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FISCAL IMPACT REPORT



SPONSOR: Thompson DATE TYPED: 02/06/02 HB 445

SHORT TITLE: Installing Dummy or Damaged Air Bag SB _____

ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)
 Department of Public Safety (DPS)
 Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

House Bill 445 adds a new section to the Criminal Code which creates the crime of installing a dummy or damaged air bag in motor vehicles. An individual who commits this crime is guilty of a misdemeanor.

Significant Issues

Installing dummy or damaged air bags consists of *knowingly* installing or replacing, or *causing* to be installed or replaced in a motor vehicle:

- 1) An object that simulates an air bag with the intent to deceive
- 2) An air bag that is not designed in accordance with federal safety standards for the make, model and year of the motor vehicle
- 3) An air bag that is damaged or tampered with in such a manner that it will not operate according to federal safety standards

FISCAL IMPLICATIONS

There are no direct fiscal implications associated with this bill.

ADMINISTRATIVE IMPLICATIONS

May require training, resource materials and investigative techniques specific to determining legality of air bag installation and proper federal safety standards.

OTHER SUBSTANTIVE ISSUES

It should be noted that §66-8-7 provides that the maximum misdemeanor penalty for violations of the Motor Vehicle Code is a \$300 fine and 90 days imprisonment. However, under the Criminal Code where this proposed law would be placed, sentencing is a \$1,000 fine or up to one year in jail pursuant to §31-19-1.

POSSIBLE QUESTIONS

What would happen if the crime of installing a dummy/damaged air bag results in a motorist's death?

CMH/ar