

**321.71A Counterfeit, nonfunctional, and unsafe air bags.**

1. As used in [this section](#):

a. “*Counterfeit air bag*” means an air bag displaying a mark identical or similar to the genuine mark of a motor vehicle manufacturer without authorization from the manufacturer.

b. “*Nonfunctional air bag*” means an air bag that was previously deployed or damaged, or has an electric fault that is detected by a motor vehicle’s air bag diagnostic system after the air bag is installed in the motor vehicle.

2. A person who manufactures, imports, installs, reinstalls, sells, or offers to sell any device with the intent that the device replace an air bag in a motor vehicle, and who knows that the device is a counterfeit air bag, nonfunctional air bag, or air bag that does not comply with federal safety requirements as provided in [49 C.F.R. §571.208](#), is guilty of an aggravated misdemeanor.

3. A person who manufactures, imports, installs, reinstalls, sells, offers to sell, or tampers with any device that causes a motor vehicle’s diagnostic system to inaccurately indicate that the motor vehicle is equipped with a functional air bag when a counterfeit or nonfunctional air bag is installed, or when no air bag is installed, with the intent to mislead the owner or operator of the motor vehicle into believing that the motor vehicle is equipped with a functional air bag, is guilty of an aggravated misdemeanor.

4. A violation of [this section](#) is an unlawful practice under [section 714.16](#).

[2001 Acts, ch 94, §1](#); [2015 Acts, ch 72, §2, 4](#)

Referred to in [§714H.3](#)