

STATE OF NEW YORK

7835

2023-2024 Regular Sessions

IN SENATE

December 22, 2023

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to requiring motor vehicles sold, licensed or registered in the state to be equipped with an immobilizer

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

1 Section 1. Section 375 of the vehicle and traffic law is amended by
2 adding a new subdivision 55 to read as follows:

3 55. Immobilizer required. (a) Any motor vehicle sold, licensed or
4 registered in the state shall be equipped with an immobilizer.

5 (b) Such immobilizer shall meet the following criteria:

6 (1) such immobilizer system shall arm automatically within a period of
7 not more than one minute after the disarming device is removed from the
8 vehicle, if the vehicle remains in a mode of operation other than acces-
9 sory mode or on throughout that period;

10 (2) if the disarming device is a keypad or biometric identifier, such
11 immobilizer system shall arm automatically within a period of not more
12 than one minute after the motors used for the vehicle's propulsion are
13 turned off, if the vehicle remains in a mode of operation other than
14 accessory mode or on throughout that period;

15 (3) such immobilizer system shall arm automatically not later than two
16 minutes after such immobilizer system is disarmed, unless:

17 (i) action is taken for starting one or more motors used for the vehi-
18 cle's propulsion;

19 (ii) disarming requires an action to be taken on the engine start
20 control or electric motor start control, the engine stop control or
21 electric motor stop control, or the ignition switch; or

22 (iii) disarming occurs automatically by the presence of a disarming
23 device and the device is inside the vehicle;

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

LBD11995-01-3

1 (4) if armed, such immobilizer system shall prevent the vehicle from
2 moving more than 9.8 feet under its own power by inhibiting the opera-
3 tion of at least one electronic control unit and shall not have any
4 impact on the vehicle's brake system except that it may prevent regener-
5 ative braking and the release of the parking brake;

6 (5) during the disarming process, a code shall be sent to the inhibit-
7 ed electronic control unit in order to allow the vehicle to move under
8 its own power;

9 (6) it shall not be possible to disarm such immobilizer system by
10 interrupting its normal operating voltage;

11 (7) when the normal starting procedure requires that the disarming
12 device mechanically latch into a receptacle and the device is physically
13 separate from the ignition switch key, one or more motors used for the
14 vehicle's propulsion shall start only after the device is removed from
15 that receptacle;

16 (8) (i) such immobilizer system shall have a minimum capacity of fifty
17 thousand code variants, shall not be disarmed by a code that can disarm
18 all other immobilizer systems of the same make and model; and

19 (ii) shall not have the capacity to process more than five thousand
20 codes within twenty-four hours;

21 (9) if such immobilizer system uses rolling or encrypted codes, it may
22 conform to the following criteria instead of the criteria set out in
23 clause (ii) of subparagraph eight of this paragraph:

24 (i) the probability of obtaining the correct code within twenty-four
25 hours shall not exceed four percent; and

26 (ii) it shall not be possible to disarm such system by re-transmitting
27 in any sequence the previous five codes generated by the system;

28 (10) such immobilizer system shall be designed so that when tested as
29 installed in the vehicle neither the replacement of an original immobi-
30 lizer system component with a manufacturer's replacement component nor
31 the addition of a manufacturer's component can be completed without the
32 use of software, and it is not possible for the vehicle to move under
33 its own power for at least five minutes after the beginning of the
34 replacement or addition of a component referred to in subparagraph one
35 of this paragraph;

36 (11) such immobilizer system's conformity to subparagraph ten of this
37 paragraph shall be demonstrated by testing that is carried out without
38 damaging the vehicle;

39 (12) subparagraph ten of this paragraph does not apply to the addition
40 of a disarming device that requires the use of another disarming device
41 that is validated by the immobilizer system;

42 (13) such immobilizer system shall be designed so that it can neither
43 be bypassed nor rendered ineffective in a manner that would allow a
44 vehicle to move under its own power, or be disarmed, using one or more
45 of the tools and equipment listed in subparagraph fourteen of this para-
46 graph;

47 (i) within a period of less than five minutes when tested as installed
48 in the vehicle; or

49 (ii) within a period of less than two and one-half minutes when bench-
50 tested outside the vehicle; and

51 (14) during a test pursuant to subparagraph thirteen of this para-
52 graph, only the following tools or equipment may be used:

53 (i) scissors;

54 (ii) wire strippers;

55 (iii) wire cutters and electrical wires;

56 (iv) a hammer;

- 1 (v) a slide hammer;
- 2 (vi) a chisel;
- 3 (vii) a punch;
- 4 (viii) a wrench;
- 5 (ix) a screwdriver;
- 6 (x) pliers;
- 7 (xi) steel rods and spikes;
- 8 (xii) a hacksaw;
- 9 (xiii) a battery operated drill;
- 10 (xiv) a battery operated angle grinder; and
- 11 (xv) a battery operated jigsaw.

12 § 2. This act shall take effect on the one hundred eightieth day after
13 it shall have become a law. Effective immediately, the addition, amend-
14 ment and/or repeal of any rule or regulation necessary for the implemen-
15 tation of this act on its effective date are authorized to be made and
16 completed on or before such effective date.