

34TH ALASKA STATE LEGISLATURE

Session

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House Judiciary Committee, Chair

House Military and Veterans'
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Joint Armed Services Committee,
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House Health and Social Services
Committee

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REPRESENTATIVE ANDREW GRAY

Statement of Changes from

HB 74 (34-LS0455\A)

to

CSHB 74 (JUD) 34-LS0455\N)

CRIME COUNTERFEIT/NONFUNCTIONING AIRBAG

“An Act requiring used vehicle safety inspections; establishing the crime of airbag fraud; and relating to airbag disclosures.”

New title from previous version.

Section 1. New from previous version. Amends AS 08.66 to add a new section requiring registered vehicle dealers to inspect used vehicles prior to sale and imposing civil penalties (as established by the Department of Administration in regulation) for failures to inspect.

Section 2. Revised Section 1 from previous version defining the crime of airbag fraud. Expands the definition in AS 28.35.248 to include the intentional sale, lease, or trade of a vehicle when the seller knows or should have known that the vehicle does not comply with federal safety regulations or has a counterfeit of nonfunctioning airbag; replaces the enumerated exceptions with a general safe harbor provision that protects sellers who provide written disclosure; removes the subsection on civil liability and the duty to disclose; broadens the definitions of nonfunctioning and counterfeit airbags; and enhances the crime to a class B felony if the criminal conduct results in the death of another.

Section 3. New from previous version. Adds a new chapter to AS 28 to impose affirmative disclosure requirements on motor vehicle sellers related to whether airbags have been replaced or, if the seller is an insurance company, deployed and the vehicle declared a total loss.