

Alexander Brangman

May 18, 2018

Honorable Lorena Gonzalez Fletcher  
Chairperson, California Assembly on Appropriations  
California State Assembly  
State Capitol, Room 2114  
Sacramento, CA 95814

**Re: AB 2873 (Low): Safety Recalls – SUPPORT**

Dear Chairperson Gonzalez Fletcher:

My precious, beautiful, talented daughter Jewel was only 26 years old when she was killed by an unrepaired recalled Takata airbag in a Honda Civic she rented from Sunset Car Rental in San Diego. She was a gifted gymnast, gymnastics teacher and model. Jewel received her Master's Degree at 23 years old, from Hofstra University and prior to her passing she and I were preparing a plan for her Ph.D. at Stanford. Upon receiving her Ph.D., she intended to write children's books and open her own family therapy practice. She was full of life and an absolute joy to all of us who were close to her.

Soon after she rented the car, Jewel was in a low-speed collision involving a string of cars, barely more than a fender-bender. Everyone else walked away. No one else in that crash had their airbags deploy. Jewel would have walked away too, except for the ticking time-bomb Takata airbag in that recalled car, which was like a grenade going off, shooting metal fragments into the passenger compartment. One of the fragments severed Jewel's carotid artery.

The preventable tragedy that claimed Jewel's life, and changed my life forever, happened on September 7, 2014. Jewel was the eighth known victim of Takata's deadly airbags. Since then at least 14 other people – students, mothers, fathers, sisters, brothers, grandparents, and children – have been killed by exploding Takata airbags. At least another 230 more have been maimed, including sustaining severe facial lacerations, suffering brain damage, and being blinded.

According to data recently released by U.S. Senator Nelson, California is one of the worst states, in terms of the numbers of fatalities and injuries due to unrepaired recalled cars equipped with deadly Takata airbags. According to the National Highway Traffic Safety Administration, more than 37 million recalled cars with potentially explosive Takata airbags are still on our nation's roads.

Given the serious risks posed by those millions of vehicles, and cars with other life-threatening safety defects that are under recall, I strongly urge enactment of AB 2873. This bill will save lives, and extend the protections that exist for consumers who rent vehicles from traditional rental car companies

to Personal Vehicle Sharing Programs, in a way that is appropriate and workable, given the PVSPs' different business model.

In fact, the safety standard set by AB 2873 is even higher, and more protective, than the existing standard for rental car companies, since (unlike rental car companies) the PVSPs do not receive the safety recall notices, as they are not the owners of the cars. Therefore, unlike the rental car companies, they would not have a 48-hour window for removing recalled vehicles from their platform. They also do not oversee the repairs, so they would not be allowed to facilitate transactions involving vehicles that have undergone only an "interim" repair. Instead, they must wait for the final repair to be completed.

Turo and GetAround should be commended for being pro-active and not waiting for a tragedy to occur, involving a vehicle offered via their platform, to assume responsibility for ensuring that the vehicles they offer are free from known safety defects that have led to a federal motor vehicle safety recall.

I strongly urge you to do all that you can to ensure that AB 2873 is enacted this year. If the federal law had not been delayed due to opposition from various special interests, my precious Jewel would in all likelihood still be alive today. To delay enactment of AB 2873 is to put peoples' lives at risk.

Sincerely,

*Alexander Branfman*