

CHAPTER 121

AN ACT concerning air bags and supplementing Title 2C of the New Jersey Statutes and P.L.1960, c.39 (C.56:8-1 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.2C:21-7.5 Definitions relative to air bags.

1. a. As used in this section:

“Air bag” means a motor vehicle inflatable occupant restraint system, or any component part, such as the cover, sensors, controllers, inflators, and wiring, that operates in the event of a crash and is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is or will be installed.

“Counterfeit air bag” means a motor vehicle inflatable occupant restraint system, or any component part of the system, such as the cover, sensors, controllers, inflators, and wiring, displaying a mark identical or similar to the genuine mark of a motor vehicle manufacturer without authorization from the manufacturer.

“Nonfunctional air bag” means a replacement motor vehicle inflatable occupant restraint system, or any component part of the system, such as the cover, sensors, controllers, inflators, and wiring that:

- (1) was previously deployed or damaged;
- (2) has an electric fault that is detected by the motor vehicle air bag diagnostic system after the installation procedure is completed; or
- (3) includes any part or object including, but not limited to, a counterfeit or repaired air bag cover installed in a motor vehicle under circumstances that would lead a reasonable person to believe that a functional air bag has been installed.

b. (1) A person who manufactures, imports, installs, reinstalls, sells, or offers for sale any device that the person knows or reasonably should know is a counterfeit or nonfunctional air bag is guilty of a crime of the fourth degree.

(2) A person who manufactures, imports, installs, reinstalls, sells, or offers for sale any device that is used or intended to be used to replace an air bag in any motor vehicle that the person knows or reasonably should know does not meet federal safety requirements as provided in 49 C.F.R. s.571.208 is guilty of a crime of the fourth degree.

c. A person who sells, installs, or reinstalls in any motor vehicle any device that the person knows or reasonably should know causes the motor vehicle’s diagnostic system to inaccurately indicate that the motor vehicle is equipped with a functional air bag is guilty of a crime of the fourth degree.

C.56:8-199 Violations, unlawful practice.

2. A violation of the provisions of subsection b. or c. of section 1 of P.L.2015, c.121 (C.2C:21-7.5) shall be an unlawful practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.). Each manufacture, importation, installation, reinstallation, sale, or offer for sale shall constitute a separate and distinct violation.

3. This act shall take effect immediately.

Approved November 9, 2015.