

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 585

Short Title: Air Bag Replacements.

(Public)

Sponsors: Representatives Weatherly; Aldridge, Baker, Brawley, Capps, Clary, Cocklereece, Culp, Decker, Dickson, Edwards, Fox, Hayes, Holmes, Justus, Mercer, Mitchell, Nichols, Pate, Reynolds, Robinson, Sharpe, Shubert, Snowden, Thompson, Tolson, Warner, C. Wilson, and Yongue.

Referred to: Transportation, if favorable, Judiciary II.

March 28, 1995

A BILL TO BE ENTITLED

AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A DAMAGED MOTOR VEHICLE A MISDEMEANOR.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-71.5. Failure to disclose that the air bags have not been replaced on a damaged motor vehicle shall be a misdemeanor.

(a) It shall be unlawful and constitute a Class 2 misdemeanor for any transferor of a vehicle that was originally manufactured with air bags and either:

(1) Was in a collision or other occurrence to the extent that the cost of repairing that vehicle exceeds twenty-five percent (25%) of its fair market value; or

(2) Was a flood vehicle, a reconstructed vehicle, or a salvage motor vehicle, to fail to disclose the fact in writing to the transferee prior to the transfer that the air bags were removed and not replaced during the repair or reconstruction of the vehicle.

1 **(b)** The fact that the air bags were removed and not replaced on any vehicle
2 subject to a branded title under G.S. 20-71.3, shall be noted on the branded title.

3 **(c)** The cost for replacing the air bags, if they have not been replaced during the
4 repair or reconstruction of the motor vehicle, shall be included in determining whether or
5 not the cost of repairing the motor vehicle exceeded twenty-five percent (25%)."

6 Sec. 2. This act becomes effective December 1, 1995.