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

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2015-2016 Regular Sessions

I N  S E N A T E

March 11, 2015

Introduced by Sens. LITTLE, HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the provision of notice to owners whose motor vehicles are subject to safety recalls

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

Section 1. The vehicle and traffic law is amended by adding a new section 210-a to read as follows:

S 210-A. MOTOR VEHICLE SAFETY RECALL INFORMATION. 1. THE DEPARTMENT SHALL MAKE AVAILABLE ON ITS INTERNET WEBSITE, A LINK TO "HTTP://WWW.SAFERCAR.GOV" OPERATED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION AND PROVIDING ALL MOTOR VEHICLE SAFETY RECALLS, BASED ON MOTOR VEHICLE MAKE, MODEL, YEAR AND VEHICLE IDENTIFICATION NUMBER, ISSUED BY SUCH ADMINISTRATION IN ACCORDANCE WITH THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT.

2. THE DEPARTMENT SHALL ENSURE THAT THE LINK ESTABLISHED PURSUANT TO SUBDIVISION ONE OF THIS SECTION IS MADE DIRECTLY AVAILABLE TO EVERY OFFICIAL INSPECTION STATION.

3. THE DEPARTMENT SHALL PROMOTE AND PROVIDE PUBLIC NOTICE OF THE AVAILABILITY OF INFORMATION ON MOTOR VEHICLE SAFETY RECALLS FROM THE DEPARTMENT'S WEBSITE AND THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION AT ITS WEBSITE: "HTTP://WWW.SAFERCAR.GOV". SUCH PROMOTION AND NOTICE SHALL BE PROVIDED ON THE DEPARTMENT'S INTERNET WEBSITE AND ON A SEPARATE INSERT PROVIDED TO MOTOR VEHICLE OWNERS UPON THE ISSUANCE OR RENEWAL OF A REGISTRATION PURSUANT TO ARTICLE FOURTEEN OF THIS CHAPTER.

S 2. Subdivision (a) of section 304 of the vehicle and traffic law, as amended by chapter 608 of the laws of 1993, is amended and a new subdivision (b-1) is added to read as follows:

(a) No certificate or certificates of inspection shall be issued by an official inspection station until the mechanisms and other equipment, as

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

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specified in SUBDIVISION (C) OF section three hundred one [(c)] of this [chapter] ARTICLE, of the motor vehicle inspected are in proper and safe condition and comply with the rules and regulations of the commissioner and with the laws of this state, and the emissions of such motor vehicle conform with subdivision (d) of section three hundred one of this article and regulations promulgated pursuant thereto at the time the certificate is issued, AND THE OFFICIAL INSPECTION STATION SHALL MAKE OR CAUSE TO BE MADE AN INQUIRY, BASED ON THE VEHICLE IDENTIFICATION NUMBER OF THE MOTOR VEHICLE, OF THE DEPARTMENT'S MOTOR VEHICLE SAFETY RECALL INTERNET LINK TO DETERMINE THE SAFETY RECALLS WHICH EXIST ON THE VEHICLE.

(B-1) IF AFTER INQUIRY OF THE DEPARTMENT'S MOTOR VEHICLE SAFETY RECALL INTERNET LINK, ESTABLISHED PURSUANT TO SUBDIVISION ONE OF SECTION TWO HUNDRED TEN-A OF THIS CHAPTER, THE OFFICIAL INSPECTION STATION FINDS THAT THE INSPECTED MOTOR VEHICLE IS THE SUBJECT OF SAFETY RECALLS, SUCH STATION SHALL NOTIFY THE OWNER, IN WRITING, OF THE MOTOR VEHICLE SAFETY RECALLS THAT THE MOTOR VEHICLE IS SUBJECT TO, THAT SUCH RECALLS MAY BE REPAIRED AT A MOTOR VEHICLE DEALER APPROVED BY THE MANUFACTURER OF THE VEHICLE, AND THAT FURTHER INFORMATION ON THE RECALLS MAY BE OBTAINED FROM THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION ON ITS WEBSITE: "HTTP://WWW.SAFERCAR.GOV".

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, however, that effective immediately any and all actions necessary to implement the provisions of this act on its effective date are authorized and directed to be completed by the department of motor vehicles on or before such effective date.