

By the Committee on Crime & Punishment and 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; prohibiting certain
6 activities; providing penalties; providing an
7 effective date.

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

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

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

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

29 (4) Replacement of airbags.--

30 (a) When an airbag is replaced, the motor vehicle
31 repair shop shall state on the invoice the part identification

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

1 punishable as provided in s. 775.082, s. 775.083, or s.
2 775.084, Florida Statutes.

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

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

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

HOUSE SUMMARY

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.