

By Senator Simon

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1 A bill to be entitled
2 An act relating to flat-rate tire installations or
3 replacements; creating s. 559.912, F.S.; defining the
4 term "flat-rate tire installation or replacement";
5 authorizing motor vehicle repair shops to comply with
6 certain requirements for transactions that consist
7 exclusively of flat-rate tire installation or
8 replacement; requiring motor vehicle repair shops to
9 provide specified notice to customers before accepting
10 payment for a flat-rate tire installation or
11 replacement; providing requirements and authorizations
12 for motor vehicle repair shops that are unable to
13 complete work by a specified completion date;
14 requiring motor vehicle repair shops to give a full
15 refund within a specified timeframe to customers who
16 cancel a flat-rate tire replacement or installation;
17 requiring motor vehicle repair shops to expeditiously
18 reassemble a motor vehicle upon such cancellation;
19 providing exceptions; prohibiting a motor vehicle
20 repair shop from billing a customer for charges
21 related to such reassembly; providing an effective
22 date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Section 559.912, Florida Statutes, is created to
27 read:

28 559.912 Flat-rate tire installation or replacement.-
29 (1) As used in this section, the term "flat-rate tire

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30 installation or replacement” means a transaction in which a set
31 price is charged to the customer for all labor, parts, and fees
32 associated with a tire installation or replacement regardless of
33 time spent completing the installation or replacement, and the
34 full price is paid before any work is commenced. Tire
35 installation or replacement includes services that are necessary
36 to the installation or replacement of tires, including, but not
37 limited to, tire mounting, rotation, and balancing, but it does
38 not include any repair or maintenance work on the wheels or
39 axles.

40 (2) (a) If a transaction consists exclusively of a flat-rate
41 tire installation or replacement, the motor vehicle repair shop
42 may comply with this subsection in lieu of the estimate
43 requirements under s. 559.905 and the invoice requirements under
44 s. 559.911.

45 (b) Before accepting any payment from the customer for a
46 flat-rate tire installation or replacement, the motor vehicle
47 repair shop must provide the customer with a written invoice
48 that includes all of the following items:

49 1. The name, address, telephone number, and registration
50 number of the motor vehicle repair shop.

51 2. The name, address, and telephone number of the customer.

52 3. The date and time of the transaction.

53 4. The year, make, model, odometer reading, and license tag
54 number of the motor vehicle.

55 5. A work completion date.

56 6. A general description of the work or service relating to
57 the motor vehicle that is being performed and an itemized
58 accounting of the cost of each good and service provided as well

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59 as any fees.

60 7. A statement indicating what, if anything, is guaranteed
61 in connection with the repair work and the time and mileage
62 period for which the guarantee is effective.

63 8. A statement allowing the customer to indicate whether
64 replaced parts should be saved for inspection or return.

65 9. A statement indicating the daily charge for storing the
66 customer's motor vehicle after the customer has been notified
67 that the work has been completed. However, storage charges may
68 not accrue or be due and payable for a period of 3 working days
69 after the date of such notification.

70 (3) A motor vehicle repair shop that gives a work
71 completion date pursuant to subparagraph (2)(b)5. and is not
72 able to complete the work by such date must promptly notify the
73 customer and give him or her the option of canceling the
74 transaction. The shop may also provide the customer with the
75 option of accepting a modified work completion date.

76 (4) A motor vehicle repair shop that cannot complete the
77 work described on a flat-rate tire installation or replacement
78 invoice without additional charges must promptly notify the
79 customer and give the customer the option to cancel the flat-
80 rate tire installation or replacement. The shop may also provide
81 the customer with an estimate for the entire scope of work to be
82 performed, including a full credit for the prepaid amount. Any
83 estimate provided pursuant to this subsection must comply with
84 the estimate and disclosure requirements under s. 559.905. If
85 the customer agrees to the additional charges, the shop must
86 comply with the requirements under s. 559.911.

87 (5) (a) If a customer cancels a flat-rate tire replacement

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88 or installation pursuant to subsection (3) or subsection (4),
89 the motor vehicle repair shop must give the customer a full
90 refund for the transaction within 48 hours after the
91 cancellation. Upon cancellation, the motor vehicle repair shop
92 must expeditiously reassemble the motor vehicle in a condition
93 reasonably similar to the condition in which it was received
94 unless:

95 1. The customer waives the reassembly requirement in
96 writing; or

97 2. The reassembled vehicle would be unsafe.

98 (b) A motor vehicle repair shop may not bill the customer
99 for charges related to reassembly.

100 Section 2. This act shall take effect July 1, 2023.