

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 of used  
 5           tires and certain warnings relating to the age of  
 6           tires; providing certain exceptions; providing for  
 7           enforcement by administrative action of the Department  
 8           of Agriculture and Consumer Services; providing for  
 9           administrative fines; specifying that the provisions  
 10          of the act are not enforceable by private action;  
 11          providing for deposit and use of fines collected;  
 12          requiring the Department of Legal Affairs to adopt  
 13          rules; providing an effective date.

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

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 17           Section 1.   Section 501.20795, Florida Statutes, is created  
 18   to read:

19           501.20795 Disclosure of age of used tires sold by retail  
 20   tire dealers.-

21           (1) (a) A retail tire dealer selling a used passenger or  
 22   light truck tire shall, before dismounting the tire to be  
 23   replaced by the used tire, before mounting the used tire, or at  
 24   the time of sale, whichever occurs first, provide the purchaser  
 25   with a written disclosure of the age of the used tire.

26           (b) The disclosure must include:

27           1. The week and year that the tire was manufactured.

28           2. The statement, "Passenger and light truck tires,

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

36 (c) The disclosure must be initialed and dated by the  
37 purchaser. The dealer shall provide a copy of the disclosure to  
38 the purchaser and retain the original for at least 3 years.

39 (2) This section does not:

40 (a) Affect any rights or duties provided under other  
41 applicable laws.

42 (b) Apply to the private sale of used tires or tires on  
43 used vehicles.

44 (3) The Department of Agriculture and Consumer Services  
45 may enforce this section through administrative action with a  
46 fine of not more than \$250 for each violation. This section is  
47 not enforceable by private action.

48 (4) All fines collected under this section shall be  
49 deposited into the General Inspection Trust Fund and used to pay  
50 expenses incurred in the enforcement of this section.

51 (5) The department shall adopt rules to administer this  
52 section.

53 Section 2. This act shall take effect July 1, 2013.