



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

May 16, 2022

The Honorable Kevin Thomas, Chair  
Consumer Protection Committee  
New York State Senate  
Legislative Office Building  
Albany, New York 12247

Dear Chair Thomas:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, law enforcement and public health groups, and insurance companies working together to advance laws that prevent crashes, save lives, reduce injuries and curb costs, supports Senate Bill (S.) 148/Assembly Bill (A.) 6041 to require dealers to determine if a used car is subject to an open safety recall and to repair the defect prior to selling the vehicle.

This legislation will help eliminate the dangerous and potentially deadly problem of unrepaired recalls which is especially critical as vehicle safety recalls continue to proliferate. Nearly 35 million vehicles were subject to recall in 2021, according to the latest data available from the National Highway Traffic Safety Administration (NHTSA).<sup>i</sup> The recall involving Takata airbags alone includes approximately 67 million air bags (NHTSA).<sup>ii</sup>

Federal law currently prohibits automobile dealers from selling new vehicles that are subject to a federal safety defect recall until they are repaired. It also prevents rental cars with an open recall from being given to consumers. S. 148/A. 6041 will address a gap in these consumer protection laws by helping ensure New Yorkers seeking to purchase a used vehicle from a dealer will not be exposed to an unrepaired recall at the potential detriment to their safety.

Families who cannot afford to purchase a new vehicle or who simply seek the value of purchasing a used auto deserve the same protections against safety defects afforded to new car buyers. According to industry reports, more than 40 million used vehicles were sold in 2021 alone.<sup>iii</sup> Buying a second-hand car should not mean that consumers should be subject to second rate safety protections, as well as all motorists and road users sharing the roads with them.

Enacting S. 148/A. 6041 will safeguard New York motorists by requiring that an unsafe vehicle is repaired before they take ownership, get behind the wheel and travel on public roadways. Thank you for your time and consideration.

Sincerely,

Catherine Chase, President

<sup>i</sup> Available here: <https://www.nhtsa.gov/recalls/vehicle-safety-recalls-week#:~:text=NHTSA%20administered%20over%201%2C000%20safety,unrepaired%20or%20unaddressed%20every%20year.>

<sup>ii</sup> Available here: <https://www.nhtsa.gov/equipment/takata-recall-spotlight>

<sup>iii</sup> Available here: <https://www.kbb.com/car-news/despite-soaring-prices-americans-bought-record-number-of-used-cars-in-2021/>