

STAND. COM. REP. NO. **3129**

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 3158  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3158, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a person from intentionally or knowingly manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale any counterfeit supplemental restraint system component, nonfunctional airbag, or airbag that does not meet federal safety requirements; and
- (2) Prohibit a person from intentionally or knowingly selling, offering for sale, installing, or reinstalling in a motor vehicle any device that causes the motor vehicle's diagnostic systems to fail to warn that the motor vehicle is equipped with a counterfeit supplemental restraint system component or nonfunctional airbag or that no airbag is installed, as applicable.

Your Committee received testimony in support of this measure from the National Insurance Crime Bureau, Hawaii Automobile Dealers' Association, and the Alliance for Automotive Innovation.



Your Committee finds that airbag systems are essential advanced technologies of vehicle supplemental restraint systems that, according to the National Highway Traffic Safety Administration, have saved the lives of tens of thousands of Americans over the past two decades. In order to provide optimum protection, the entire airbag system must work as it was designed; therefore, a single airbag or airbag component that is not functioning correctly can compromise the entire system. Your Committee further finds that foreign and domestic counterfeiters are flooding the market with cheap and ineffective knockoffs and the presence of counterfeit airbags is creating a clear and present public safety risk to consumers. This measure protects Hawaii consumers from persons who knowingly manufacture, import, sell, or install these dangerous counterfeit or nonfunctioning airbag products.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3158, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



