

1 A bill to be entitled
 2 An act relating to consumer protection; creating s.
 3 501.20795, F.S.; requiring retail tire dealers to disclose
 4 to purchasers the date of manufacture and certain warnings
 5 relating to the age of tires; providing certain
 6 exceptions; providing that a violation of the act is a
 7 deceptive and unfair trade practice; providing penalties;
 8 requiring the Department of Legal Affairs to adopt rules;
 9 providing an effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Section 501.20795, Florida Statutes, is created
 14 to read:

15 501.20795 Disclosure of age of tires by retail tire
 16 dealers.-

17 (1) A retail tire dealer shall, no later than the time of
 18 sale, before dismounting a tire to be replaced by a new or used
 19 passenger or light truck tire sold by the dealer and before
 20 mounting a new or used passenger or light truck tire sold by the
 21 dealer, provide a written disclosure of the age of the
 22 replacement tire to the purchaser. The disclosure must be
 23 initialed and dated by the purchaser, who must be given a copy,
 24 and the dealer must retain the original for at least 3 years.

25 The disclosure shall include the following information:

26 (a) The week and year the tire was manufactured;

27 (b) The length of the remaining factory warranty on the
 28 tire; and

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29 (c) The following statement:

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31 "Passenger and light truck tires, including spare
32 tires and tires that are stored or have had little or
33 no use, deteriorate as they age and are more prone to
34 sudden failure that can cause a crash. Heat caused by
35 hot climates or frequent high-loading conditions can
36 accelerate the aging process. Most vehicle
37 manufacturers recommend that passenger or light truck
38 tires be replaced after 6 years, regardless of the
39 remaining tread depth."

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41 (2) This section does not affect any rights or duties
42 provided under other applicable laws.

43 (3) This section does not apply to the private sale of
44 used tires or tires on used vehicles.

45 (4) (a) A violation of this section is a deceptive and
46 unfair trade practice under this part and rules adopted under
47 this part.

48 (b) In addition to other penalties applicable under this
49 part, a person who violates this section shall pay a civil
50 penalty not to exceed \$250 for each violation.

51 (5) All penalties collected under this section shall be
52 deposited into the General Inspection Trust Fund and used to pay
53 expenses incurred in the enforcement of this section.

54 (6) The department shall adopt rules to administer this
55 section.

56 Section 2. This act shall take effect July 1, 2010.