

5708

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

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:

- 1     Section 1. Subdivision 3 of section 396-qq of the general business  
2 law, as added by chapter 553 of the laws of 1996, is amended to read as  
3 follows:  
4     3. WHENEVER A DEALER SELLS OR LEASES A MOTOR VEHICLE WITH A GLOBAL  
5 POSITIONING SYSTEM (GPS) INSTALLED IN SUCH MOTOR VEHICLE, THE DEALER  
6 SHALL INFORM THE PURCHASER OR LESSEE OF THE NEED TO PERIODICALLY UPDATE  
7 THE MAPS OF THE GLOBAL POSITIONING SYSTEM AND THE DEALER SHALL PROVIDE  
8 EITHER THE ACTUAL AMOUNT IT WILL COST THE PURCHASER OR LESSEE TO UPDATE  
9 THE MAPS, OR MAKE A GOOD FAITH ESTIMATE IN EACH TRANSACTION OF THE  
10 AMOUNT OF SUCH CHARGES. IF SUCH CHARGES ARE ESTIMATED, THE DEALER SHALL  
11 SET FORTH ON SUCH SALES CONTRACT OR LEASE AGREEMENT OR ON A SEPARATE  
12 DOCUMENT TO BE INITIALLED BY THE PURCHASER OR LESSEE IN CONSPICUOUS  
13 BOLDFACE TYPE, THE FOLLOWING DISCLOSURE: "THE AMOUNT INDICATED ON THIS  
14 SALES CONTRACT OR LEASE AGREEMENT FOR UPDATED GLOBAL POSITIONING SYSTEM  
15 MAP FEES IS AN ESTIMATE."  
16     4. Where a violation of this section is alleged to have occurred, the  
17 attorney general may apply in the name of the people of the state of New  
18 York to the supreme court of the state of New York within the judicial  
19 district in which such violation is alleged to have occurred, on notice  
20 of five days, for an order enjoining or restraining the continuance of  
21 such violation. In any such proceeding the court may impose a civil  
22 penalty in an amount not to exceed five hundred dollars and order resti-  
23 tution to aggrieved consumers.  
24     S 2. This act shall take effect immediately.

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

LBD10561-01-5