STATE OF NEW YORK

8379

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. STIRPE, SIMON, MANKTELOW -- read once and referred 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, 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~~] **an original equipment non-deployed recycled airbag in compliance with** 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 Section 415-c of the vehicle and traffic law is REPEALED and a new section 415-c is added to read as follows: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 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.

2. A non-deployed recycled airbag 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 not be offered for sale.

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

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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 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.

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 vehicle identification number of the vehicle receiving the non-deployed recycled airbag;

(c) the vehicle identification number of the vehicle that the non-deployed recycled airbag was removed from;

(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;

(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 salvaged inflatable restraint system was taken shall be 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 that neither the salvaged inflatable restraint system nor the motor vehicle were stolen, as determined at the time of inquiry. The sales invoice shall state the date and the result of the inquiry to such theft index bureau.

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.

6. Each vehicle dismantler that offers such original equipment non-deployed recycled airbags for sale shall maintain an electronic log containing all information outlined under 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.