

VEHICLE RESTRAINT SYSTEM AMENDMENTS

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Craig A. Frank

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code to amend airbag passive restraint system provisions.

Highlighted Provisions:

This bill:

- ▶ clarifies that failure to repair an airbag passive restraint system applies only if the vehicle is being repaired for use on a highway;
- ▶ provides that notice to an owner of a vehicle about requirements to repair the airbag passive restraint system shall be made in a form approved by the Department of Public Safety;
- ▶ allows a person acting under a dismantling permit to render a motor vehicle's airbag passive restraint system inoperable; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6-145.5, as last amended by Chapter 101, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6-145.5** is amended to read:

41-6-145.5. Failure to repair a damaged or deployed airbag -- Penalty.

(1) As used in this section, "person" includes the owner or lessee of a motor vehicle, a body shop, dealer, remanufacturer, salvage rebuilder, vehicle service maintenance facility, or any entity or individual engaged in the repair or replacement of motor vehicles or airbag passive restraint systems.

(2) Except as provided under Subsection (3), if a repair to a vehicle to be used on a highway is initiated, a person who has actual knowledge that a motor vehicle's airbag passive restraint system is damaged or has been deployed may not fail or cause another person to fail to fully restore, arm, and return to original operating condition, the motor vehicle's airbag passive restraint system.

(3) In the course of repairing a motor vehicle, a person who has actual knowledge that the motor vehicle's airbag passive restraint system is damaged or has been deployed shall notify the owner or lessee of the vehicle, in ~~[writing]~~ a form approved by the Department of Public Safety, that the failure to repair and fully restore the motor vehicle's airbag passive restraint system is a class B misdemeanor.

(4) ~~[A]~~ Unless acting under a dismantling permit under Section 41-1a-1010, a person may not remove or modify a motor vehicle's airbag passive restraint system with the intent of rendering the motor vehicle's airbag passive restraint system inoperable.

(5) A person who violates this section is guilty of a class B misdemeanor.