

By Senator Evers

2-00666-11

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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  
4           disclose to purchasers the date of manufacture and  
5           certain warnings relating to the age of tires;  
6           providing certain exceptions; providing that a  
7           violation of the act is a deceptive and unfair trade  
8           practice; providing penalties; requiring the  
9           Department of Legal Affairs to adopt rules; providing  
10          an effective date.

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

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

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

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

26 The disclosure shall include the following information:

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

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

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30 (c) The following statement:

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

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

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

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

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

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

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

57 Section 2. This act shall take effect July 1, 2011.