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

5488

2015-2016 Regular Sessions

I N  S E N A T E

May 14, 2015

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

AN ACT to amend the executive law, in relation to motor vehicle dealer advertising

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

Section 1. The executive law is amended by adding a new section 94-c to read as follows:

S 94-C. MOTOR VEHICLE DEALER ADVERTISING. 1. THE CONSUMER PROTECTION DIVISION SHALL, IN CONSULTATION WITH THE DEPARTMENT OF LAW AND THE DEPARTMENT OF FINANCIAL SERVICES, BE AUTHORIZED TO PROMULGATE REGULATIONS RELATING TO ADVERTISING AND MARKETING BY MOTOR VEHICLE DEALERS.

2. SUCH REGULATIONS SHALL PROHIBIT THE REPRESENTATION, IN ANY FORM, BY A MOTOR VEHICLE DEALER OR ANY OFFICER OR EMPLOYEE THEREOF, THAT BENEFITS RECEIVED AS SUPPLEMENTAL SECURITY INCOME OR SOCIAL SECURITY DISABILITY INCOME SHALL BE A SOLE SUFFICIENT SOURCE OF INCOME FOR THE PURPOSE OF SECURING CONSUMER MOTOR VEHICLE FINANCING.

3. THE DEPARTMENT OF LAW SHALL HAVE JURISDICTION TO ENFORCE THE REGULATIONS PROMULGATED PURSUANT TO SUBDIVISION ONE OF THIS SECTION, AND ASSESS CIVIL PENALTIES AND SEEK INJUNCTIONS RELATING THERETO. PROVIDED, THAT NOTHING IN THIS SECTION SHALL BE DEEMED TO LIMIT SUCH DEPARTMENT'S ABILITY TO ENFORCE ANY OTHER PROVISION OF LAW, RULE OR REGULATION RELATING TO MOTOR VEHICLE DEALERS.

4. THE CONSUMER PROTECTION DIVISION SHALL BE AUTHORIZED TO ESTABLISH FINES OF NOT MORE THAN TEN THOUSAND DOLLARS FOR ANY VIOLATION OF THE REGULATIONS ESTABLISHED PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become law.

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

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