

**James Nolan**

Minority Whip  
Legislator, 15th District  
Chair, Committee on Appointments



**Committee Assignments:**  
Budget & Appropriations  
Parks & Recreation

To: Catherine Borgia, Chairwoman of the Board of Legislators  
Sunday Vanderberg, Clerk of the Board of Legislators  
Colin Smith, Chair of the Legislation Committee  
Terry Clements, Chair of the Public Safety Committee

From: James Nolan, Legislator, District 15

Date: October 20, 2022

Re: *New York State Senate Bill S9428 "Relates to the maintenance of records of catalytic converters"*

Attached is a bill passed by the New York State Senate which related to the maintenance of records of catalytic converters.

Please refer to the Legislation Committee and the Public Safety Committee

STATE OF NEW YORK

9428

IN SENATE

May 26, 2022

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the maintenance of records of catalytic converters

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

1 Section 1. Paragraph (a) of subdivision 5 of section 415-a of the  
2 vehicle and traffic law, as amended by chapter 180 of the laws of 2006,  
3 is amended and a new paragraph (c) is added to read as follows:  
4 (a) Any records required by this section shall apply only to vehicles  
5 or parts of vehicles for which a certificate of title has been issued by  
6 the commissioner or which would be eligible to have such a certificate  
7 of title issued. Every person required to be registered pursuant to this  
8 section shall maintain a record of all motor vehicles, trailers, and  
9 major component parts thereof, coming into his or her possession together  
10 with a record of the disposition of any such motor vehicle, trailer  
11 or part thereof and the date such motor vehicle, trailer or part thereof  
12 is received and shall maintain proof of ownership for any motor vehicle,  
13 trailer or major component part thereof while in his or her possession.  
14 For the purposes of this article an inflatable restraint system shall be  
15 a major component part and a catalytic converter shall be a major component part.  
16 Such records shall be maintained in a manner and form  
17 prescribed by the commissioner. The commissioner may, by regulation,  
18 exempt vehicles or major component parts of vehicles from all or a  
19 portion of the record keeping requirements based upon the age of the  
20 vehicle if the commissioner deems that such record keeping requirements  
21 would not further the purposes of the motor vehicle theft prevention  
22 program established by section two hundred twenty-three of this chapter.  
23 Upon request of an agent of the commissioner or of any police officer  
24 and during his or her regular and usual business hours, a vehicle  
25 dismantler shall produce such records and permit said agent or police  
26 officer to examine them and any vehicles or parts of vehicles which are  
27 subject to the record keeping requirements of this section and which are  
28 on the premises. In addition, the commissioner shall require every vehi-

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

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1 cle dismantler to produce, every sixty days, all records regarding the  
2 number of catalytic converters they took in within such sixty-day period  
3 subject to the record keeping requirements of this section. Upon request  
4 of any agent of the commissioner and during his or her regular and usual  
5 business hours, a salvage pool, mobile car crusher or itinerant vehicle  
6 collector shall produce such records and permit said agent or police  
7 officer to examine them and any vehicles or parts of vehicles which are  
8 subject to the record keeping requirements of this section and which are  
9 on the premises. The failure to produce such records or to permit such  
10 inspection on the part of any person required to be registered pursuant  
11 to this section as required by this paragraph shall be a class A misde-  
12 meanor. If a vehicle dismantler has gained money or property by failing  
13 to produce records of the number of catalytic converters they take in as  
14 required by the commissioner pursuant to this paragraph, the court may  
15 order such defendant to pay an amount, fixed by the court, not to exceed  
16 double the amount of such defendant's gain from the commission of such  
17 offense.

18 (c) For the purposes of this article, the term "catalytic converter"  
19 shall mean a device installed in the exhaust system of an internal  
20 combustion engine that utilizes catalytic action to oxidize hydrocarbon  
21 and carbon monoxide emissions to carbon dioxide and water.

22 § 2. Section 415 of the vehicle and traffic law is amended by adding a  
23 new subdivision 21 to read as follows:

24 21. New motor vehicle etching kits. Every new motor vehicle dealer and  
25 every qualified dealer shall be required to stock etching kits that are  
26 capable of etching a traceable serial number onto the catalytic convert-  
27 er of a new motor vehicle that can be clearly seen and quickly linked  
28 back to the vehicle. Such etching kits shall be offered by every new  
29 motor vehicle dealer and qualified dealer to any person purchasing a new  
30 motor vehicle, at no more than the cost of such etching kit to such  
31 dealer.

32 § 3. This act shall take effect on the one hundred eightieth day after  
33 it shall have become a law. Effective immediately, the addition, amend-  
34 ment and/or repeal of any rule or regulation necessary for the implemen-  
35 tation of this act on its effective date are authorized to be made and  
36 completed on or before such effective date.