

By the Committee on Criminal Justice and Senator Campbell

307-1761-99

1 A bill to be entitled
2 An act relating to motor vehicle airbags;
3 providing a short title; providing definitions;
4 requiring any person engaged in the business of
5 purchasing, selling, or installing salvaged
6 airbags to maintain a record of any purchase,
7 sale, or installation of a salvaged airbag;
8 specifying required information; providing for
9 inspection and disclosure of such records;
10 requiring any person who sells or installs a
11 salvaged airbag to disclose to the purchaser
12 that the airbag is salvaged; prohibiting
13 certain activities; providing penalties;
14 providing an effective date.

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

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18 Section 1. Airbag Antitheft Act.--

19 (1) SHORT TITLE.--This section may be cited as the
20 "Airbag Antitheft Act."

21 (2) DEFINITIONS.--As used in this section, the term
22 "airbag" means an inflatable restraint system that is designed
23 to be installed and to operate in a motor vehicle to activate
24 in the event of a crash; and the term "salvaged airbag" means
25 an airbag that has been removed from a motor vehicle.

26 (3) PURCHASE, SALE, OR INSTALLATION OF SALVAGED
27 AIRBAGS; RECORDS.--Any person engaged in the business of
28 purchasing, selling, or installing salvaged airbags shall
29 maintain a manual or electronic record of the purchase, sale,
30 or installation, which must include the identification number
31 of the salvaged airbag; the vehicle identification number of

1 the vehicle from which the salvaged airbag was removed; the
2 name, address, and driver's license number or other means of
3 identification of the person from whom the salvaged airbag was
4 purchased; and, in the event that the salvaged airbag is
5 installed, the vehicle identification number of the vehicle
6 into which the airbag is installed. Such record must be
7 maintained for 36 months following the transaction and may be
8 inspected during normal business hours by any law enforcement
9 officer of this state or other authorized representative of
10 the agency charged with administration of this section. Any
11 person who sells a salvaged airbag or who installs a salvaged
12 airbag must disclose to the purchaser or consumer that the
13 airbag is salvaged. Upon request, information within a portion
14 of such record pertaining to a specific transaction must be
15 provided to an insurer or consumer.

16 (4) PROHIBITION; PENALTIES.--

17 (a) It is unlawful for any person to knowingly
18 possess, sell, or install a stolen uninstalled airbag; a new
19 or salvaged airbag from which the manufacturer's part
20 identification number has been removed, altered, or defaced;
21 or an airbag taken from a stolen motor vehicle. Any person who
22 violates this paragraph commits a felony of the third degree,
23 punishable as provided in section 775.082, section 775.083, or
24 section 775.084, Florida Statutes.

25 (b) Any person who fails to maintain complete and
26 accurate records, to prepare complete and accurate documents,
27 to provide information within a portion of such record upon
28 request, or to properly disclose that an airbag is salvaged,
29 as required by this act, commits a misdemeanor of the first
30 degree, punishable as provided in section 775.082 or section
31 775.083, Florida Statutes.

1 Section 2. This act shall take effect October 1, 1999.
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3 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
4 COMMITTEE SUBSTITUTE FOR
5 Senate Bill 244
6 - Provides that any person engaged in the business of
7 purchasing, selling or installing salvaged airbags must
8 disclose to the consumer that the airbag is salvaged and
9 must maintain a record of the transaction.
10 - Provides that the vehicle identification number of the
11 vehicle from which the airbag was salvaged must be
12 included in the airbag record.
13 - Provides that the records must be maintained for
14 thirty-six months after the transaction and that
15 officers may inspect the records insuring normal
16 business hours.
17 - Adds that it is a first degree misdemeanor for any
18 person to fail to disclose that an airbag is salvaged or
19 to fail to provide information contained in the record
20 to a consumer or insurer.
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