

10180

I N A S S E M B L Y

August 20, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Miller) --
read once and referred to the Committee on Consumer Affairs and
Protection

AN ACT to amend the general business law, in relation to requiring tire
and rim serial numbers for motor vehicles and motor cycle vehicles

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

1 Section 1. The general business law is amended by adding a new section
2 198-d to read as follows:
3 S 198-D. TIRE AND RIM SERIAL NUMBERS. 1. NO MOTOR VEHICLE TIRES, MOTOR
4 CYCLE TIRES, MOTOR VEHICLE RIMS, OR MOTOR CYCLE RIMS MANUFACTURED OR
5 ASSEMBLED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL BE SOLD
6 OR OFFERED FOR SALE IN THIS STATE UNLESS IT HAS AN IDENTIFYING SERIAL
7 NUMBER THAT DISTINGUISHES THAT TIRE OR RIM FROM ALL OTHER TIRES OR RIMS
8 OF THE SAME BRAND OR MODEL PERMANENTLY AND VISIBLY ENGRAVED, STAMPED OR
9 LABELED IN READILY LEGIBLE BOLDFACED FIGURES IN SUCH A MANNER THAT THE
10 SERIAL NUMBER WILL BE READILY VISIBLE AND THAT, IN THE CASE OF LABELING,
11 SUCH LABEL CANNOT BE REMOVED WITHOUT BEING DEFACED OR DESTROYED.
12 2. ANY PERSON, CORPORATION, ASSOCIATION OR PARTNERSHIP WHO ASSEMBLES,
13 DISTRIBUTES OR MANUFACTURES SUCH TIRES OR RIMS ON OR AFTER THE EFFECTIVE
14 DATE OF THIS SECTION, IN VIOLATION OF SUBDIVISION ONE OF THIS SECTION
15 SHALL BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED THREE HUNDRED DOLLARS.
16 IN ADDITION TO ANY OTHER PENALTY AS PROVIDED BY LAW, ANY PERSON WHO
17 INTENTIONALLY ALTERS, CONCEALS, DEFACES, DESTROYS, OR REMOVES SUCH SERI-
18 AL NUMBER WITH THE INTENT TO DEPRIVE THE RIGHTFUL OWNER OF LAWFUL
19 POSSESSION SHALL BE GUILTY OF A VIOLATION PUNISHABLE BY A FINE NOT TO
20 EXCEED THREE HUNDRED DOLLARS.
21 3. NO PERSON REGULARLY ENGAGED IN THE BUSINESS OF MANUFACTURE,
22 DISTRIBUTION, OR RETAIL SALE OF SUCH TIRES OR RIMS SHALL BE DEEMED TO
23 HAVE VIOLATED THE PROVISIONS OF THIS SECTION IF SUCH PERSON SHOWS BY A
24 PREPONDERANCE OF EVIDENCE THAT THE VIOLATION WAS NOT INTENTIONAL AND
25 RESULTED FROM BONA FIDE ERROR MADE NOTWITHSTANDING THE MAINTENANCE OF
26 PROCEDURES REASONABLY ADOPTED TO AVOID ANY SUCH ERROR.
27 S 2. This act shall take effect on the one hundred twentieth day after
28 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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