



Alaska State Legislature

Senator Matt Claman

Session: State Capitol, Juneau, AK 99801 Phone: 465-4919

Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

Senate Bill 37

Sponsor Statement — Version A

“An Act establishing the crime of airbag fraud.”

Senate Bill 37 establishes the crime of airbag fraud for knowingly selling, installing, or manufacturing a counterfeit or nonfunctioning airbag. Counterfeit airbags are highly dangerous as they can be left empty or filled with sawdust and newspaper and may improperly deploy or not deploy at all. Currently in Alaska, there is no law to prohibit the installation or reinstallation of airbags that do not meet federal safety standards. By establishing airbag fraud, Senate Bill 37 prohibits dangerous actors from knowingly selling, installing, or manufacturing these dangerous and improper devices.

Similar legislation already exists in 30 states. For example, the Michigan Penal Code establishes airbag fraud as a felony punishable by four years of imprisonment or a fine of \$10,000.00. Michigan defines airbag fraud as knowingly and intentionally importing, manufacturing, offering for sale, distributing, installing, or reinstalling counterfeit or nonfunctioning airbag.

In October 2021, the non-profit corporation Automotive Anti-Counterfeiting Council (A2C2) called on eBay to prohibit the sale of all airbags after counterfeit airbags and related components were shown to be consistently available for sale on the site.

Senate Bill 37 creates criminal liability for the crime of airbag fraud. It protects owners and employees of motor vehicle dealerships if they are unaware of counterfeit parts in a vehicle. It does not create a duty for owners and employees to inspect a vehicle for counterfeit parts before selling it.