STATE OF NEW YORK

9616--A

IN ASSEMBLY

March 26, 2024

Introduced by M. of A. L. ROSENTHAL, SHIMSKY, GLICK, SIMON, BURDICK, PAULIN, GUNTHER -- 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 remote vehicle technology and domestic violence victims

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-ccccc to read as follows:

§ 399-ccccc. Remote vehicle technology; domestic violence victims. 1. For the purposes of this section, the term "remote vehicle technology" shall mean any technology that allows a person who is outside of a vehicle to track the location of, or control any operation of, the vehicle, and includes, but is not limited to, a global positioning system (GPS) that tracks the location of the vehicle or an app-based technology that controls any operation of the vehicle.

2. A vehicle manufacturer and/or dealer located in this state shall, within five business days after receiving a request by a driver who meets the requirements of subdivision three of this section, terminate an individual's access to remote vehicle technology.

3. (a) A request by a driver that a vehicle manufacturer and/or dealer terminate an individual's access to remote vehicle technology shall include the following information:

(i) proof of such driver's legal possession of a vehicle manufactured by such vehicle manufacturer or sold by such dealer. Such proof may be established by providing a vehicle title, a court order awarding sole possession or ownership of a vehicle to such driver, proof of marriage of the driver and the owner of the car at the time the car was bought or leased, or such other proof as determined by the commissioner; and

(ii) a written attestation that the person making such request is a victim of domestic violence, as defined in section four hundred fifty-nine-a of the social services law.

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

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(b) A vehicle manufacturer and/or dealer shall not require a driver to provide any information other than what is required by paragraph (a) of this subdivision.

4. A vehicle manufacturer and/or dealer shall notify a driver seeking relief under subdivision two of this section, in clear and accessible language, that such vehicle manufacturer and/or dealer may contact the driver, or the designated representative of the driver, to confirm an individual's access to the remote vehicle technology has been terminated.

5. A vehicle manufacturer and/or dealer shall provide a notification inside of a vehicle that is installed with remote vehicle technology that shows if the remote vehicle technology is being used.

6. A vehicle manufacturer and/or dealer shall provide information on its internet website and vehicle internet applications, in clear and accessible language, on the process of terminating a person's access to remote vehicle technology, including, but not limited to, the information required pursuant to paragraph (a) of subdivision three of this section.

7. A vehicle manufacturer and/or dealer shall not charge a driver a fee for completing a request to terminate remote vehicle technology pursuant to this section.

8. Any vehicle manufacturer who fails to comply with the requirements of this section shall be assessed a civil penalty not to exceed five hundred dollars.

§ 2. This act shall take effect immediately.