

289-209XA-32

Bill No. HB 79

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Stafford offered the following:

Amendment (with title amendment)

On page 1, line 12,
remove from the bill: everything after the enacting clause,
and insert in lieu thereof:

Section 1. Airbag Antitheft Act.--

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

(2) DEFINITIONS.--As used in this section, the term "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; and the term "salvaged airbag" means an airbag that has been removed from a motor vehicle.

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

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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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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 1, lines 3-9

7 remove from the title of the bill: all of said lines,

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9 and insert in lieu thereof:

10 providing a short title; providing definitions;
11 requiring any person engaged in the business of
12 purchasing, selling, or installing salvaged
13 airbags to maintain a record of any purchase,
14 sale, or installation of a salvaged airbag;
15 specifying required information; providing for
16 inspection and disclosure of such records;
17 requiring any person who sells or installs a
18 salvaged airbag to disclose to the purchaser
19 that the airbag is salvaged; prohibiting
20 certain activities; providing penalties;
21 providing an effective date.

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