

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 05/03/2012
POSITION: Neutral
SPONSOR: Los Angeles District Attorney's Office

BILL NUMBER: AB 1854
AUTHOR: Brownley, Julia

BILL SUMMARY: Vehicles: inflatable restraint systems.

This bill would make it a misdemeanor for a person to sell component parts of a supplemental restraint system (air bag system) that was previously deployed, or to install or modify a vehicle's computer or on-board lighting system to make it falsely appear that air bags are in working order.

FISCAL SUMMARY

There would be no fiscal impact on state agencies. Misdemeanor fines are collected by the courts and distributed primarily to local governments, according to prescribed formulas.

This bill would not result in a reimbursable mandate because costs to local government which result from legislation defining a new crime or changing an existing definition of a crime are not reimbursable.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the April 9th 2012 version are minor and do not alter our position. The May 3, 2012 version provides technical clarifications regarding the definition of supplemental restraint systems.

COMMENTS

The bill promotes vehicle safety by extending misdemeanor charges to activities related to reusing previously deployed airbags or modifying safety systems to make it appear that a nonfunctioning airbag is functioning.

ANALYSIS

1. Programmatic Analysis

Existing Law:

- Establishes misdemeanor penalties for knowingly installing or reinstalling a previously deployed air bag that is part of an inflatable restraint system.

This bill would:

- Make it a misdemeanor to install, reinstall, or modify a vehicle's computer or light system to make it falsely appear that the air bags are in working order.
- Make it a misdemeanor to sell previously deployed air bag components knowing that they were part of a previously deployed air bag system.

Analyst/Principal P. Abahazi	Date	Program Budget Manager Mark Hill	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

Brownley, Julia

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ANALYSIS (continued)

Discussion: In a response to safety concerns that repair shops were installing previously deployed airbags, the law was changed to make it a crime to knowingly install or reinstall an airbag system that has been previously deployed. Some salvage vehicle rebuilders are now using parts of previously deployed systems rather than installing a whole deployed air bag system. Court cases have been dismissed because existing law does not specifically prohibit the use of parts of previously deployed air bag systems, or rewiring a system computer to falsely show that the system is working correctly.

2. Fiscal Analysis

This bill should not result in additional cost to state agencies. Misdemeanor fines are collected by the counts and distributed primarily to local governments, according to prescribed formulas.

This bill would not result in a reimbursable mandate because costs to local government which result from legislation defining a new crime or changing an existing definition of a crime are not reimbursable.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)						Fund Code
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014
2720/CHP	SO	No		-----	No/Minor	Fiscal	-----	0044
<u>Fund Code</u>	<u>Title</u>							
0044	Motor Vehicle Account, STF							