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

5708--A

2015-2016 Regular Sessions

I N S E N A T E

May 29, 2015

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subdivision 3 of section 396-qq of the general business law, as added by chapter 553 of the laws of 1996, is amended to read as follows:

3. WHENEVER A DEALER SELLS OR LEASES A MOTOR VEHICLE WITH A GLOBAL POSITIONING SYSTEM (GPS) INSTALLED IN SUCH MOTOR VEHICLE, THE DEALER SHALL INFORM THE PURCHASER OR LESSEE OF THE NEED TO PERIODICALLY UPDATE THE MAPS OF THE GLOBAL POSITIONING SYSTEM AND THE DEALER SHALL PROVIDE EITHER THE CURRENT AMOUNT IT WILL COST THE PURCHASER OR LESSEE TO UPDATE THE MAPS, OR A GOOD FAITH ESTIMATE OF THE AMOUNT OF SUCH CHARGES. THE DEALER SHALL SET FORTH ON SUCH SALES CONTRACT OR LEASE AGREEMENT OR ON A SEPARATE DOCUMENT TO BE INITIALLED BY THE PURCHASER OR LESSEE IN CONSPICUOUS BOLDFACE TYPE, THE FOLLOWING DISCLOSURE: "THE AMOUNT INDICATED ON THIS SALES CONTRACT OR LEASE AGREEMENT FOR UPDATED GLOBAL POSITIONING SYSTEM MAP FEES IS THE CURRENT COST FOR UPDATE ON DAY OF SALE/LEASE OR AN ESTIMATE OF FUTURE COST."

4. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York to the supreme court of the state of New York within the judicial district in which such violation is alleged to have occurred, on notice of five days, for an order enjoining or restraining the continuance of such violation. In any such proceeding the court may impose a civil penalty in an amount not to exceed five hundred dollars and order restitution to aggrieved consumers.

S 2. This act shall take effect immediately.

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

LBD10561-02-6