STATE OF NEW YORK

7423--B

2021-2022 Regular Sessions

IN ASSEMBLY

May 7, 2021

Introduced by M. of A. STIRPE, SIMON -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to the sale of salvaged airbags; and to repeal certain provisions of such law relating thereto

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

Section 1. Paragraph (e) of subdivision 6 of section 398-d of the vehicle and traffic law is REPEALED.

§ 2. Section 415-c of the vehicle and traffic law is REPEALED and a new section 415-c is added to read as follows:

§ 415-c. Sale of original equipment non-deployed recycled airbags. 1. Any recycled airbag offered for sale shall be non-deployed original equipment removed from a salvaged vehicle, and installed in another vehicle for which it is a correct replacement part. This section shall not apply to the sale of rebuilt, re-manufactured, or non-original equipment airbags or airbag system components, or to any airbag or airbag system that has been disassembled, altered, repaired, or has had any parts removed or replaced.

2. A non-deployed recycled airbag that is under an active manufacturer recall shall not be offered for sale.

3. Prior to sale, a provider of non-deployed recycled airbags shall conduct an inspection of such airbags, which shall include, but not be limited to:

(a) The identification and recording of the vehicle year, make, model, vehicle identification number, and airbag trim color of the vehicle that the non-deployed recycled airbag was removed from; and

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

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(b) A visual inspection of the airbag, the airbag system, the airbag module cover, and electrical connectors, including review for any signs of damage or contamination.

4. Upon the sale of a non-deployed recycled airbag, the provider shall provide the buyer with a written certification of the following information:

(a) the identity of the person or entity selling the non-deployed recycled airbag;

(b) the year, make, model, and vehicle identification number of the vehicle receiving the non-deployed recycled airbag;

(c) the identification of the vehicle that the non-deployed recycled airbag was removed from, including the year, make, model, and vehicle identification number;

(d) the supplier's internal stock number for the non-deployed recycled airbag;

(e) that the non-deployed recycled airbag is an appropriate part for the vehicle receiving the non-deployed recycled airbag; and

(f) that all of the requirements of the inspection as prescribed in subdivision three of this section have been met.

§ 3. This act shall take effect immediately.