

2001 SESSION

INTRODUCED

012279604

HOUSE BILL NO. 2055

Offered January 10, 2001

Prefiled January 10, 2001

A BILL to amend the Code of Virginia by adding in Article 12 of Chapter 10 of Title 46.2 a section numbered 46.2-1094.1, relating to fraudulent installation of automobile air bags.

Patrons—Albo and Tata

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 12 of Chapter 10 of Title 46.2 a section numbered 46.2-1094.1 as follows:

§ 46.2-1094.1. Unlawfully dealing with inflatable restraint systems.

A. For the purposes of this section:

"Inflatable restraint system" means a device used or intended for use in a motor vehicle to protect the safety of vehicle occupants by inflating upon the occurrence of an impact of the vehicle with another object, also known as an "air bag." Distribution or sale of a previously deployed inflatable restraint system shall not include a transfer made for purposes of lawful disposal.

B. It shall be unlawful for any person to knowingly install, reinstall, distribute, or sell any previously deployed inflatable restraint system.

C. It shall be unlawful for any person to knowingly install a cover over a missing inflatable restraint system anywhere in a motor vehicle without giving the owner of the motor vehicle written notice on the repair invoice of such missing inflatable restraint system. Notice shall be in a form prescribed by the Commissioner of Motor Vehicles and shall be in at least ten-point all-capital type, and shall clearly state: "NO AIR BAG INSTALLED" or "NO AIR BAGS INSTALLED," and shall clearly indicate exactly where the inflatable restraint system is designed to be located in the vehicle.

D. It shall be unlawful for any person to knowingly sell, resell, transfer, give, or trade a motor vehicle with a missing inflatable restraint system without giving the person to whom the motor vehicle is sold, resold, transferred, given, or traded written notice thereof. Such notice shall be in a form prescribed by the Commissioner of Motor Vehicles and shall be in at least ten-point all-capital type, and shall clearly state: "NO AIR BAG INSTALLED" or "NO AIR BAGS INSTALLED," and shall clearly indicate exactly where the inflatable restraint system is designed to be located in the vehicle.

D. It shall be unlawful for any person to knowingly install any device, mechanism, part, apparatus, or contrivance that overrides the readiness indicator light for an inflatable restraint system.

E. A violation of this section is a Class 5 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined.

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