

A bill to be entitled

An act relating to consumer protection; creating s. 501.20795, F.S.; requiring retail used tire dealers to disclose the purchasers certain warnings relating to the age of used tires; providing certain exceptions; providing that the violation of the act is a deceptive and unfair trade practice; providing penalties; requiring the Department of Legal Affairs to adopt rules; providing an effective date.

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

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

501.20795 Disclosure of the age of used tires by retail tire dealers. –

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

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

(b) The following statement:

“Passenger and light truck tires, including spare tires and tires that are stored or have had little or no use, deteriorate as they age and are more prone to sudden failure that can cause a crash. Heat caused by hot climates can accelerate the aging process. Most vehicle manufacturers recommend that passenger or light truck tires be replaced after 6 years, regardless of the remaining tread depth. “

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

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

(4) A person or corporation who violates this section shall pay a civil penalty not to exceed \$250 for each violation.

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

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

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