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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2014	.	
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	.	

The Committee on Transportation (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 101 and 102

insert:

Section 1. Section 860.146, Florida Statutes, is amended to read:

860.146 Fake airbags; junk-filled airbag compartment.-

(1) As used in this section, the term:

(a) "Airbag" means a motor vehicle inflatable occupant restraint system, including all component parts, such as the



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11 cover, sensors, controllers, inflators, and wiring that is
12 designed in accordance with federal safety regulations for a
13 given make, model, and year of a vehicle.

14 (b) "Counterfeit airbag" means an airbag displaying a mark
15 identical or similar to the genuine mark of a motor vehicle
16 manufacturer without authorization from said manufacturer.

17 (c) "Nonfunctional airbag" means a replacement airbag that:

18 1. was previously deployed or damaged;

19 2. has an electric fault that is detected by the vehicle
20 airbag diagnostic system after the installation procedure is
21 completed; or

22 3. includes any part or object, including, but not limited
23 to, a counterfeit or repaired airbag cover, installed in a motor
24 vehicle to mislead the owner or operator of such motor vehicle
25 into believing that a functional airbag has been installed.

26 (d) "Fake airbag" means any item other than an airbag that
27 was designed in accordance with federal safety regulations for a
28 given make, model, and year of motor vehicle as part of a motor
29 vehicle inflatable restraint system including counterfeit or
30 nonfunctioning airbags.

31 (e) ~~(b)~~ "Junk-filled airbag compartment" means an airbag
32 compartment that is filled with any substance that does not
33 function in the same manner or to the same extent as an airbag
34 to protect vehicle occupants in a vehicle crash. The term does
35 not include a compartment from which an airbag has deployed if
36 there is no concealment of the deployment.

37 (2) It is unlawful for anyone to knowingly import,
38 manufacture, purchase, sell, offer for sale, ~~or~~ install, or
39 reinstall on any vehicle any fake airbag or junk-filled airbag



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40 compartment. Any person who violates this subsection commits a
41 felony of the second degree, punishable as provided in s.
42 775.082, s. 775.083, or s. 775.084.

43

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

45 And the title is amended as follows:

46 Delete line 11

47 and insert:

48 circumstances; amending s. 860.146, F.S.; defining
49 airbag, counterfeit airbag, and nonfunctional airbag
50 and providing additional unlawful acts relating to
51 airbags; providing an effective date.