



Substitute Senate Bill No. 1040

Public Act No. 13-282

AN ACT CONCERNING COUNTERFEIT AND NONFUNCTIONAL AIRBAGS AND UNLAWFUL PARKING IN SPACES RESERVED FOR PERSONS WITH DISABILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 14-106d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) As used in this section:

(1) "Air bag" means a motor vehicle inflatable occupant restraint system, including all component parts, such as the cover, sensors, controllers, inflators and wiring, that (A) operates in the event of a crash, and (B) is designed in accordance with federal motor vehicle safety standards for the specific make, model and year of the motor vehicle in which it is or will be installed.

(2) "Counterfeit air bag" means a motor vehicle inflatable occupant restraint system, including all component parts, such as the cover, sensors, controllers, inflators and wiring, displaying a mark identical or similar to the genuine mark of a motor vehicle manufacturer without authorization from such manufacturer.

(3) "Nonfunctional airbag" means a replacement motor vehicle

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inflatable occupant restraint system, including all component parts, such as the cover, sensors, controllers, inflators and wiring, that (A) was previously deployed or damaged, (B) has an electric fault that is detected by the vehicle airbag diagnostic system after the installation procedure is completed, or (C) includes any part or object, including, but not limited to, a counterfeit or repaired airbag cover, installed in a motor vehicle to mislead the owner or operator of such motor vehicle into believing that a functional airbag has been installed.

[(a)] (b) No person shall manufacture, import, install, reinstall, sell or offer for sale any device with the intent that such device replace an air bag in any motor vehicle if such person knows or reasonably should know that such device is a counterfeit air bag, a nonfunctional air bag or does not meet federal safety requirements as provided in 49 CFR 571.208.

(c) No person shall sell or install or reinstall in any vehicle any device that causes such vehicle's diagnostic system to inaccurately indicate that such vehicle is equipped with a functional air bag when a counterfeit air bag, a nonfunctional air bag or no air bag is installed.

[(b)] (d) A violation of subsection [(a)] (b) or (c) of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b. Each manufacture, importation, installation, reinstallation, sale or offer for sale shall constitute a separate and distinct violation.

[(c)] (e) Any person who violates subsection [(a)] (b) or (c) of this section shall be guilty of a class [A misdemeanor] D felony.

Sec. 2. Subdivision (16) of section 53a-119 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(16) Air bag fraud. A person is guilty of air bag fraud when such

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person, with intent to defraud another person, obtains property from such other person or a third person by knowingly selling, installing or reinstalling any object, including any counterfeit air bag or nonfunctional air bag, as such terms are defined in section 14-106d, as amended by this act, in lieu of an air bag that was designed in accordance with federal safety requirements as provided in 49 CFR 571.208, as amended, and which is proper for the make, model and year of the vehicle, as part of the vehicle inflatable restraint system.

Sec. 3. Subsection (f) of section 14-253a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(f) Only those motor vehicles displaying a plate or placard issued pursuant to this section shall be authorized to park in public or private areas reserved for exclusive use by persons who are blind or persons with disabilities, except that any ambulance, as defined in section 19a-175, which is transporting a patient may park in such area for a period not to exceed fifteen minutes while assisting such patient. Any motor vehicle parked in violation of the provisions of this subsection for the third or subsequent time shall be subject to being towed from such designated area. Such vehicle shall be impounded until payment of any fines incurred is received. No person, firm or corporation engaged in the business of leasing or renting motor vehicles without drivers in this state may be held liable for any acts of the lessee constituting a violation of the provisions of this subsection. Any municipal police officer who observes a motor vehicle parked in violation of this subsection shall issue a written warning or a summons for such violation.

Approved July 12, 2013