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

7944

I N S E N A T E

October 10, 2014

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to the prohibition of the installation of starter interrupt devices on certain new and used motor 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 396-qqq to read as follows:

S 396-QQQ. NEW AND USED MOTOR VEHICLES; SALES AND LEASES; STARTER INTERRUPT DEVICE. 1. THE FOLLOWING TERMS WHEN USED IN THIS SECTION, SHALL HAVE THE FOLLOWING MEANINGS:

A. "DEALER" AS DEFINED IN SECTION FOUR HUNDRED FIFTEEN OF THE VEHICLE AND TRAFFIC LAW.

B. "MOTOR VEHICLE" AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THE VEHICLE AND TRAFFIC LAW AND EXCLUDING CLASS A, B AND C LIMITED USE MOTORCYCLES AS DEFINED IN SECTION ONE HUNDRED TWENTY-ONE-B OF THE VEHICLE AND TRAFFIC LAW.

C. "STARTER INTERRUPT DEVICE" SHALL MEAN A DEVICE WHICH TRACKS A MOTOR VEHICLE PURCHASER'S OR LESSEE'S SCHEDULED PAYMENTS UNDER A FINANCING OR LEASE AGREEMENT AND PREVENTS THE VEHICLE FROM STARTING IF A SCHEDULED PAYMENT IS NOT RECEIVED BY ITS DUE DATE OR WITHIN ANY APPLICABLE GRACE PERIOD. SUCH DEVICE TYPICALLY REQUIRES THE CONSUMER TO ENTER A CODE FOR EACH PAYMENT PERIOD IN ORDER TO CONTINUE OPERATING THE VEHICLE. THE CONSUMER RECEIVES THE PAYMENT CODES THAT WILL ALLOW THE VEHICLE TO CONTINUE TO START FROM THE CREDITOR WHEN PAYMENT IS TENDERED. SUCH DEVICE MAY INCLUDE A GLOBAL POSITIONING SYSTEM (GPS) TRACKING CAPABILITY.

2. NO NEW OR USED MOTOR VEHICLE DEALER OR LENDER SHALL BE PERMITTED TO INSTALL A STARTER INTERRUPT DEVICE ON A MOTOR VEHICLE PURCHASER'S OR LESSEE'S MOTOR VEHICLE.

3. A KNOWING VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE NOT TO EXCEED FIVE THOUSAND DOLLARS.

S 2. This act shall take effect on the first of November 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.

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