

# STATE OF NEW YORK

1835

2021-2022 Regular Sessions

## IN SENATE

January 16, 2021

Introduced by Sens. SKOUFIS, BOYLE, GAUGHRAN, GOUNARDES, PARKER, PERSAUD  
-- 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 missing or  
non-functioning airbags in certain vehicles

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

1 Section 1. This act shall be known and may be cited as the "Anthony  
2 Amoros Law".

3 § 2. Subdivision 3 of section 23 of the general business law is  
4 amended by adding a new paragraph f to read as follows:

5 f. (1) No motor vehicle, which has been manufactured on or after  
6 September first, nineteen hundred ninety-seven, shall be sold by an  
7 automobile auctioneer unless he or she has disclosed to the buyer wheth-  
8 er the vehicle is missing an inflatable restraint system or contains a  
9 non-functioning inflatable restraint system. If the vehicle is missing  
10 an inflatable restraint system or contains a non-functioning inflatable  
11 restraint system the disclosure of the status of the vehicle's inflata-  
12 ble restraint system shall be made by the auctioneer (i) in a written  
13 disclosure made in not less than ten-point bold face type and appearing  
14 on the front of the sales contract, receipt, invoice, or other document  
15 used in connection with the sale of the vehicle that shall set forth  
16 whether the vehicle is missing an inflatable restraint system or  
17 contains a non-functioning inflatable restraint system; and (ii) by  
18 affixing a conspicuous sign to the windshield of each vehicle offered  
19 for sale, sold or made available for inspection prior to auction that  
20 shall disclose that the vehicle either is missing an inflatable  
21 restraint system or contains a non-functioning inflatable restraint  
22 system.

23 (2) Receipt of notice pursuant to this paragraph shall not in any way  
24 bar, preclude or foreclose any action for personal injury or wrongful

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

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1 death by or on behalf of any person, nor in any way diminish, reduce or  
2 be used to mitigate or diminish the damages recoverable in any such  
3 action, nor shall receipt of notice be used as evidence of culpable  
4 conduct in any action for personal injury or wrongful death.

5 § 3. This act shall take effect immediately.