

1 AN ACT

2 relating to counterfeit motor vehicle airbags; providing a penalty.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 547.614, Transportation Code, is amended  
5 to read as follows:

6 Sec. 547.614. RESTRICTIONS ON AIRBAGS. (a) In this  
7 section, "counterfeit airbag" means an airbag that does not meet  
8 all applicable federal safety regulations for an airbag designed to  
9 be installed in a vehicle of a particular make, model, and year.

10 (a-1) A person commits an offense if the person knowingly:

11 (1) installs or purports to install an airbag in a  
12 vehicle; and

13 (2) does not install an airbag or installs a  
14 counterfeit airbag [that meets all applicable federal safety  
15 regulations for an airbag installed in a vehicle of that make,  
16 model, and year].

17 (a-2) A person commits an offense if the person:

18 (1) makes or sells a counterfeit airbag to be  
19 installed in a motor vehicle;

20 (2) intentionally alters an airbag that is not  
21 counterfeit in a manner that causes the airbag to not meet all  
22 applicable federal safety regulations for an airbag designed to be  
23 installed in a vehicle of a particular make, model, and year;

24 (3) represents to another person that a counterfeit

1 airbag installed in a motor vehicle is not counterfeit; or

2 (4) causes another person to violate Subsection (a-1)  
3 or Subdivision (1), (2), or (3) or assists a person in violating  
4 Subsection (a-1) or Subdivision (1), (2), or (3).

5 (b) Except as provided by Subsections (c) and (d), an [An]  
6 offense under this section is a Class A misdemeanor.

7 (c) An offense under this section is a felony of the third  
8 degree if it is shown on the trial of the offense that the defendant  
9 has been previously convicted of an offense under this section.

10 (d) An offense under this section is a felony of the second  
11 degree if it is shown on the trial of the offense that as a result of  
12 the offense an individual suffered bodily injury.

13 SECTION 2. (a) The change in law made by this Act applies  
14 only to an offense committed on or after the effective date of this  
15 Act. For the purposes of this section, an offense is committed  
16 before the effective date of this Act if any element of the offense  
17 occurs before that date.

18 (b) An offense committed before the effective date of this  
19 Act is governed by the law in effect when the offense was committed,  
20 and the former law is continued in effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2007.

David Newkumst

President of the Senate

Tom Caddell

Speaker of the House

I certify that H.B. No. 71 was passed by the House on April 12, 2007, by the following vote: Yeas 143, Nays 0, 3 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 71 was passed by the Senate on May 15, 2007, by the following vote: Yeas 31, Nays 0

Daisy Spaw  
Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3 PM O'CLOCK  
JUN 15 2007  
Roger Williams  
Secretary of State