STATE OF NEW YORK

300

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. THOMAS -- 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 the sale of new motor vehicle child restraint systems

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

Section 1. The general business law is amended by adding a new section 399-uu to read as follows:

§ 399-uu. Motor vehicle child restraint system warning devices. 1. As used in this section:

(a) "Motor vehicle child restraint system" shall mean a harness and restraint system designed for young children to ride in a motor vehicle which conforms to the specifications of paragraph (a) of subdivision one of section twelve hundred twenty-nine-c of the vehicle and traffic law.

(b) "Motor vehicle child restraint system warning device" shall mean an electronic device that connects to a motor vehicle child restraint system, or is built into a motor vehicle child restraint system, for the purpose of alerting the driver of a motor vehicle when the motor vehicle has been turned off and a child remains harnessed in a motor vehicle child restraint system.

2. No person, firm, partnership, association, limited liability company, corporation, or other entity shall sell or offer to sell a new motor vehicle child restraint system to a consumer at retail unless such person, firm, partnership, association, limited liability company, corporation, or other entity:

(a) maintains in stock and prominently displays within the store motor vehicle child restraint system warning devices available for sale that are compatible with such motor vehicle child restraint systems; and

(b) posts a notice, in a conspicuous location which may be easily seen or reached by customers, that, in a legible format, states: "Leaving

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

LBD02110-01-1

children unattended in an installed motor vehicle child restraint system may lead to possible injury or death, especially in hot temperatures. Motor vehicle child restraint system warning devices may prevent leaving a child unattended in a car when properly installed."

3. Any person, firm, partnership, association, limited liability company, corporation, or other entity that sells or offers to sell a new motor vehicle child restraint system to a consumer at retail in violation of the provisions of this section shall be liable for a civil penalty not to exceed five hundred dollars for each violation.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.