

# FINAL BILL REPORT

## SSB 6160

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### C 213 L 16

Synopsis as Enacted

**Brief Description:** Regulating the manufacture, sale, distribution, and installation of motor vehicle air bags.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators O'Ban, Frockt, Fain, Hobbs, Nelson, Rolfes, Conway and Becker).

**Senate Committee on Law & Justice**

**House Committee on Public Safety**

**House Committee on General Government & Information Technology**

**Background:** An air bag is a safety device in motor vehicles that restrains the driver and passengers by quickly inflating and then deflating during a collision. Since 1998 federal law requires the use of dual front air bags in all cars and light trucks sold in the United States. The National Highway Traffic Safety Administration estimates that frontal air bags have saved 25,782 lives between 1987 and 2008. Several auto manufacturers in recent years have conducted safety recalls affecting millions of cars for defects in air bags causing ruptures.

In Washington State, it is a gross misdemeanor to knowingly install, reinstall, or distribute a previously deployed airbag as part of a vehicle's safety restraint system. Whenever a previously deployed air bag is replaced with a new air bag, the air bag must conform to the original equipment manufacturer requirements, and the installer must verify that the air bag is operating properly using a self-diagnostic test.

**Summary:** An air bag includes all parts that operate in the event of a crash and are designed in accordance with federal standards. A counterfeit air bag means a replacement air bag that displays the mark of a manufacturer without authorization. A nonfunctional air bag is an installed replacement which was previously deployed or damaged, has a detected electrical fault, or includes counterfeit parts or a repaired air bag cover. A non-deployed salvage airbag includes a portion of an inflatable restraint system that has not been previously activated or inflated as a result of a collision.

It is a class C felony to knowingly manufacture, import, sell, or offer for sale a device to replace an air bag if the device is a counterfeit air bag, a nonfunctional air bag, or does not otherwise meet federal safety standards. It is a class C felony to sell, install, or reinstall any device that causes the vehicle's diagnostic system to inaccurately indicate that the air bag is functional if the air bag installed is counterfeit or nonfunctional, or where no air bag is

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installed or the installer does not verify that the inflatable restraint system is operating properly using a self-diagnostic system.

**Votes on Final Passage:**

|        |    |   |                    |
|--------|----|---|--------------------|
| Senate | 49 | 0 |                    |
| House  | 96 | 0 | (House amended)    |
| Senate | 48 | 0 | (Senate concurred) |

**Effective:** June 9, 2016