

STATE OF NEW YORK

9616--C

R. R. 272

IN ASSEMBLY

March 26, 2024

Introduced by M. of A. L. ROSENTHAL, SHIMSKY, GLICK, SIMON, BURDICK, PAULIN, GUNTHER, OTIS, SILLITTI -- 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 -- reported and referred to the Committee on Codes -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- ordered to a third reading -- amended on the special order of third reading, ordered reprinted as amended, retaining its place on the special order of third reading

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

14 (b) Upon a showing that termination of an individual's access to
15 remote technology is technologically infeasible, such manufacturer or
16 dealer shall notify a driver seeking relief of such technical infeas-
17 ibility and provide potential alternatives.

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

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

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

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

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

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

20 5. A vehicle manufacturer and/or dealer shall, absent a showing of
21 technological infeasibility, provide a notification inside of a vehicle
22 that is installed with remote vehicle technology that shows if the
23 remote vehicle technology is being used.

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

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

33 8. Any vehicle manufacturer and/or dealer who fails to comply with the
34 requirements of this section shall be assessed a civil penalty not to
35 exceed five hundred dollars.

36 § 2. This act shall take effect immediately.