

**SENATE . . . . . No.**

---

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas M. McGee**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act provide for an air bag on-off switch to ensure safety to women.

PETITION OF:

NAME:

Thomas M. McGee

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01396 OF 2007-2008.]

## The Commonwealth of Massachusetts

---

In the Year Two Thousand and Nine

---

AN ACT PROVIDE FOR AN AIR BAG ON-OFF SWITCH TO ENSURE SAFETY TO WOMEN.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is  
2 hereby amended by placing after Section 61 the following section:-  
3 Every licensed dealer and repair business in the Commonwealth shall provide consumers with a summary  
4 of the final rule from the Department of Transportation, National Highway Traffic Safety Administration,  
5 49 CFR Parts 571 and 595 [Docket No. NHTSA-97-3111-1] and the request form, when consumer is  
6 purchasing, leasing or renting vehicle or at time of first check-up on bought, leased, or rented vehicle.  
7 Said licensed dealer and repair business shall obtain from the consumer certification in writing that such  
8 summary and request form was provided.

9

10 In accordance with the provisions a summary shall include the provisions stating vehicle owners are able  
11 to receive an air bag ON-OFF switch, installed for one or both the air bags in their vehicles if they, or  
12 users of their vehicle, fall into one or more specific risk groups below:

- 13 1. Individuals with medical conditions where the risks of a deploying air bag exceed the risk  
14 of impacting the steering wheel, dashboard or windshield in the absence of an air bag  
15 including but not limited to pregnant women. (For both driver and passenger side.)
- 16 2. Individuals who cannot position themselves to properly operate the vehicle with  
17 breastbone at least 10 inches back from the center of the steering wheel air bag cover.  
18 (For driver side only.)
- 19 3. Individuals with the need to transport an infant in a rear-facing child restraint in the front  
20 seat because the vehicle has no rear seat, the rear seat is too small to accommodate a rear-  
21 facing child restraint, or because it is necessary to constantly monitor the child's medical  
22 condition. (For passenger side only.)

23 Individuals with the need to carry children between one year old and 12 years old in the front seat because  
24 the vehicle has no rear seat, the consumer must carry more children than can be accommodated in the rear  
25 seat, or because it is necessary to constantly monitor a child's medical condition. (For passenger side  
26 only).

27