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

6910

2011-2012 Regular Sessions

I N A S S E M B L Y

April 5, 2011

Introduced by M. of A. MENG -- read once and referred to the Committee on Economic Development

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:

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

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

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

3. ANY PERSON WHO KNOWINGLY POSSESSES, SELLS, OR INSTALLS A STOLEN UNINSTALLED HIGH-INTENSITY DISCHARGE HEADLAMP SHALL BE GUILTY OF A CLASS 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.

LBD05516-01-1

COMPLETE AND ACCURATE RECORDS AS REQUIRED BY SUBDIVISION TWO OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR FOR SUCH FAILURE.

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