

STATE OF NEW YORK

4879--A

Cal. No. 944

2025-2026 Regular Sessions

IN SENATE

February 13, 2025

Introduced by Sens. FAHY, C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- 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 general business law, in relation to establishing standards for glass repair and calibration of advanced driver assistance systems

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
2 392-k to read as follows:

3 § 392-k. Motor vehicle glass repair and replacement; calibration and
4 recalibration of advanced driver assistance systems; consumer disclo-
5 sure. 1. Definitions. For the purposes of this section, the following
6 terms shall have the following meanings:

7 (a) "Advanced driver assistance system" shall mean any motor vehicle
8 electronic safety system, including, but not limited to sensors and
9 cameras, as outlined in the most recent publication of the SAE Interna-
10 tional's SAE J3016 levels of driving automation that are designed to
11 support both the driver and motor vehicle in a manner intended to:

12 (i) increase motor vehicle safety; and

13 (ii) reduce losses associated with motor vehicle crashes.

14 (b) "Calibrate" or "Recalibrate" shall mean to instruct a motor vehi-
15 cle's advanced driver assistance system, including internal computers,
16 to readjust targeted cameras, sensors, or other technologies to function
17 properly in accordance with the motor vehicle's manufacturer specifica-
18 tions.

19 (c) "Motor vehicle glass repair facility" shall mean any person,
20 including the person's employees and agents that for consideration
21 engages in the repair or replacement of damaged safety glass as defined

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

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1 in subdivision fourteen of section three hundred seventy-five of the
2 vehicle and traffic law.

3 (d) "Motor vehicle glass" shall mean the glass and non-glass parts
4 associated with the replacement of the glass used in the windshield,
5 door or windows and the glass, plastic, or other materials used in vehi-
6 cle glass manufacturing.

7 (e) "Repair or replacement of damaged motor vehicle glass" shall mean
8 inspecting, repairing, restoring, or replacing damaged motor vehicle
9 glass and calibrating or recalibrating an advanced driver assistance
10 system when an incident requires the replacement of motor vehicle glass.

11 (f) "SAE J3016" shall mean the Taxonomy and Definitions for Terms
12 Related to Driving Automation Systems for On-Road Motor Vehicles
13 published by SAE International in April two thousand twenty-one.

14 2. Requirements. If a motor vehicle is equipped with an advanced driv-
15 er assistance system, a motor vehicle glass repair shop that conducts
16 safety glass or motor vehicle glass repair, replacement, or recal-
17 ibration shall inform the consumer:

18 (a) if a recalibration of the advanced driver system assistance is
19 required; and

20 (b) if a recalibration of the advanced driver assistance system is
21 performed that such system shall meet the motor vehicle's manufacturer
22 specifications.

23 3. Notification. (a) A motor vehicle glass repair facility shall
24 provide to consumers an itemized description of the work to be done on
25 the motor vehicle.

26 (b) A motor vehicle glass repair facility shall not represent to a
27 consumer that the cost of a repair, replacement or calibration or recal-
28 ibration shall be paid for entirely by the consumer's insurer and at no
29 cost to the consumer unless the cost of the repair, replacement, cali-
30 bration or recalibration is fully covered as provided by the consumer's
31 insurance policy.

32 (c) A motor vehicle glass repair facility shall not contract with a
33 person for a repair or replacement of damaged safety glass or motor
34 vehicle glass until the motor vehicle glass repair shop has received a
35 claim or referral number for insurance covered damage.

36 (d) Prior to finalizing a contract for repair with a consumer for a
37 repair or replacement of damaged motor vehicle glass, a motor vehicle
38 glass repair facility shall notify such consumer:

39 (i) whether such motor vehicle has an advanced driver assistance
40 system;

41 (ii) whether the calibration or recalibration of the motor vehicle's
42 advanced driver assistance system is required to:

43 (1) make the advanced driver assistance system operable; and

44 (2) ensure that the repair or replacement of damaged motor vehicle
45 glass is performed in a manner that meets the vehicle manufacturer's
46 specifications;

47 (iii) whether the motor vehicle glass repair facility can calibrate or
48 recalibrate the advanced driver assistance system in a manner that meets
49 the motor vehicle's manufacturer's specifications; and

50 (iv) if the motor vehicle glass repair facility is not capable of
51 performing a calibration or recalibration as referenced in subdivision
52 three of this section, that the motor vehicle should be taken to the
53 vehicle's manufacturer certified dealership or a qualified specialist
54 capable of performing the calibration or recalibration that meets the
55 vehicle's manufacturer specifications.

1 4. Unsuccessful recalibration. If a recalibration was not performed or
2 not completed successfully, the motor vehicle glass repair facility
3 shall inform the consumer and the consumer's insurer electronically or
4 in writing that the recalibration was not successful or was not
5 performed and that the motor vehicle should be taken to a franchised
6 motor vehicle dealer or a motor vehicle glass repair facility capable of
7 performing the calibration or recalibration of an advanced driver
8 assistance system that meets the motor vehicle manufacturer's specifica-
9 tions.

10 5. Recalibration requirements. A motor vehicle glass repair facility
11 that conducts a calibration, recalibration or replacement on a motor
12 vehicle equipped with an advanced driver system shall:

13 (a) shall recalibrate the advanced driver assistance system to meet
14 such motor vehicle's manufacturer specifications; and

15 (b) is not limited to safety glass or motor vehicle glass, tools,
16 equipment, or repair procedures dictated or recommended by the motor
17 vehicle manufacturer to meet such motor vehicle's manufacturer specifi-
18 cations.

19 6. Billing. A motor vehicle glass repair facility shall not bill or
20 charge the consumer or the consumer's insurer for safety glass or motor
21 vehicle glass repair, replacement, calibration or recalibration services
22 that are not performed in accordance with the motor vehicle's manufac-
23 turer specifications.

24 7. Assignment of benefits. (a) No motor vehicle glass repair facility
25 shall include an assignment of benefits provision for a consumer's
26 insurance policy in any agreement with such consumer or require a
27 consumer to sign an assignment of benefits agreement as a condition of
28 repairing or replacing damaged motor vehicle glass.

29 (b) Any contract entered in violation of this subdivision shall be
30 void and unenforceable.

31 (c) Nothing in this subdivision shall be construed to prohibit a
32 consumer from authorizing or directing payment to, or paying, a motor
33 vehicle glass repair facility for repair or replacement of damaged motor
34 vehicle glass covered under an insurance policy.

35 8. Inducement. No motor vehicle glass repair facility or agent thereof
36 shall offer a rebate, gift, gift card, cash, coupon, fee, prize, bonus,
37 payment, incentive, inducement, or any other thing of value to any
38 consumer in exchange for directing or making a claim under a motor vehi-
39 cle insurance policy for a repair or replacement of damaged motor vehi-
40 cle glass.

41 9. Penalties. A motor vehicle glass repair facility that violates the
42 provisions of this section shall be liable for a penalty of two thousand
43 five hundred dollars per occurrence.

44 § 2. This act shall take effect immediately.