# STATE OF NEW YORK

8052

2023-2024 Regular Sessions

# IN ASSEMBLY

September 27, 2023

Introduced by M. of A. BORES -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring sellers of limited use motorcycles to have purchasers provide proof of registration of such vehicles at the time of purchase; and to amend the vehicle and traffic law, in relation to the registration of limited use motorcycles

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

Section 1. Paragraph b of subdivision 1 of section 396-qq of the general business law, as added by chapter 553 of the laws of 1996, is amended to read as follows:

b. "Motor vehicle" as defined in section one hundred twenty-five of the vehicle and traffic law [~~and excluding class A, B and C limited use motorcycles as defined in section one hundred twenty-one-b of the vehicle and traffic law~~].

§ 2. The general business law is amended by adding a new section 396-qqq to read as follows:

**§ 396-qqq. Sale of limited use motorcycles; registration. 1. Definitions. The following terms when used in this section, shall be deemed to mean and include:**

**a. "Dealer" as defined in section four hundred fifteen of the vehicle and traffic law.**

**b. "Limited use motorcycle" as defined in section one hundred twenty-one-b of the vehicle and traffic law.**

**2. Whenever a dealer sells a limited use motorcycle, the dealer shall require the purchaser to provide proof of registration of such limited use motorcycle prior to transferring the vehicle to the purchaser. The dealer may register such limited use motorcycle for the purchaser in accordance with the provisions of section three hundred ninety-six-qq of**

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

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this article as proof of registration if the dealer provides such service.

§ 3. Paragraph a of subdivision 1 of section 415 of the vehicle and traffic law, as amended by chapter 554 of the laws of 2015, is amended to read as follows:

a. "Dealer" means a person engaged in the business of buying, selling or dealing in motor vehicles, motorcycles, including limited use motorcycles, or trailers, other than mobile homes or manufactured homes, at retail or wholesale; except, however, trailers with an unladen weight of less than one thousand pounds. For the purposes of this section, a "mobile home" or "manufactured home" means a mobile home or manufactured home as defined in section one hundred twenty-two-c of this chapter. Any person who sells, or offers for sale more than five motor vehicles, motorcycles or trailers in any calendar year or who displays or permits the display of three or more motor vehicles, motorcycles or trailers for sale at any one time or within any one calendar month upon premises owned or controlled by him or her, if such vehicles were purchased, acquired or otherwise obtained by such person for the purpose of resale, will be regarded as a dealer. Except as otherwise provided in subdivisions three, five, six-b, and seven of this section, the term "dealer" shall include a "new motor vehicle dealer" as defined by paragraph f of this subdivision and a "qualified dealer" as defined in paragraph g of this subdivision.

§ 4. Section 2261 of the vehicle and traffic law is amended by adding a new subdivision 6 to read as follows:

6. Registration at time of sale. Every limited use motorcycle defined by section one hundred twenty-one-b of this chapter sold by a dealer shall be registered at the time of sale of such vehicle. Such registration shall be valid for one year following the date of such sale. Any limited use motorcycle purchased for use exclusively outside of the state of New York shall not require registration at the time of purchase, and the purchaser of such limited use motorcycle shall sign a declaration, provided by the dealer, which shall state that such purchaser understands the conditions under which a limited use motorcycle must be registered and the penalty for violation of such registration provisions. Each signed declaration shall be forwarded by the dealer to the commissioner. The form of such declaration shall be provided by the commissioner to each dealer.

§ 5. This act shall take effect immediately.