



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1476

PRINTERS NO. 2077

PRIME SPONSOR: Boback

COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	\$0	\$0

SUMMARY: House Bill 1476, printer's number 2077, establishes a freestanding act to be known as the Counterfeit Airbag Prevention Act. The effective date is 60 days after enactment.

ANALYSIS: The bill provides for the Counterfeit Airbag Prevention Act to make it unlawful for any person to do any of the following if the person knows or should know that an airbag is counterfeit, nonfunctional or does not meet Federal safety requirements:

- 1) Make, import, offer to distribute, distribute, offer to sell or sell a counterfeit or nonfunctional airbag;
- 2) Install or reinstall a counterfeit or nonfunctional airbag in any motor vehicle;
- 3) Install or reinstall a counterfeit or nonfunctional airbag so that the vehicle diagnostic system or indicator lights falsely display or register that an airbag is in proper working order;
- 4) Represent a counterfeit or nonfunctional airbag installed or reinstalled in a motor vehicle as an airbag.

The Attorney General may bring a cause of action in the name of the Commonwealth if there is an alleged violation of the act. If the court determines that a violation of the act has occurred, the court may impose civil penalties ranging from \$1,000 for a first violation up to \$5,000 for subsequent violations. The penalty shall be for each separate manufacture, importation, installation, reinstallation, sale or offer for sale of a counterfeit or nonfunctional airbag. Violations of the act are also subject to criminal penalties and are graded as a misdemeanor of the second degree for violations that do not involve bodily injury. If bodily injury or death occurs from a violation of the act, the offense constitutes a felony of the third degree, punishable by a fine of not less than \$5,000 nor more than \$75,000 for each separate offense and/or a term of imprisonment of not more than 20 years.

FISCAL IMPACT:

The enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Lisa Taglang
House Appropriations Committee (R)

DATE: December 1, 2015

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.