

STATE OF NEW YORK

516--B

Cal. No. 357

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to requiring motor vehicle repair shops to disclose certain information to customers

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

1 Section 1. Subdivisions 1 and 2 of section 398-d of the vehicle and
2 traffic law, subdivision 1 as amended by chapter 161 of the laws of 1996
3 and subdivision 2 as amended by chapter 173 of the laws of 1990, are
4 amended and a new subdivision 2-a is added to read as follows:

5 1. All work done by a motor vehicle repair shop shall be recorded on
6 an invoice and shall describe all service work done and parts supplied.
7 If any used parts are supplied, the invoice shall clearly state that
8 fact. If any component system installed is composed of new and used
9 parts, such invoice shall clearly state that fact. If any body parts are
10 supplied to a vehicle with a gross vehicle weight not in excess of eigh-
11 teen thousand pounds, the invoice shall clearly state whether such parts
12 were manufactured as original equipment parts for the vehicle, or were
13 manufactured as non-original replacement parts or are used parts. If
14 any parts or labor supplied are covered under shop warranty, such
15 invoice shall clearly state that fact, and a copy of the work order
16 information and shop warranty of such parts or labor shall be displayed
17 on such invoice. One copy of the invoice shall be given to the customer

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

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1 and one copy shall be retained by the motor vehicle repair shop. For the
2 purposes of insuring that the repairs described on the work invoice have
3 been performed, every customer and [~~his~~] such customer's representative
4 or a representative of an insurance company where such company has paid
5 or is liable to pay a claim for damage to such customer's motor vehicle
6 shall have a right to inspect the repaired motor vehicle. Such right of
7 inspection shall also include the right to inspect all replaced parts
8 and components thereof, except warranty or exchange parts. Provided,
9 however, the exception for warranty or exchange parts from the right of
10 inspection shall not apply to replacement inflatable restraint systems.
11 Any such inspection by an insurer shall be made in a manner consistent
12 with the requirements of sections two thousand six hundred one and three
13 thousand four hundred eleven of the insurance law. The motor vehicle
14 repair shop shall make available to the customer, upon timely written
15 demand, or for such work authorized over the telephone, shall keep until
16 the customer's motor vehicle is retrieved, all replaced parts, compo-
17 nents or equipment excepting any parts, components or equipment normally
18 sold on an exchange basis or subject to a warranty.

19 2. [~~Upon the request of any customer, a~~] A motor vehicle repair shop
20 shall make an estimate in writing of the parts and labor necessary for a
21 specific job and shall not charge for work done or parts supplied [~~in~~
22 ~~excess of the estimate~~] without the consent of such customer. The motor
23 vehicle repair shop may charge a reasonable fee for making an estimate.
24 If any body parts are included in the estimate for a vehicle with a
25 gross vehicle weight not in excess of eighteen thousand pounds, the
26 estimate shall clearly state whether such parts were manufactured as
27 original equipment parts for the vehicle, or were manufactured as non-
28 original replacement parts or are used parts.

29 2-a. A violation of subdivision one or two of this section shall be
30 punishable by a fine of five hundred dollars for a first violation, one
31 thousand dollars for a second violation, and one thousand five hundred
32 dollars for a third and any subsequent violation.

33 § 2. This act shall take effect on the ninetieth day after it shall
34 have become a law.