

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to providing that new passenger-type motor vehicles shall be offered for sale with a spare tire and jack

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

1 Section 1. The general business law is amended by adding a new section
2 198-d to read as follows:
3 S 198-D. SPARE TIRE AND JACK REQUIRED. (A) EVERY NEW PASSENGER-TYPE
4 MOTOR VEHICLE, EXCEPT A MOTORCYCLE, MANUFACTURED FOR SALE IN NEW YORK
5 STATE ON OR AFTER JANUARY FIRST, TWO THOUSAND SIXTEEN SHALL BE OFFERED
6 FOR SALE WITH A SPARE TIRE AND JACK. FOR PURPOSES OF THIS SECTION:
7 (1) "PASSENGER-TYPE MOTOR VEHICLE" SHALL MEAN ANY MOTOR VEHICLE WITH A
8 SEATING CAPACITY OF NOT MORE THAN EIGHT ADULTS;
9 (2) "SPARE TIRE" SHALL MEAN A TIRE MOUNTED ON A WHEEL AND INFLATED,
10 WHICH IS EITHER ATTACHED TO THE OUTSIDE OF THE MOTOR VEHICLE OR STOWED
11 IN A COMPARTMENT WITHIN SUCH MOTOR VEHICLE. A SPARE TIRE MAY BE A FULL-
12 SIZE TIRE OR A TEMPORARY TIRE, COMMONLY REFERRED TO AS A "DONUT"; AND
13 (3) "JACK" SHALL MEAN A DEVICE CAPABLE OF RAISING OR LIFTING A MOTOR
14 VEHICLE FOR THE PURPOSE OF CHANGING ANY TIRE ON SUCH MOTOR VEHICLE.
15 (B) ANY VIOLATION OF THE PROVISIONS OF THIS SECTION BY ANY MANUFACTUR-
16 ER OF MOTOR VEHICLES SHALL CONSTITUTE AN OFFENSE AND SHALL BE PUNISHABLE
17 BY A CIVIL FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS FOR EACH
18 OFFENSE.

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

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1 (C) ANY BUYER OF A MOTOR VEHICLE THAT IS SUBJECT TO THE PROVISIONS OF
2 THIS SECTION MAY WAIVE THE REQUIREMENT FORTH IN SUBDIVISION (A) OF THIS
3 SECTION, PROVIDED THAT THE WAIVER IS MADE IN WRITING AND A COPY OF SUCH
4 WAIVER CONTAINING THE BUYER'S SIGNATURE IS PROVIDED TO SUCH BUYER.
5 S 3. This act shall take effect immediately.