STAND. COM. REP. NO. 212

Honolulu, Hawaii

FEB 2 8 2020

RE: S.B. No. 3158 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

## Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3158, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a person from intentionally or knowingly manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale any counterfeit supplemental restraint system component, nonfunctional airbag, or airbag that does not meet federal safety requirements; and
- (2) Prohibit a person from intentionally or knowingly selling, offering for sale, installing, or reinstalling in a motor vehicle any device that causes the motor vehicle's diagnostic systems to fail to warn that the motor vehicle is equipped with a counterfeit supplemental restraint system component or nonfunctional airbag or that no airbag is installed, as applicable.

Your Committee received testimony in support of this measure from the National Insurance Crime Bureau, Hawaii Automobile Dealers' Association, and the Alliance for Automotive Innovation.

Your Committee finds that airbag systems are essential advanced technologies of vehicle supplemental restraint systems that, according to the National Highway Traffic Safety Administration, have saved the lives of tens of thousands of Americans over the past two decades. In order to provide optimum protection, the entire airbag system must work as it was designed; therefore, a single airbag or airbag component that is not functioning correctly can compromise the entire system. Committee further finds that foreign and domestic counterfeiters are flooding the market with cheap and ineffective knockoffs and the presence of counterfeit airbags is creating a clear and present public safety risk to consumers. This measure protects Hawaii consumers from persons who knowingly manufacture, import, sell, or install these dangerous counterfeit or nonfunctioning airbag products.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3158, S.D. 1, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*  SB 3158 SD	Committee Referral: Date: 2/25/2020				
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)				-	
KEOHOKALOLE, Jarrett (VC)					
GABBARD, Mike					
KIM, Donna Mercado				<u> </u>	
FEVELLA, Kurt				<u> </u>	
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TOTAL		4			
Recommendation:  Adopted			Not Adopted		
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes