

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB690

Hearing Date: Tuesday February 27, 2018
Committee On: Judiciary
Introducer: Blood
One Liner: Adopt the Counterfeit Airbag Prevention Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Baker, Chambers, Ebke, Halloran, Hansen, Krist, Morfeld,
Pansing Brooks

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator Carol Blood
Ember Brillhart

Representing:

Introducer
Honda

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

This bill creates new criminal offenses relating to inflatable occupant restraint systems ("airbags") in motor vehicles.

A person would violate the law and commit a Class IV Felony by engaging in the following acts:

- Knowing and intentional manufacture, import, installation, reinstallation, distribution, sale, or offer for sale of a counterfeit component, non-functional airbag, or component that does not meet federal safety standards;
- Knowing and intentional sale, installation, or reinstallation of a device that interferes with the vehicle's diagnostic system and its ability to warn of a counterfeit, nonfunctional, or missing airbag;
- Knowing and intentional representation to another person that an installed counterfeit or nonfunctional airbag is not counterfeit or nonfunctional; or,
- Causing or assisting another person in violating the Act.

A person convicted of a repeat offense would be guilty of a Class IIIA Felony. A person convicted of violating the Act where bodily injury resulted would be guilty of a Class III Felony. A person convicted of violating the Act where serious bodily injury resulted would be guilty of a Class IIA Felony. A person convicted of violating the Act where death resulted would be guilty of a Class II Felony.

Explanation of amendments:

AM 2283 removes ambiguous language from the definition of "counterfeit supplemental restraint system component" provided in the introduced version of LB 690.

Laura Ebke, Chairperson