

By Senator Simmons

10-00722-13

2013700__

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; requiring the dealer to provide a copy of the
7 disclosure to the purchaser and retain the original
8 for a specified period; providing applicability;
9 providing for enforcement by administrative action of
10 the Department of Agriculture and Consumer Services;
11 providing for administrative fines; specifying that
12 the provisions of the act are not enforceable by
13 private action; providing for deposit and use of fines
14 collected; requiring the Department of Legal Affairs
15 to adopt rules; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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

21 501.20795 Disclosure of age of used tires sold by retail
22 tire dealers.-

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

28 (b) The disclosure must include:

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

10-00722-13

2013700__

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

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

41 (2) This section does not:

42 (a) Affect any rights or duties provided under other
43 applicable laws.

44 (b) Apply to the private sale of used tires or tires on
45 used vehicles.

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

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

53 (5) The department shall adopt rules to administer this
54 section.

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