



March 2, 2023

The Honorable Shannon Francis
Chair, House Transportation Committee
Kansas State Capitol
300 SW 10th Street
Topeka, Kansas 66612

**RE: SB 106 – Counterfeit Airbags
Auto Innovators Position: Support**

Dear Chair Francis:

I am writing on behalf of the Alliance for Automotive Innovation¹ (Auto Innovators) to express our support for Senate Bill 106, which seeks to prevent the trafficking of counterfeit supplemental restraint systems and nonfunctional airbags.

Supplemental restraint systems, commonly referred to as airbags, are one of the most important safety features of today's automobile. These devices have saved countless lives and reduced the severity of injury of those involved in automobile accidents an immeasurable number of times.

Counterfeit airbags present a serious public safety risk to consumers. Counterfeit airbags are known to malfunction by either failing to inflate or by inflating but expelling dangerous shrapnel. We believe regulation of counterfeit airbags will play an important role in maintaining the integrity of this life-saving device.

The United States has been inundated with counterfeit supplemental restraint systems and nonfunctional airbags that are sold across the nation and have resulted in serious injury and death to motorists. The significant majority of these airbags are imported from China, sold online and then installed in the vehicle of an unknowing consumer. While federal authorities have been highly supportive of efforts to stop the flow of these oftentimes-deadly products, federal authority to prosecute is limited. Federal authorities can only act in defense of federal trademark law, and because many of the airbags do not carry a registered trademark, the counterfeit airbags and supplemental restraint systems cannot be seized.

¹ *From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers, and semiconductor makers – the Alliance for Automotive Innovation (Auto Innovators) represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. Active in Washington, D.C., and all 50 states, the association is committed to a cleaner, safer, and smarter personal transportation future.*

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To combat this problem, automakers and other interested stakeholders have worked to support federal and state law enforcement investigations and prosecutions, and worked to pass state laws that give law enforcement the tools they need to prosecute these bad actors.

Similar legislation has successfully passed in 30 states and we urge you to give law enforcement in Kansas the same tools. If I can answer any questions or provide any further information, please do not hesitate to contact me at nsteingart@autosinnovate.org

Thank you for your consideration.

Sincerely,



Nick Steingart
Director, State Affairs

