

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:

17
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.

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Section 2. This act shall take effect October 1, 1999.