STATE OF NEW YORK

9496

IN SENATE

May 16, 2024

Introduced by Sens. COONEY, O'MARA, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

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 Paragraph (e) of subdivision 6 of section 398-d of the vehicle and traffic law is REPEALED.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 Section 415-c of the vehicle and traffic law is REPEALED and a new section 415-c is added to read as follows: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:

(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.

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

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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.