

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:

- 1 Section 1. The general business law is amended by adding a new section
2 396-qqq to read as follows:
3 S 396-QQQ. NEW AND USED MOTOR VEHICLES; SALES AND LEASES; STARTER
4 INTERRUPT DEVICE. 1. THE FOLLOWING TERMS WHEN USED IN THIS SECTION,
5 SHALL HAVE THE FOLLOWING MEANINGS:
6 A. "DEALER" AS DEFINED IN SECTION FOUR HUNDRED FIFTEEN OF THE VEHICLE
7 AND TRAFFIC LAW.
8 B. "MOTOR VEHICLE" AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF
9 THE VEHICLE AND TRAFFIC LAW AND EXCLUDING CLASS A, B AND C LIMITED USE
10 MOTORCYCLES AS DEFINED IN SECTION ONE HUNDRED TWENTY-ONE-B OF THE VEHI-
11 CLE AND TRAFFIC LAW.
12 C. "STARTER INTERRUPT DEVICE" SHALL MEAN A DEVICE WHICH TRACKS A MOTOR
13 VEHICLE PURCHASER'S OR LESSEE'S SCHEDULED PAYMENTS UNDER A FINANCING OR
14 LEASE AGREEMENT AND PREVENTS THE VEHICLE FROM STARTING IF A SCHEDULED
15 PAYMENT IS NOT RECEIVED BY ITS DUE DATE OR WITHIN ANY APPLICABLE GRACE
16 PERIOD. SUCH DEVICE TYPICALLY REQUIRES THE CONSUMER TO ENTER A CODE FOR
17 EACH PAYMENT PERIOD IN ORDER TO CONTINUE OPERATING THE VEHICLE. THE
18 CONSUMER RECEIVES THE PAYMENT CODES THAT WILL ALLOW THE VEHICLE TO
19 CONTINUE TO START FROM THE CREDITOR WHEN PAYMENT IS TENDERED. SUCH
20 DEVICE MAY INCLUDE A GLOBAL POSITIONING SYSTEM (GPS) TRACKING CAPABILI-
21 TY.
22 2. NO NEW OR USED MOTOR VEHICLE DEALER OR LENDER SHALL BE PERMITTED TO
23 INSTALL A STARTER INTERRUPT DEVICE ON A MOTOR VEHICLE PURCHASER'S OR
24 LESSEE'S MOTOR VEHICLE.
25 3. A KNOWING VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE
26 NOT TO EXCEED FIVE THOUSAND DOLLARS.
27 S 2. This act shall take effect on the first of November next succeed-
28 ing 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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