

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

3

HOUSE BILL 585
Committee Substitute Favorable 5/31/95
Committee Substitute #2 Favorable 6/14/95

Short Title: Air Bag Replacement–Notice.

(Public)

Sponsors:

Referred to:

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 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 to fail to disclose the fact in writing to the transferee prior to the transfer that, during the time that the transferor has owned the vehicle, the air bags were deployed and not replaced, or removed and not replaced.

(b) If the air bags of a vehicle that was issued a salvage vehicle title under G.S. 20-109.1 have been removed or deployed and have not been replaced, that vehicle shall be issued a branded title.

The Division shall collect a fee of five dollars (\$5.00) for annotating the branded title as required by this subsection.

1 (c) Pursuant to G.S. 20-71.4, the cost of replacing an air bag, if it has not been
2 replaced during the repair or reconstruction of a motor vehicle, shall be included in
3 determining whether the cost of repairing the vehicle exceeded twenty-five percent (25%)
4 of the vehicle's fair market retail value."

5 Sec. 2. This act becomes effective July 1, 1996.