STATE OF NEW YORK

3508

2021-2022 Regular Sessions

IN SENATE

January 29, 2021

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the required equipment of certain motor vehicles

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

Section 1. Subdivision 10 of section 375 of the vehicle and traffic law is amended by adding a new paragraph g to read as follows:

g. It shall be unlawful to operate on any public highway in this state a motor vehicle registered in this state with a gross vehicle weight of ten thousand pounds or less, manufactured or assembled after July first, two thousand twenty-three unless such motor vehicle is equipped with a functioning system that can detect the presence of an occupant in a rear seat by identifying that a seat belt is latched and that the weight on the seat is over twenty pounds after the vehicle engine or motor is deactivated and provide a warning. For the purposes of this paragraph, "motor vehicle" shall not include a motorcycle, a commercial motor vehicle as defined in section two of the transportation law, or combination of a commercial motor vehicle and trailer.

§ 2. This act shall be deemed repealed if any federal agency or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or regulation.

§ 3. This act shall take effect one hundred eighty days after it shall have become a law; provided that the commissioner of motor vehicles shall notify the legislative bill drafting commission upon the occurrence of the provisions of section two of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

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