

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:

1 Section 1. The general business law is amended by adding a new section
2 399-cccc to read as follows:

3 § 399-cccc. Remote vehicle technology; domestic violence victims. 1.
4 For the purposes of this section, the term "remote vehicle technology"
5 shall mean any technology that allows a person who is outside of a vehi-
6 cle to track the location of, or control any operation of, the vehicle,
7 and includes, but is not limited to, a global positioning system (GPS)
8 that tracks the location of the vehicle or an app-based technology that
9 controls any operation of the vehicle.

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

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

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

23 (ii) a written attestation that the person making such request is a
24 victim of domestic violence, as defined in section four hundred fifty-
25 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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1 (b) A vehicle manufacturer and/or dealer shall not require a driver to
2 provide any information other than what is required by paragraph (a) of
3 this subdivision.

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

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

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

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

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

25 § 2. This act shall take effect immediately.