

By Representative Stafford

1                                   A bill to be entitled  
2           An act relating to motor vehicle airbags;  
3           providing a short title; providing definitions;  
4           providing requirements on sales, replacement,  
5           or installation of airbags; providing  
6           penalties; providing an effective date.

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8   Be It Enacted by the Legislature of the State of Florida:

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10           Section 1. (1) Short title.--This section may be  
11 cited as the "Airbag Antitheft Act."

12           (2) Definitions.--"Airbag" means an inflatable  
13 restraint system that is designed to be installed and to  
14 operate in a motor vehicle to activate in the event of a  
15 crash. A "salvaged airbag" is one which has been removed from  
16 a motor vehicle.

17           (3) Sale of salvaged airbags; restrictions.--Any  
18 person who offers to sell any salvaged airbag shall, prior to  
19 such sale, request the appropriate law enforcement agency to  
20 determine, using a national theft computer system and the part  
21 identification number of such airbag and the vehicle  
22 identification number of the vehicle from which the airbag was  
23 removed, whether the airbag or the motor vehicle is reported  
24 as stolen. The sales invoice shall state the date, such  
25 identification numbers, and the results of the computer check.  
26 The computer check shall be verifiable under the records of  
27 the inquiring law enforcement agency.

28           (4) Replacement of airbags.--

29           (a) When an airbag is replaced, the motor vehicle  
30 repair shop shall state on the invoice the part identification  
31 number of the airbag and the name, address, and driver license

1 number of, or other means of accurately identifying, the  
2 person or business from whom such replacement airbag was  
3 purchased. When installing a salvaged airbag, the repair shop  
4 shall also state on the repair invoice the vehicle  
5 identification number of the vehicle from which the airbag was  
6 salvaged. The insurer, if any, and the consumer shall receive  
7 a copy of the purchase invoice for such replacement airbag.  
8 (b) Each motor vehicle repair shop which either  
9 removes or installs airbags shall maintain a log book  
10 containing:  
11 1. The date of removal or installation.  
12 2. The motor vehicle identification number, license  
13 plate number, and make and model of the motor vehicle.  
14 3. The part number of the airbag.  
15 4. In the case of a salvaged airbag:  
16 a. The vehicle identification number of the vehicle  
17 from which the replacement airbag was salvaged.  
18 b. The name, address, and driver license number or  
19 other means of accurately identifying the person or business  
20 from whom such salvaged inflatable airbag was purchased.  
21 5. In the case of a new airbag, the name, address, and  
22 any other information necessary to accurately identify the  
23 supplier.  
24 (5) Penalties.--  
25 (a) Any person who possesses a stolen uninstalled  
26 airbag or any airbag from which the manufacturer's part  
27 identification number has been removed, altered, or defaced or  
28 sells or installs a stolen airbag or an airbag taken from a  
29 stolen motor vehicle commits a felony of the third degree,  
30 punishable as provided in s. 775.082, s. 775.083, or s.  
31 775.084, Florida Statutes.

1           (b) Any person who fails to maintain complete and  
2 accurate records or prepare complete and accurate documents  
3 required by this act commits a misdemeanor of the first  
4 degree, punishable as provided in s. 775.082 or s. 775.083,  
5 Florida Statutes.

6           Section 2. This act shall take effect October 1 of the  
7 year in which enacted.

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HOUSE SUMMARY

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Creates the "Airbag Antitheft Act" to provide for  
identifying and preventing installation of stolen  
airbags. Imposes requirements on businesses removing or  
installing airbags. See bill for details.