

[First Reprint]

ASSEMBLY, No. 3364

STATE OF NEW JERSEY
216th LEGISLATURE

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District 20 (Union)

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SYNOPSIS

Prohibits manufacture, sale, or installation of counterfeit or nonfunctional air bags in motor vehicles.

CURRENT VERSION OF TEXT

As reported by the Assembly Consumer Affairs Committee on May 7, 2015, with amendments.



(Sponsorship Updated As Of: 9/12/2014)

1 AN ACT concerning air bags and supplementing Title 2C of the
2 New Jersey Statutes and P.L.1960, c.39 (C.56:8-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. As used in this section:

8 “Air bag” means a motor vehicle inflatable occupant restraint
9 system, including all component parts, such as the cover, sensors,
10 controllers, inflators, and wiring that operates in the event of a crash
11 and is designed in accordance with federal motor vehicle safety
12 standards for the specific make, model, and year of the motor
13 vehicle in which it is or will be installed.

14 “Counterfeit air bag” means a motor vehicle inflatable occupant
15 restraint system, including all component parts, such as the cover,
16 sensors, controllers, inflators, and wiring, displaying a mark
17 identical or similar to the genuine mark of a motor vehicle
18 manufacturer without authorization from ¹**[such]** the¹
19 manufacturer.

20 “Nonfunctional air bag” means a replacement motor vehicle
21 inflatable occupant restraint system, including all component parts,
22 such as the cover, sensors, controllers, inflators, and wiring that:

23 (1) was previously deployed or damaged;

24 (2) has an electric fault that is detected by the motor vehicle air
25 bag diagnostic system after the installation procedure is completed;
26 or

27 (3) includes any part or object ¹**[,]**¹ including, but not limited
28 to, a counterfeit or repaired air bag cover ¹**[,]**¹ installed in a motor
29 vehicle to mislead the owner or operator of ¹**[such motor]** the¹
30 vehicle into believing that a functional air bag has been installed.

31 b. A person who manufactures, imports, installs, reinstalls,
32 sells, or offers for sale any device with the intent that ¹**[such]** the¹
33 device replace an air bag in any motor vehicle and knows or
34 reasonably should know that the device is a counterfeit ¹**[air bag, a]**
35 or¹ nonfunctional air bag, or does not meet federal safety
36 requirements as provided in 49 ¹**[CFR]** C.F.R. s.¹ 571.208 is guilty
37 of a crime of the fourth degree.

38 c. A person who sells, installs, or reinstalls in any motor
39 vehicle any device that causes the motor vehicle’s diagnostic
40 system to inaccurately indicate that the motor vehicle is equipped
41 with a functional air bag when a counterfeit air bag, a nonfunctional
42 air bag, or no air bag is installed is guilty of a crime of the fourth
43 degree.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACO committee amendments adopted May 7, 2015.

A3364 [1R] QUIJANO, MAINOR

3

- 1 2. A violation of the provisions of subsections b. or c. of
2 P.L. , c. (C.) (pending before the Legislature as this bill)
3 shall be an unlawful practice in violation of P.L.1960, c.39 (C.56:8-
4 1 et seq.). Each manufacture, importation, installation,
5 reinstallation, sale, or offer for sale shall constitute a separate and
6 distinct violation.
7
8 3. This act shall take effect immediately.