

STATE OF NEW YORK

7080--A

Cal. No. 269

2019-2020 Regular Sessions

IN ASSEMBLY

April 4, 2019

Introduced by M. of A. JACOBSON, SOLAGES -- read once and referred to the Committee on Insurance -- reported and referred to the Committee on Codes -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the insurance law, in relation to motor vehicle key and key fob replacement contracts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subsection (k) of section 7902 of the insurance law, as
2 amended by chapter 409 of the laws of 2012, is amended to read as
3 follows:

4 (k) "Service contract" means a contract or agreement, for a separate
5 or additional consideration, for a specific duration to perform the
6 repair, replacement or maintenance of property, or indemnification for
7 repair, replacement or maintenance, due to a defect in materials or
8 workmanship or wear and tear, with or without additional provision for
9 indemnity payments for incidental damages, provided any such indemnity
10 payment per incident shall not exceed the purchase price of the property
11 serviced. Service contracts may include towing, rental and emergency
12 road service, and may also provide for the repair, replacement or main-
13 tenance of property for damage resulting from power surges and acci-
14 dental damage from handling. Service contracts may also include
15 contracts to repair, replace or maintain residential appliances and
16 systems. Such term shall also mean a contract or agreement made (1) by
17 or for the manufacturer or seller of a motor vehicle tire for repair or
18 replacement of the tire or wheel as the result of damage arising from a
19 road hazard, (2) by or for the supplier or seller of a service for
20 repair of chips or cracks in a motor vehicle windshield, but not includ-
21 ing services that involve the replacement of the entire windshield,
22 [~~and~~] (3) by or for the supplier or seller of a service for repair or

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

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1 removal of dents, dings or creases from a motor vehicle without affect-
2 ing the existing paint finish using paintless dent repair techniques,
3 but not including services that involve the replacement of vehicle body
4 panels, or sanding, bonding or painting; and (4) by or for the supplier
5 or seller of a service for repair or replacement of a motor vehicle key
6 or key fob in the event that the key or key fob becomes inoperable, lost
7 or stolen.

8 § 2. This act shall take effect immediately.