STATE OF NEW YORK

6502--A

2023-2024 Regular Sessions

IN SENATE

April 24, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to the sale of salvaged airbags; and to repeal certain provisions of such law relating thereto

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

Section 1. Paragraph (e) of subdivision 6 of section 398-d of the vehicle and traffic law is REPEALED.

§ 2. Section 415-c of the vehicle and traffic law is REPEALED and a new section 415-c is added to read as follows:

§ 415-c. Sale of original equipment non-deployed recycled airbags. 1. Any recycled airbag offered for sale shall be non-deployed original equipment removed from a salvaged vehicle, and installed in another vehicle for which it is a correct replacement part. This section shall not apply to the sale of rebuilt, re-manufactured, or non-original equipment airbags or airbag system components, or to any airbag or airbag system that has been disassembled, altered, repaired, or has had any parts removed or replaced.

2. A non-deployed recycled airbag that is under an active manufacturer recall, comes from a flood vehicle as determined by the commissioner, or that does not have an identifiable serial number, shall not be offered for sale.

3. Prior to sale, a provider of non-deployed recycled airbags shall conduct an inspection of such airbags, which shall include, but not be limited to:

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

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(a) The identification and recording of the vehicle year, make, model, vehicle identification number, and airbag trim color of the vehicle that the non-deployed recycled airbag was removed from; and

(b) A visual inspection of the airbag, the airbag system, the airbag module cover, and electrical connectors, including review for any signs of damage or contamination.

4. Upon the sale of a non-deployed recycled airbag, the provider shall provide the buyer with a written certification of the following information:

(a) the identity of the person or entity selling the non-deployed recycled airbag;

(b) the year, make, model, and vehicle identification number of the vehicle receiving the non-deployed recycled airbag;

(c) the identification of the vehicle that the non-deployed recycled airbag was removed from, including the year, make, model, and vehicle identification number;

(d) the supplier's internal stock number for the non-deployed recycled airbag;

(e) that the non-deployed recycled airbag is an appropriate part for the vehicle receiving the non-deployed recycled airbag; and

(f) that all of the requirements of the inspection as prescribed in subdivision three of this section have been met.

5. A non-deployed recycled airbag shall only be offered for sale by a vehicle dismantler that is registered pursuant to section four hundred fifteen-a of this article.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.