

By Senator Evers

2-01198-13

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1                   A bill to be entitled  
2           An act relating to used tires; prohibiting the sale of  
3           unsafe used tires by used tire retailers; providing an  
4           exception; providing what constitutes an unsafe used  
5           tire; providing a civil penalty; providing for the  
6           deposit and use of the penalties collected; providing  
7           an effective date.

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

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11           Section 1. Sale of used tires; penalty.-

12           (1) It is unlawful for any used tire retailer in this state  
13 to sell unsafe used tires. This section does not apply to a used  
14 tire retailer who sells used tires for recapping.

15           (2) For purposes of this section, a used tire is considered  
16 unsafe if the tire:

17           (a) Is worn to 2/32 of an inch tread depth or less on any  
18 area of the tread;

19           (b) Has any damage exposing the reinforcing piles of the  
20 tire, including any cuts, cracks, bulges, punctures, scrapes, or  
21 wear;

22           (c) Has had an improper repair including:

23           1. Any repair made in the tread shoulder or belt edge area  
24 of the tire;

25           2. Any puncture that has not been sealed or patched on the  
26 inside and repaired with a cured rubber stem through to the  
27 outside of the tire;

28           3. A repair to the sidewall or bead area of the tire; or

29           4. A puncture repair of damage larger than one-quarter of

2-01198-13

20131588\_\_

30 an inch;

31 (d) Has evidence of prior use of a temporary tire sealant  
32 without evidence of a subsequent proper repair;

33 (e) Has its tire identification number defaced or removed;

34 (f) Is a recalled tire whose sale is prohibited pursuant to  
35 federal law;

36 (g) Has inner liner or bead damage; or

37 (h) Has an indication of internal separation, such as  
38 bulges or local areas of irregular tread wear.

39 (3) A person or retailer who violates this section shall  
40 pay a civil penalty of \$500 per violation. For purposes of this  
41 section, each sale of an unsafe used tire constitutes a separate  
42 violation.

43 (4) All penalties collected under this section shall be  
44 deposited into the General Inspection Trust Fund, accounted for  
45 separately, and used for the sole purpose of administering this  
46 section.

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