

STATE OF NEW YORK

2176

2025-2026 Regular Sessions

IN ASSEMBLY

January 15, 2025

Introduced by M. of A. RAJKUMAR, WEPRIN, SAYEGH, SANTABARBARA -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring motor vehicle dealers to search for recalls and make certain repairs prior to selling a used motor vehicle

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
2 198-d to read as follows:

3 § 198-d. Used motor vehicles; recalls. 1. For the purpose of this
4 section, the following words shall have the following meanings:

5 (a) "Dealer" shall have the same meaning as in paragraph three of
6 subdivision a of section one hundred ninety-eight-b of this article.

7 (b) "Used motor vehicle" shall have the same meaning as in paragraph
8 two of subdivision a of section one hundred ninety-eight-b of this arti-
9 cle.

10 2. Prior to offering a contract for sale of a used motor vehicle at
11 retail, the dealer, or their agent, shall make a good faith effort to
12 determine whether a manufacturer or the national highway traffic safety
13 administration has issued any recall applicable to such used motor vehi-
14 cle. Upon determining that a manufacturer or such administration has
15 issued any recall applicable to such used motor vehicle, a dealer, or
16 their agent, must make or cause repairs to be made pursuant to the
17 manufacturer's or such administration's recall such that the recall is
18 satisfied.

19 § 2. Section 199 of the general business law, as added by chapter 900
20 of the laws of 1956 and as renumbered by chapter 582 of the laws of
21 1970, is amended to read as follows:

22 § 199. Penalties. Any person, firm, or corporation violating the
23 provisions of section one hundred [~~ninety-six~~] ninety-eight-d of this
24 article shall be liable in an action brought on behalf of the people of

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

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1 the state of New York in the sum of [~~one~~] five thousand dollars for each
2 [~~of~~] such [~~violations~~] violation.
3 § 3. This act shall take effect on the ninetieth day after it shall
4 have become a law.