STATE OF NEW YORK

4076--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Consumer Affairs and 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 requiring bicycles advertised for sale or resale in New York state to have an identifying serial number

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

Section 1. Paragraph (a) of subdivision 1-a of section 391-c of the general business law, as added by chapter 6 of the laws of 1986, is amended and two new paragraphs (d) and (e) are is added to read as follows:

(a) No bicycle manufactured or assembled on or after January first, nineteen hundred eighty-nine shall be sold [~~or~~], offered for sale, **or offered and advertised for resale** in this state unless it has an identifying serial number that distinguishes that bicycle from all other bicycles of that same make and model permanently and visibly engraved or stamped in readily legible boldfaced figures at least one-eighth [~~inches~~] **of an inch** in height on the top surface of the top crossbar or of the uppermost cross support of the bicycle frame or on the head tube or on the toeplate not obstructed by the derailleur or gear wheels or on the crank hanger; or, on a label, shield or plate permanently affixed in any of the foregoing locations in such a manner that the serial number will be readily visible and that such label, plate or shield cannot be removed without being defaced or destroyed.

(d) No bicycle manufactured or assembled on or after January first, nineteen hundred eighty-nine shall be advertised for resale in this state unless its identifying serial number is clearly and conspicuously posted in such advertisement for sale.

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

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(e) If any person or entity fails to comply with the requirements of this section, the secretary of state shall issue such person or entity a warning, that includes but is not limited to, information on compliance with this section. If the person or entity continues to fail to comply with the requirements of this section subsequent to receiving such warning, the secretary of state may assess a civil penalty not to exceed two hundred fifty dollars per point of sale which fails to comply with the requirements of this section.

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