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

3843

2011-2012 Regular Sessions

I N S E N A T E

March 7, 2011

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to providing a three day right of cancellation for purchases of recreational vehicles

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 399-zzzz to read as follows:

S 399-ZZZZ. RECREATIONAL VEHICLES; THREE DAY CANCELLATION. 1. FOR PURPOSES OF THIS SECTION, THE TERM "RECREATIONAL VEHICLE" SHALL HAVE THE SAME MEANING AS "HOUSE COACH" AS DEFINED IN SECTION ONE HUNDRED NINETEEN OF THE VEHICLE AND TRAFFIC LAW.

2. ANY CONTRACT FOR THE PURCHASE AND SALE OF A RECREATIONAL VEHICLE SHALL BE ACCOMPANIED BY A COMPLETED FORM IN DUPLICATE, CAPTIONED "NOTICE OF CANCELLATION", WHICH SHALL BE ATTACHED TO THE CONTRACT AND EASILY DETACHABLE, AND WHICH SHALL CONTAIN IN AT LEAST TEN POINT TYPE THE FOLLOWING:

"NOTICE OF CANCELLATION

YOU MAY CANCEL THIS CONTRACT, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE DAYS FROM THE DATE THAT A COPY OF AN EXECUTED CONTRACT IS RECEIVED BY YOU.

TO CANCEL THIS CONTRACT, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE, OR ANY OTHER WRITTEN NOTICE, TO (_____) at (_____)
NAME OF RECREATIONAL VEHICLE DEALER BUSINESS ADDRESS

NOT LATER THAN MIDNIGHT OF THE THIRD DAY FOLLOWING YOUR RECEIPT OF A SIGNED CONTRACT.

I HEREBY CANCEL THIS TRANSACTION.

_____
(signature of consumer)

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

LBD09160-01-1

_____"
(date)

3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE SALE OF ANY RECREATIONAL VEHICLE WHICH HAS BEEN CUSTOM DESIGNED TO SPECIFICATIONS ORDERED BY THE CONSUMER, WHERE SUCH SPECIFICATIONS ARE NOT READILY AVAILABLE IN A BASE MODEL OR OPTION PACKAGE OFFERED BY THE RECREATIONAL VEHICLE DEALER.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.