BE MAINTAINED FOR THIRTY-SIX MONTHS FOLLOWING THE TRANSACTION AND MAY BE
19 INSPECTED DURING NORMAL BUSINESS HOURS BY ANY LAW ENFORCEMENT OFFICER OF
20 THIS STATE. ANY PERSON WHO SELLS A SALVAGED HID HEADLAMP OR WHO INSTALLS
21 A SALVAGED HID HEADLAMP MUST DISCLOSE TO THE PURCHASER OR CONSUMER THAT
22 THE HID HEADLAMP IS SALVAGED.

23 3. ANY PERSON WHO KNOWINGLY POSSESSES, SELLS, OR INSTALLS A STOLEN
24 UNINSTALLED HIGH-INTENSITY DISCHARGE HEADLAMP SHALL BE GUILTY OF A CLASS
25 E FELONY. THE OWNER OR PROPRIETOR OF ANY BUSINESS THAT FAILS TO MAINTAIN

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

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1 COMPLETE AND ACCURATE RECORDS AS REQUIRED BY SUBDIVISION TWO OF THIS
2 SECTION SHALL BE GUILTY OF A MISDEMEANOR FOR SUCH FAILURE.
3 S 2. This act shall take effect on the first of November next succeed-
4 ing the date on which it shall have become a law.