AN ACT concerning motor vehicles; relating to devices that are counterfeit supplemental restraint system components and nonfunctional airbags; the uniform act regulating traffic on highways; creating the crime of knowingly or intentionally manufacturing, importing, distributing, selling, offering for sale, installing or reinstalling such devices counterfeit supplemental restraint system components and nonfunctional airbags and providing for criminal penalties for violation thereof; expanding permitted lighting equipment on vehicles to include all ground effect lighting; amending K.S.A. 8-1723 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) No person shall knowingly or intentionally manufacture, import, distribute, sell, offer for sale, install or reinstall a device intended to replace a supplemental restraint system component if the device is:

(1) A counterfeit supplemental restraint system component;
(2) a nonfunctional airbag; or
(3) any object in lieu of a supplemental restraint system component that was not designed in accordance with federal safety regulations for the make, model and year of the motor vehicle in which such device is or will be installed.

(b) Violation of subsection (a) shall be a class A nonperson misdemeanor.
(c) As used in this section:
(1) "Airbag" means a motor vehicle inflatable occupant restraint system device that is part of a supplemental restraint system.
(2) "Counterfeit supplemental restraint system component" means a replacement supplemental restraint system component that displays a mark identical or substantially similar to the genuine mark of a motor vehicle manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from that manufacturer or supplier.
(3) "Nonfunctional airbag" means a replacement airbag that:
(A) Was previously deployed or damaged;
(B) has an electric fault that is detected by the motor vehicle's
diagnostic systems when the installation procedure is completed and the
motor vehicle is returned to the customer who requested the work to be
performed or when ownership is intended to be transferred;
(C) includes a part or object, including a supplemental restraint
system component, installed in a motor vehicle to mislead the owner or
operator of the motor vehicle into believing that a functional airbag has
been installed; or
(D) is prohibited from being sold or leased in accordance with 49
(4) "Supplemental restraint system" means a passive inflatable motor
vehicle occupant crash protection system designed for use in conjunction
with active restraint systems as described in 49 C.F.R. § 571.208. A
supplemental restraint system includes:
(A) Each airbag installed in accordance with the motor vehicle
manufacturer's design; and
(B) all components required to ensure that an airbag operates as
designed in the event of a crash and in accordance with the federal motor
vehicle safety standards for the specific make, model and year of the motor
vehicle.
(d) This section shall be a part of and supplemental to the uniform act
regulating traffic on highways.

Sec. 2. K.S.A. 8-1723 is hereby amended to read as follows: 8-
1723. (a) Any motor vehicle may be equipped with not more than two
side cowl or fender lamps which shall emit an amber or white light
without glare.
(b) Any motor vehicle may be equipped with not more than one
running-board courtesy lamp on each side which shall emit a white or
amber light without glare.
(c) Any motor vehicle may be equipped with one or more back-up
lamps either separately or in combination with other lamps, but any
such back-up lamp or lamps shall not be lighted when the motor
vehicle is in forward motion.
(d) Any vehicle 80 inches or more in overall width, if not
otherwise required by K.S.A. 8-1710, and amendments thereto, may
be equipped with not more than three identification lamps showing to
the front which shall emit an amber light without glare and not more
than three identification lamps showing to the rear which shall emit a
red light without glare. Such lamps shall be mounted as specified in
subsection (g) of K.S.A. 8-1710(g), and amendments thereto.
(e) Any vehicle may be equipped with one or more side marker
lamps and any such lamp may be flashed in conjunction with turn or
vehicular hazard warning signals. Side marker lamps located toward
the front of a vehicle shall be amber and side marker lamps located
toward the rear shall be red.

(f) Any motor vehicle may be equipped with neon ground effect
lighting, except that such lighting shall not flash, be any shade of red
nor shall any portion of the neon tubes bulb or lighting fixture be visible.
"Neon—Ground effect lighting" means neon tubes lights placed
underneath the motor vehicle for the purpose of illuminating the
ground below the motor vehicle creating a halo light effect.

(g) Any motor vehicle may be equipped with head lamps which
alternately flash or simultaneously flash when such motor vehicle is
being used as the lead motor vehicle of a funeral procession. A funeral
hearse may serve as a funeral lead vehicle.}

Sec. 3. K.S.A. 8-1723 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its
publication in the statute book Kansas register.