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

5693

2015-2016 Regular Sessions

I N S E N A T E

May 28, 2015

Introduced by Sen. ROBACH -- 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 unfair practices by franchisors

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

Section 1. Clause (B) of subparagraph 4 of paragraph (e) of subdivision 1 of section 463 of the vehicle and traffic law, as added by chapter 26 of the laws of 2014, is amended to read as follows:

(B) requiring that [a dealer that sells] an extended service contract, extended maintenance plan, or similar product SOLD BY A DEALER that is not offered, endorsed or sponsored by the franchisor, [disclose to the consumer] CONTAINS the disclosures required under section seven thousand nine hundred five of the insurance law, and [a separate statement, acknowledged by the consumer, that] A CLEAR AND CONSPICUOUS DISCLOSURE REGARDING THE IDENTITY OF THE PERSON THAT IS OBLIGATED TO PERFORM UNDER the extended service contract, extended maintenance plan or similar product [is not offered, endorsed or sponsored by the franchisor, if that is the case].

S 2. This act shall take effect immediately.

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

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