STATE OF NEW YORK

300--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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-iii to read as follows:

§ 399-iii. Child restraint alarm. 1. As used in this section:

(a) "Child restraint system" shall mean any device, used in conjunction with safety belts, designed for use in a motor vehicle to restrain, seat, or position children and which meets the applicable Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213.

(b) "Child restraint alarm" shall mean any device that attaches to the child restraint system or conjoined safety belt that alerts the driver when he or she has exited the vehicle without unbuckling the child from the child restraint system. This alarm may connect with a smart device and send either text alerts, e-mails or sound an audible alarm.

2. A person, firm, partnership, association, limited liability company, corporation, or other entity may sell or offer to sell a child restraint system if the retailer:

(a) maintains in stock and prominently displays within the store, the child restraint alarms for sale that are compatible with such child restraint systems; and

(b) posts a notice, in a conspicuous location which may be easily seen or reached by customers, in a legible format, which states: "Heat stroke is the leading cause of non-car crash vehicular death in children under

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

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the age of 15. Child restraint alarms, when used properly, may help to prevent vehicular death of children."

3. Any person, firm, partnership, association, limited liability company, corporation, or other entity that sells or offers to sell new child restraint systems 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.