

By Representatives Weissman, Greenstein, Henriquez, Smith, Kendrick, Meadows, Siplin, Richardson, Gelber, Slosberg, Bendross-Mindingall, Romeo, Garcia, Justice, Ritter, Gannon and Gottlieb

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A bill to be entitled  
An act relating to motor vehicle airbags;  
providing definitions; providing for certain  
records; prohibiting the replacement of a  
deployed or defective airbag with anything  
other than a new or salvaged airbag; providing  
a penalty; providing an effective date.

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

Section 1. (1) 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.

(2) 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 the vehicle from which the salvaged airbag was removed; the name, address, and driver's license number or other means of identification of the person from whom the salvaged airbag was purchased; and, in the event that the salvaged airbag is installed, the vehicle identification number of the vehicle into which the airbag is installed. Such record must be maintained for 36 months following the transaction and may be inspected during normal business hours by any law enforcement officer of this state or other authorized representative of the agency charged with administration of this section. Any person who sells a salvaged airbag or who installs a salvaged

1 airbag must disclose to the purchaser or consumer that the  
2 airbag is salvaged. Upon request, information within a portion  
3 of such record pertaining to a specific transaction must be  
4 provided to an insurer or consumer.

5 (3) It is unlawful for any person to replace a  
6 deployed or defective airbag in a motor vehicle inflatable  
7 restraint system with anything other than a bona fide new  
8 airbag or salvaged airbag. Any person who violates this  
9 section commits a felony of the second degree, punishable as  
10 provided in s. 775.082, s. 775.083, or s. 775.084.

11 Section 2. This act shall take effect July 1, 2001.

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HOUSE SUMMARY

Provides a felony penalty for the replacement of a deployed airbag with anything other than a new or salvaged airbag. Requires certain records regarding salvaged air bags to be kept. See bill for details.