

SENATE BILL REPORT

SB 5117

As Reported By Senate Committee On:
Highways & Transportation, February 26, 2003

Title: An act relating to sale, distribution, or installation of air bags.

Brief Description: Regulating the sale, distribution, and installation of air bags.

Sponsors: Senators Eide and Kohl-Welles.

Brief History:

Committee Activity: Highways & Transportation: 2/18/03, 2/26/03 [DPS].

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5117 be substituted therefor, and the substitute bill do pass.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Finkbeiner, Haugen, Jacobsen; Kastama, Mulliken, Oke, Prentice and Spanel.

Staff: Kelly Simpson (786-7403)

Background: Under current law, the Washington State Patrol is required to enforce vehicle equipment laws and may adopt rules relating to vehicle equipment standards. However, current law, both in statute and in rule, does not specifically address standards governing the installation or distribution of previously deployed air bags.

Summary of Substitute Bill: Persons who knowingly install, reinstall, or distribute as an auto part previously deployed motor vehicle air bags are guilty of a gross misdemeanor. If found guilty under this provision, defendants are subject to a maximum \$5,000 fine and/or a one-year jail sentence.

When previously deployed air bags are replaced, either by new air bags or salvaged air bags that have not yet been deployed, the replacement air bag must conform to manufacturer requirements. Installers must verify, when replacing air bag systems, that the entire air bag system is operating properly.

Substitute Bill Compared to Original Bill: Technical changes were made to the penalty section clarifying that the penalties are maximums rather than set fines and jail terms.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: National news reports are increasingly reporting the dangers of installing previously deployed air bags in vehicles. These unsafe replacement air bags often are filled with such materials as tennis shoes, beer cans, and peanuts, in order to give them the weight and feel of a properly repaired air bag. The use of previously deployed air bags as replacement bags is very dangerous and often results in injury or death in car accidents, as the fraudulent air bags fail to activate. This bill would make it a crime to install a previously deployed air bag, and would require replacement bags to be properly installed, per manufacturer standards. Currently, 16 states have enacted similar provisions.

Testimony Against: None.

Testified: Senator Eide, prime sponsor; Mike Lawson, Airbag Service; Nancee Wildermuth, Alliance of Automobile Manufacturers.