

AMENDED IN ASSEMBLY MAY 3, 2012

AMENDED IN ASSEMBLY APRIL 9, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1854**

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**Introduced by Assembly Member Brownley**

February 22, 2012

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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, rewire, tamper with, alter, or modify a vehicle's computer system or ~~air bag safety system~~ *supplemental restraint system*, including, but not limited to, the ~~air bag safety system~~ *supplemental restraint system's* on-board ~~lighting~~ *system performance* indicators, so that it falsely indicates the ~~air bag safety system~~ *supplemental restraint system* is in proper working order, and for a person to *knowingly* distribute or sell a previously deployed air bag *or* component, ~~knowing that the air bag component was part of a previously deployed inflatable restraint system~~ *that will no longer meet the original equipment manufacturing form or function for proper operation.*

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, rewires, tampers with,  
4 alters, or modifies for compensation, a vehicle’s computer system  
5 or ~~air bag safety supplemental restraint system~~, including, but not  
6 limited to, the ~~air bag safety system supplemental restraint system’s~~  
7 ~~on-board lighting system performance~~ indicators, so that it falsely  
8 indicates the ~~air bag safety supplemental restraint system~~ is in  
9 proper working order, or who *knowingly* distributes or sells a  
10 previously deployed air bag or *previously deployed* air bag  
11 component that ~~is part of an inflatable restraint system, knowing~~  
12 ~~that the air bag has been previously deployed or that the air bag~~  
13 ~~component was part of a previously deployed inflatable restraint~~  
14 ~~system, will no longer meet the original equipment manufacturing~~  
15 ~~form or function for proper operation~~, is guilty of a misdemeanor  
16 punishable by a fine of up to five thousand dollars (\$5,000) or by  
17 imprisonment in ~~the~~ a county jail for up to one year, or by both  
18 the fine and imprisonment.

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

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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