



State of Tennessee

PUBLIC CHAPTER NO. 227

HOUSE BILL NO. 536

By Representatives Whitson, Howell, White, Hazlewood, Tillis, Hardaway

Substituted for: Senate Bill No. 1492

By Senators Bailey, Reeves, White

AN ACT to amend Tennessee Code Annotated, Title 55, relative to airbags and similar restraint system components.

WHEREAS, vehicles made by nineteen different automobile manufacturers (known in industry terms as original equipment manufacturers (OEMs)) have been recalled to replace frontal airbags on the driver's side or passenger's side, or both, in what the United States National Highway Traffic Safety Administration has called "the largest and most complex safety recall in U.S. history"; and

WHEREAS, the airbag inflators, made by major parts supplier Takata Corporation (Takata), were installed in cars from model year 2000 through 2018, and approximately 37 million vehicles equipped with 50 million Takata non-desiccated airbag inflators are currently under recall; and

WHEREAS, OEMs are committed to notifying consumers of necessary airbag repairs and ensuring consumers make required repairs on affected vehicles, which can be completed at dealerships across the United States at no cost to the consumer; and

WHEREAS, progress is being made to notify affected consumers and increase recall repairs of these airbags; the State of Tennessee is committed to supporting OEMs and other efforts to bolster awareness and ensure consumer safety related to the Takata recall; and

WHEREAS, other states have coordinated with OEMs to send letters from their various departments of motor vehicles to affected consumers of the Takata airbag recall, with all related costs of such letters being borne by the OEMs, and have experienced success in increasing the repair rate of vehicles affected by the recall; and

WHEREAS, the General Assembly encourages the Department of Revenue to study additional ways to notify registrants during the registration and renewal process for affected vehicles with an outstanding recall related to airbags manufactured by Takata; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 2, is amended by adding the following as a new section:

(a) The commissioner is authorized to coordinate with original equipment manufacturers that have issued a major recall and have requested assistance from the department, including those manufacturers that have issued a recall related to airbags manufactured and installed in vehicles between the years 2000 and 2018, to contact, via mail or other notice method, registrants who may be affected by a major recall and to provide notice of the recall and the availability of repair options. If the commissioner elects to issue the mailings or notices contemplated in this section, the original equipment manufacturers shall bear the costs associated with such mailings or notices.

(b) The commissioner is further authorized to disclose the personal information of the owner of any vehicle affected by such a recall to original equipment manufacturers for use in contacting the owner regarding the recall, as a matter of public safety pursuant to § 55-25-107(b)(14). An original equipment manufacturer or employee of the original equipment manufacturer who receives personal information under this subsection (b) shall not disclose such information to any person other than the person to whom it relates, except as otherwise may be authorized by law.

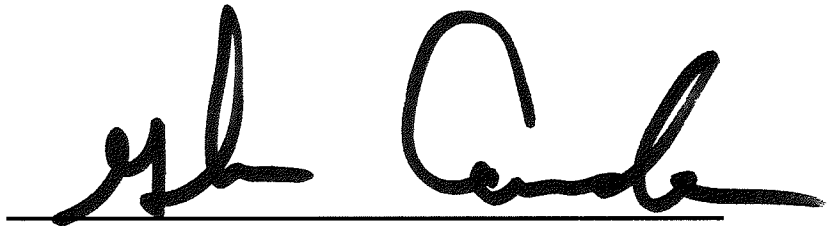
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(c) In no event shall any action or inaction as authorized by this section be construed to impose liability of any kind on the state of Tennessee, or any agency, or employee thereof for any claims or damages related to or associated with any recall repair or failure to obtain repairs.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 15, 2019



GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 30th day of April 2019



BILL LEE, GOVERNOR