



June 6, 2019

The Honorable Assembly Speaker Carl E. Heastie  
The Honorable Senator Pro Tempore Andrea Stewart-Cousins  
New York State Legislature  
Legislative Office Building  
Albany, New York 08625

Dear Speaker Heastie and Senator Stewart-Cousins:

The Center for Auto Safety writes today to express **our strong support for Assembly Bill (A.) 5194 and Senate Bill (S.) 6059-A**. These bills present New York with an opportunity to be a leader in protecting consumers from the significant consequences that can result from the sale of unrepaired recalled vehicles. It will save lives.

The Center, co-founded in 1970 by Ralph Nader and Consumers Union, is an independent, non-profit consumer advocacy organization dedicated to improving vehicle safety, quality, and fuel economy for our members and all drivers, passengers, and pedestrians nationwide.

Unrepaired recalled vehicles have been responsible for preventable deaths, injuries, and crashes nationwide. These bills provide a commonsense solution by requiring car dealers to ensure vehicles with open recalls are repaired prior to a retail sale. As you know, under federal law recalled vehicles must be repaired or replaced, at no cost to the owner, by the vehicle's manufacturer.

The timing of these bills could not come at a better time. The National Highway Traffic Safety Administration has recently recorded multiple years of record numbers of recalls, including over 50 million in 2015 and 2016, each. Today, there are an estimated 70 million unrepaired recalled cars in the U.S. These recalls include vehicles with exploding Takata airbag inflators which have resulted in at least 24 deaths worldwide, GM ignition switch failures which have resulted in at least 170 deaths in the U.S., and hundreds of other less-publicized defects posing equally significant threats to public safety from bad brakes to faulty seat belts.

A pillar of federal and state consumer protections is the removal of unsafe products from the stream of commerce. For example, it is illegal to sell recalled food, recalled pharmaceuticals, or recalled children's toys. Federal law currently prohibits the sale of new vehicles subject to an unrepaired recall. It is also illegal for rental car companies to rent a vehicle with unrepaired recalls. **A. 5194 and S. 6059-A take the next logical step by explicitly preventing defective and dangerous cars to be knowingly unleashed onto New York roads for a profit.** Such a provision will help protect not only the purchaser of the repaired vehicle but all persons on the road.

Twice as many used cars as new cars are sold every year in the United States. Critically, New York residents with limited economic resources are the most likely purchasers of used cars. Passage of these bills will help to ensure that the buyers of second-hand cars are not treated as second class citizens.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Jason Levine".

Jason Levine  
Executive Director,  
Center for Auto Safety