

November 5, 2019

Representative Jack O'Malley  
Chair, Michigan House Transportation Committee  
S-1385 House Office Building  
P.O. Box 30014  
Lansing, MI 48909

**Re: Support for House Bill 4923 and House Bill 4924**

Dear Representative O'Malley and Members of the House Transportation Committee,

On behalf of the Automotive Anti-Counterfeiting Council, Inc. (A2C2), and our membership, I write to express our strong support for House Bill 4923 and House Bill 4924, which combine to prohibit the trafficking of replacement counterfeit and nonfunctional airbags and supplemental restraint systems (SRS), and impose a felony penalty for these violations in Michigan.

The A2C2 is a collaborative industry group comprised of BMW, FCA US, Ford, General Motors, Honda, Hyundai, Kia, Nissan, Subaru, Toyota, Volkswagen Group of America, and their subsidiary brands. Our mission is collaboration among automakers and their partners that strives to eliminate counterfeit automotive components that could harm U.S. consumers. A2C2 is a platform for member companies to collaborate with federal and state authorities in response to increasing trends in automotive counterfeiting.

The emergence and increase of counterfeit airbags and other critical safety parts in the marketplace is extremely troubling, as they jeopardize the safety of vehicle occupants. In October 2012, the National Highway Traffic Safety Administration (NHTSA) and multiple federal law enforcement agencies issued a consumer advisory<sup>1</sup> alerting vehicle owners and repair professionals to the dangers of counterfeit airbags and their prevalence in the marketplace. Airbags are a key component of vehicle supplemental restraint systems, which are credited with saving countless lives nationwide over the course of their history. A single counterfeit airbag or SRS component part can disrupt an entire SRS system and put occupants at risk for serious injury. Because of the complexity of such parts and the need for effective quality control, many counterfeiters refrain from attempting to replicate the life-saving technology contained in SRS systems. For example, many of the counterfeit airbags that have been recovered and examined in recent years were filled with newspaper or other debris.

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<sup>1</sup> NHTSA / ICE Safety Advisory Alerting Consumers to Dangers of Counterfeit Air Bags:  
<https://www.ice.gov/news/releases/nhtsa-ice-alert-consumers-dangers-counterfeit-air-bags>



While federal law addresses counterfeiting in a broader sense, the A2C2 feels that state legislation prohibiting the trafficking, sale or installation of counterfeit and nonfunctional airbags and supplemental restraint systems is important because it provides an additional disincentive to would-be counterfeiters and unscrupulous repair shops. While Michigan has laws prohibiting the installation and reinstallation of junk products, it does nothing to protect consumers against the truly bad actors who knowingly and intentionally manufacture, import and sell these products en masse.

A2C2 commends the 22 states that have already enacted similar legislation to address this problem, and urges Michigan to join them. If you have any questions, or if the A2C2 can otherwise be of assistance to you, please do not hesitate to let me know.

Thank you for your time and consideration.

Sincerely,



Joseph Cammiso  
President  
Automotive Anti-Counterfeiting Council, Inc.  
[www.a2c2.com](http://www.a2c2.com)



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