STATE OF NEW YORK

8379--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. STIRPE, SIMON, MANKTELOW, KASSAY -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to the sale of recycled inflatable restraint systems; 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, as amended by chapter 78 of the laws of 1998, is amended to read as follows:

(e) [~~On and after March first, nineteen hundred ninety-nine, in~~] **In** no case shall any inflatable restraint system be replaced with anything other than a newly manufactured inflatable restraint system or [~~a salvaged inflatable restraint system certified according to standards established by a nationally recognized testing, engineering and research body as provided for in subdivision two of~~] **a recycled inflatable restraint system in compliance with** section four hundred fifteen-c of this chapter. **For purposes of this paragraph, the term "recycled inflatable restraint system" shall have the same meaning as such term is defined in subdivision one of section four hundred fifteen-c of this chapter.**

§ 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 Section 415-c of the vehicle and traffic law is REPEALED and a new section 415-c is added to read as follows: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 inflatable restraint systems. 1. For purposes of this section the term "recycled inflatable restraint system" shall mean an inflatable restraint system

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

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which is non-deployed original equipment removed from a salvaged vehicle.

2. A recycled inflatable restraint system shall not be installed in another vehicle unless such recycled inflatable restraint system is a correct replacement part for such other vehicle and is certified in accordance with subdivision four of this section. No recycled inflatable restraint system that is under an active manufacturer recall, comes from a flood vehicle as indicated on an official salvage examination and title application form prescribed by the commissioner, or that does not have an identifiable serial number, shall be sold, offered for sale, or installed in another vehicle.

3. A recycled inflatable restraint system shall only be sold or offered for sale by a vehicle dismantler that is registered pursuant to section four hundred fifteen-a of this article. Prior to selling or offering for sale a recycled inflatable restraint system, such vehicle dismantler shall:

(a) conduct an inspection of such system, which shall include, but not be limited to:

(i) The vehicle identification number and the airbag trim color of the vehicle from which the recycled inflatable restraint system was removed; and

(ii) A visual inspection of the recycled inflatable restraint system, and the module cover and electrical connectors of such recycled inflatable restraint system, including review for any signs of damage or contamination; and

(b) refer the vehicle identification number of the vehicle from which the recycled inflatable restraint system was taken to a nationally recognized theft index bureau approved by the commissioner, in consultation with the superintendent of financial services, to determine that neither the recycled inflatable restraint system nor the motor vehicle from which such system was removed were stolen, as determined at the time of inquiry.

4. Upon the sale of a recycled inflatable restraint system, the vehicle dismantler shall provide the buyer with a written certification of the following information:

(a) the identity of the vehicle dismantler selling the recycled inflatable restraint system;

(b) the vehicle identification number of the vehicle receiving the recycled inflatable restraint system;

(c) the vehicle identification number of the vehicle from which the recycled inflatable restraint system was removed;

(d) the vehicle dismantler's internal stock number for the recycled inflatable restraint system;

(e) that the recycled inflatable restraint system is a correct replacement part for the vehicle receiving such recycled inflatable restraint system;

(f) that all of the requirements of the inspection as prescribed in subdivision three of this section have been met; and

(g) that the vehicle identification number of the vehicle from which the recycled inflatable restraint system was taken was referred to a nationally recognized theft index bureau approved by the commissioner, in consultation with the superintendent of financial services, for the purposes of determining prior to sale or offering for sale that neither the recycled inflatable restraint system nor the motor vehicle from which such system was removed were stolen, as determined at the time of

inquiry. The written certification shall state the date and the result of the inquiry to such theft index bureau.

5. Each vehicle dismantler that sells or offers for sale recycled inflatable restraint systems shall maintain an electronic log containing all information required pursuant to subdivisions two, three and four of this section. Such records shall be maintained in a manner and form approved by the commissioner. Upon request of an agent of the commissioner or of any police officer and during its regular and usual business hours, the vehicle dismantler shall produce such records and permit said agent or police officer to examine them.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.