

AMENDED IN ASSEMBLY APRIL 9, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1854

Introduced by Assembly Member Brownley

February 22, 2012

An act to amend Section 27317 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1854, as amended, Brownley. Vehicles: inflatable restraint systems.

Existing law makes it a misdemeanor for any person to install or reinstall for compensation; or distribute or sell any previously deployed air bag that is part of an inflatable restraint system; if the person knows that the air bag has been previously deployed.

This bill would also make it a misdemeanor for a person, *for compensation*, to install, reinstall, ~~or~~ rewire, *tamper with, alter, or modify* a vehicle's computer system or air bag safety system, including, but not limited to, the air bag safety system on-board lighting indicators, so that it falsely indicates the air bag safety system is in proper working order, and for a person to distribute or sell a previously deployed air bag component, knowing that the air bag component was part of a previously deployed inflatable restraint system.

Because this bill would expand the definition of an existing crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27317 of the Vehicle Code is amended
2 to read:

3 27317. A person who installs, reinstalls, ~~or~~ rewires, *tampers*
4 *with, alters, or modifies* for compensation, a vehicle’s computer
5 system or air bag safety system, including, but not limited to, the
6 air bag safety system on-board lighting indicators, so that it falsely
7 indicates the air bag safety system is in proper working order, or
8 who distributes or sells a previously deployed air bag or air bag
9 component that is part of an inflatable restraint system, knowing
10 that the air bag has been previously deployed or that the air bag
11 component was part of a previously deployed inflatable restraint
12 system, is guilty of a misdemeanor punishable by a fine of *up to*
13 five thousand dollars (\$5,000) or by ~~confinement~~ *imprisonment*
14 in the county jail for *up to* one year, or by both ~~that the~~ *the* fine and
15 ~~confinement~~ *imprisonment*.

16 SEC. 2. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.

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