

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB7**

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**Hearing Date:** Wednesday January 23, 2019  
**Committee On:** Judiciary  
**Introducer:** Blood  
**One Liner:** Adopt the Counterfeit Airbag Prevention Act

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

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**Vote Results:**  
**Aye:** 8 Senators Brandt, Chambers, DeBoer, Lathrop, Morfeld, Pansing Brooks, Slama, Wayne  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

<b>Proponents:</b>	<b>Representing:</b>
Senator Carol Blood	Introducer
Ember Brillhart	Honda

<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**

Section 1 Adds sections to the Nebraska Criminal Code

Section 2 Title: Counterfeit Airbag Prevention Act

Section 3 Definitions

- (1) Airbag Inlatable occupant restraint system
- (2) Counterfeit supplemental restraint system component  
Displays mark of manufacturer or supplier without permission
- (3) Nonfunctional airbag  
Previously deployed or damaged, electrical fault, or part that misleads owner that it is functional, prohibited by 42 USC 30120
- (4) Supplemental restraint system  
49 CFR 571.208, operates in crash and designed specifically for vehicle

Section 4 Person violates Act by knowingly and intentionally manufacturing, installing, selling or offers for sale a counterfeit or nonfunctional airbag or restraint system or one that does not meet federal safety requirements. Also knowingly and intentionally installs a device that causes the diagnostic system to fail to warn about a counterfeit or nonfunctional airbag. Causing or assisting a violation of this section.

Section 5 Penalties Violation of Act-Class IV felony. Violation resulting in bodily injury-Class III felony. Violation resulting in serious bodily injury-Class IIA felony. Resulting in death - Class II felony.

Section 6 Repeals original section.

Section 7 Repeals 28-635 which makes it a Class I misdemeanor to install material other than the airbag designed for the vehicle.

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**Explanation of amendments:**

The Committee Amendment addresses two changes to LB 7. First, the definition of nonfunctional airbag is amended to add language to include electric faults detected by diagnostic systems for vehicles that are intended to be transferred as well as those where the work is requested by a customer. Second, the amendment strikes language in the definition of nonfunctional airbag regarding a supplemental restraint system component.

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Steve Lathrop, Chairperson