

Counterfeit Airbags

This act makes it a crime and Class D felony to manufacture, import, install, or reinstall a nonfunctional or counterfeit airbag. It also makes it a crime, punishable by the increased penalty, to knowingly sell, offer for sale, manufacture, import, install, or reinstall a counterfeit or nonfunctional air bag, as defined in the act. Further, selling or offering for sale a replacement device that the seller knows or reasonably should know does not meet federal airbag safety standards will be considered an unfair or deceptive trade practice under state law.

Submitted as:

Connecticut

[SSB 1040](#)

Status: Signed into law on July 27, 2009.

Suggested State Legislation

(Title, enacting clause, etc.)

- 1 Section 1. [*Short Title.*] An Act Concerning Counterfeit and Nonfunctional Airbags
2
- 3 Section 2. [*Counterfeit and nonfunctioning airbags.*]
4 (a) As used in this section:
5 (1) "Air bag" means a motor vehicle inflatable occupant restraint system, including all
6 component parts, such as the cover, sensors, controllers, inflators and wiring, that (A) operates in
7 the event of a crash, and (B) is designed in accordance with federal motor vehicle safety
8 standards for the specific make, model and year of the motor vehicle in which it is or will be
9 installed.
10 (2) "Counterfeit air bag" means a motor vehicle inflatable occupant restraint system,
11 including all component parts, such as the cover, sensors, controllers, inflators and wiring,
12 displaying a mark identical or similar to the genuine mark of a motor vehicle manufacturer
13 without authorization from such manufacturer.
14 (3) "Nonfunctional airbag" means a replacement motor vehicle inflatable occupant restraint
15 system, including all component parts, such as the cover, sensors, controllers, inflators and
16 wiring, that (A) was previously deployed or damaged, (B) has an electric fault that is detected by
17 the vehicle airbag diagnostic system after the installation procedure is completed, or (C) includes
18 any part or object, including, but not limited to, a counterfeit or repaired airbag cover, installed in
19 a motor vehicle to mislead the owner or operator of such motor vehicle into believing that a
20 functional airbag has been installed.
21 (b) No person shall manufacture, import, install, reinstall, sell or offer for sale any device with
22 the intent that such device replace an air bag in any motor vehicle if such person knows or
23 reasonably should know that such device is a counterfeit air bag, a nonfunctional air bag or
24 does not meet federal safety requirements as provided in 49 CFR 571.208.
25 (c) No person shall sell or install or reinstall in any vehicle any device that causes such vehicle's
26 diagnostic system to inaccurately indicate that such vehicle is equipped with a functional air
27 bag when a counterfeit air bag, a nonfunctional air bag or no air bag is installed.

- 1 (d) A violation of subsection (b) or (c) of this section shall be deemed an unfair or deceptive
2 trade practice under subsection (a) of [Insert citation]. Each manufacture, importation,
3 installation, reinstallation, sale or offer for sale shall constitute a separate and distinct
4 violation.
- 5 (e) Any person who violates subsection (b) or (c) of this section shall be guilty of a class D
6 felony.

7
8 Section 3. [*Air bag fraud.*]

- 9 (1) Air bag fraud. A person is guilty of air bag fraud when such person, with intent to defraud
10 another person, obtains property from such other person or a third person by knowingly
11 selling, installing or reinstalling any object, including any counterfeit air bag or
12 nonfunctional air bag, as such terms are defined in section 14-106d, as amended by this act,
13 in lieu of an air bag that was designed in accordance with federal safety requirements as
14 provided in 49 CFR 571.208, as amended, and which is proper for the make, model and year
15 of the vehicle, as part of the vehicle inflatable restraint system.

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17 Section 4. [*Severability.*] Insert severability clause.

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19 Section 5. [*Repealer.*] Insert repealer clause.

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21 Section 6. [*Effective Date.*] Insert effective date.