



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

June 6, 2019

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Legislative Office Building, Room 907  
Albany, New York 12247

Dear Temporary President Stewart-Cousins:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical and public health groups, and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives and reduce injuries, supports Senate Bill (S.) 6059/Assembly Bill (A.) 5194. This legislation would 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 proposal will help to address the dangerous and potentially deadly problem of unrepaired recalls and we urge you to support this legislation.

The timing of S. 6059/A. 5194 is especially critical as vehicle safety recalls continue to proliferate. Over 42 million vehicles were subject to recall in 2017 according to the latest data available. The recall involving Takata airbags alone includes approximately 56 million affected air bags in an estimated 41 million vehicles.

Federal law currently prohibits automobile dealers from selling new vehicles that are subject to a federal safety defect recall until they are repaired. In addition, Congress prohibited rental cars with an open recall from being given to a consumer as part of the transportation authorization bill enacted in December 2015 (FAST Act, Pub. L. 114-94, Sec. 24109). S. 6059/A. 5194 will augment these two consumer protection laws and upgrade safety in New York by helping ensure its citizens seeking to purchase a used vehicle from a dealer will not be exposed to an unrepaired recall at the 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 sources, 70 percent of automotive sales in the U.S. involve used vehicles. Each year, approximately 40 million used vehicles are sold (Manheim 2018 Used Car Market Report). 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.

S. 6059/A. 5194 will ensure that New York motorists and their passengers are given better protection by requiring that an unsafe vehicle is repaired before they take ownership and get behind the wheel. We urge you to support S. 6059/A. 5194. Thank you for consideration of our views.

Sincerely,

Catherine Chase  
President