

7231--A

Cal. No. 508

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 29, 2015

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Introduced by M. of A. DenDEKKER, LINARES, OTIS, ORTIZ, COLTON, GOTT-FRIED, ARROYO, GRAF, HEVESI, HOOPER -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, BUCHWALD, COOK, GLICK, RIVERA, ROBINSON -- read once and referred to the Committee on Consumer Affairs and Protection -- recommended to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Codes -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the general business law, in relation to requiring dealers to disclose information regarding fees for updating maps on global positioning systems installed in motor vehicles

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

1     Section 1. Subdivision 3 of section 396-qq of the general business  
2 law, as added by chapter 553 of the laws of 1996, is amended to read as  
3 follows:  
4     3. WHENEVER A DEALER SELLS OR LEASES A MOTOR VEHICLE WITH A GLOBAL  
5 POSITIONING SYSTEM (GPS) INSTALLED IN SUCH MOTOR VEHICLE, THE DEALER  
6 SHALL INFORM THE PURCHASER OR LESSEE OF THE NEED TO PERIODICALLY UPDATE  
7 THE MAPS OF THE GLOBAL POSITIONING SYSTEM AND THE DEALER SHALL PROVIDE  
8 EITHER THE CURRENT AMOUNT IT WILL COST THE PURCHASER OR LESSEE TO UPDATE  
9 THE MAPS, OR A GOOD FAITH ESTIMATE OF THE AMOUNT OF SUCH CHARGES. THE  
10 DEALER SHALL SET FORTH ON SUCH SALES CONTRACT OR LEASE AGREEMENT OR ON A  
11 SEPARATE DOCUMENT TO BE INITIALLED BY THE PURCHASER OR LESSEE IN  
12 CONSPICUOUS BOLDFACE TYPE, THE FOLLOWING DISCLOSURE: "THE AMOUNT INDI-  
13 CATED ON THIS SALES CONTRACT OR LEASE AGREEMENT FOR UPDATED GLOBAL POSI-  
14 TIONING SYSTEM MAP FEES IS THE CURRENT COST FOR UPDATE ON DAY OF  
15 SALE/LEASE OR AN ESTIMATE OF FUTURE COST."  
16     4. Where a violation of this section is alleged to have occurred, the  
17 attorney general may apply in the name of the people of the state of New

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

LBD10561-03-6

1 York to the supreme court of the state of New York within the judicial  
2 district in which such violation is alleged to have occurred, on notice  
3 of five days, for an order enjoining or restraining the continuance of  
4 such violation. In any such proceeding the court may impose a civil  
5 penalty in an amount not to exceed five hundred dollars and order resti-  
6 tution to aggrieved consumers.

7 S 2. This act shall take effect immediately.