

By Senator Campbell

33-559-98

See HB

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

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

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

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

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

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

(4) Replacement of airbags.--  
(a) When an airbag is replaced, the motor vehicle repair shop shall state on the invoice the part identification 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 section 775.082, section 775.083, or  
31 section 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 section 775.082 or section  
5 775.083, Florida Statutes.

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

8

9

\*\*\*\*\*

10

LEGISLATIVE SUMMARY

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

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.)