STATE OF NEW YORK

8867

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing the "New York state vehicle security circumvention device act"

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

Section 1. The vehicle and traffic law is amended by adding a new article 12-E to read as follows:

ARTICLE 12-E

NEW YORK STATE VEHICLE SECURITY CIRCUMVENTION DEVICE ACT

Section 399-aa. Short title.
399-bb. Legislative intent.
399-cc. Definitions.
399-dd. Prohibited acts.
399-ee. Reporting of lost or stolen vehicle security circumvention devices.
399-ff. Penalties.
399-gg. Severability.

§ 399-aa. Short title. This act shall be known and may be cited as the "New York state vehicle security circumvention device act".

§ 399-bb. Legislative intent. In two thousand twenty-four, over eight hundred fifty thousand vehicles were stolen, often by organized crime rings. Motor vehicle key programming or emulating devices and relay attack devices are increasingly used by thieves to steal vehicles. A motor vehicle key programming or emulating device is a device used to electronically communicate with a motor vehicle to program a blank key fob or emulate a key fob for the purpose of starting and operating the vehicle. A relay attack device is a device used to intercept a key fob signal to unlock and/or remotely activate the ignition of a motor vehicle. Prohibiting the manufacturing, sale, offering to sell, or possession of the devices outside of lawful and reasonable purposes will

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

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help align vehicle theft statutes with 21st century criminal tactics and provide law enforcement the necessary tools they need to combat car thieves using today's most sophisticated technology.

The vehicle security circumvention device act prohibits the unlawful manufacturing, possession, transfer, or sale of a motor vehicle key programming or emulating device or relay attack device. It requires a person lawfully authorized to possess a motor vehicle key programming or emulating device or relay attack device to report to law enforcement within forty-eight hours a lost or stolen device. This act establishes criminal penalties to combat auto theft.

§ 399-cc. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Motor vehicle key programming or emulating device" means any device, computer program, application, or software designed or used to electronically communicate with a motor vehicle for the purpose of programming or emulating a motor vehicle key fob that is capable of being used to unlock or start the motor vehicle.

2. "Relay attack device" means any device, computer program, application, or software designed or used to intercept the signal from the key fob of a motor vehicle to unlock or start the motor vehicle.

§ 399-dd. Prohibited acts. No person shall knowingly manufacture, sell, offer to sell, transfer, or possess a motor vehicle key programming or emulating device or relay attack device, or aid or permit another to use a motor vehicle key programming or emulating device or relay attack device. This section shall not apply to the manufacturing, sale, offering to sell, transfer, possession, or use of a motor vehicle key programming or emulating device or relay attack device for a lawful and reasonable purpose by or to a law enforcement officer, an employee of the National Insurance Crime Bureau, or an employee of a licensed: dealer, distributor or manufacturer of motor vehicles or motor vehicle locks; motor vehicle mechanic shop; locksmith company; or repossession agency.

§ 399-ee. Reporting of lost or stolen vehicle security circumvention devices. A person authorized to possess a motor vehicle key programming or emulating device or relay attack device shall report a lost or stolen motor vehicle key programming or emulating device or relay attack device within forty-eight hours of becoming aware that such device was lost or stolen to a law enforcement agency within the jurisdiction in which the device is known or thought to be lost or stolen.

§ 399-ff. Penalties. Any person convicted of an offense committed under section three hundred ninety-nine-dd of this article shall be guilty of a class E felony. Any person who fails to report under section three hundred ninety-nine-ee of this article shall be subject to a fine of up to five thousand dollars or a class A misdemeanor.

§ 399-gg. Severability. If any provision of this act or its application to any person, legal entity, or circumstance is held invalid, the remainder of this act or the application of the provision to other persons, legal entities or circumstances shall not be affected.

§ 2. This act shall take effect immediately.