

# SENATE BILL 940

I3, R7

2lr3080  
CF HB 729

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By: **Senator Dyson**

Introduced and read first time: February 13, 2012

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Tire Age – Required Notice**

3 FOR the purpose of requiring a tire manufacturer or distributor to affix on any tire  
4 manufactured for sale in the State a label that displays in a certain manner the  
5 month and year in which the tire was manufactured and a certain statement  
6 relating to tire age and tire deterioration; requiring a merchant to provide to a  
7 consumer who purchases a tire from the merchant a receipt or an invoice  
8 stating in a certain manner the month and year in which the tire was  
9 manufactured; requiring a merchant to provide a certain written disclosure to a  
10 consumer; requiring a merchant, if a tire is a certain age, to require the  
11 consumer to sign the disclosure, provide a copy to the consumer, and retain the  
12 original signed disclosure for a certain period of time; prohibiting a merchant  
13 from removing a certain label unless the consumer requests that the merchant  
14 remove the label; establishing a certain penalty for a violation of this Act;  
15 defining certain terms; and generally relating to notices relating to tire age and  
16 safety.

17 BY adding to  
18 Article – Commercial Law  
19 Section 14–1324  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2011 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article – Commercial Law**

25 **14–1324.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
2 **MEANINGS INDICATED.**

3                   **(2) “CONSUMER” HAS THE MEANING STATED IN § 13–101 OF THIS**  
4 **ARTICLE.**

5                   **(3) “MERCHANT” HAS THE MEANING STATED IN § 13–101 OF THIS**  
6 **ARTICLE.**

7                   **(4) “TIRE” MEANS A TIRE FOR USE ON A MOTOR VEHICLE THAT IS**  
8 **REGISTRABLE IN THE STATE AS A CLASS A (PASSENGER) VEHICLE, CLASS D**  
9 **(MOTORCYCLE) VEHICLE, OR CLASS M (MULTIPURPOSE) VEHICLE.**

10           **(B) A TIRE MANUFACTURER OR DISTRIBUTOR SHALL AFFIX ON ANY**  
11 **TIRE MANUFACTURED FOR SALE IN THE STATE A LABEL THAT DISPLAYS IN**  
12 **PLAIN LANGUAGE:**

13                   **(1) THE MONTH AND YEAR IN WHICH THE TIRE WAS**  
14 **MANUFACTURED; AND**

15                   **(2) THE FOLLOWING STATEMENT: “TIRES DETERIORATE WITH**  
16 **AGE, EVEN IF THEY HAVE NEVER OR SELDOM BEEN USED. AS TIRES AGE THEY**  
17 **ARE MORE PRONE TO SUDDEN AND CATASTROPHIC FAILURE THAT CAN CAUSE A**  
18 **VEHICLE TO CRASH. THIS APPLIES ALSO TO THE SPARE TIRE AND TIRES THAT**  
19 **ARE STORED FOR FUTURE USE. HEAT CAUSED BY HOT CLIMATES OR FREQUENT**  
20 **HIGH LOADING CONDITIONS CAN ACCELERATE THE AGING PROCESS. THE**  
21 **NATIONAL HIGHWAY AND TRANSPORTATION SAFETY ADMINISTRATION**  
22 **RECOMMENDS THAT TIRES BE REPLACED AFTER 6 YEARS, REGARDLESS OF THE**  
23 **REMAINING TREAD DEPTH.”**

24           **(C) A MERCHANT THAT SELLS A TIRE TO A CONSUMER IN THE STATE**  
25 **SHALL:**

26                   **(1) PROVIDE THE CONSUMER WITH A RECEIPT OR AN INVOICE**  
27 **THAT STATES IN PLAIN LANGUAGE THE MONTH AND YEAR IN WHICH THE TIRE**  
28 **WAS MANUFACTURED;**

29                   **(2) PROVIDE THE CONSUMER WITH A WRITTEN DISCLOSURE**  
30 **CONTAINING THE STATEMENT SET FORTH IN SUBSECTION (B)(2) OF THIS**  
31 **SECTION; AND**

32                   **(3) IF A TIRE IS MORE THAN 1 YEAR OLD:**

1                   **(I) REQUIRE THE CONSUMER TO SIGN THE WRITTEN**  
2 **DISCLOSURE;**

3                   **(II) PROVIDE THE CONSUMER WITH A COPY OF THE SIGNED**  
4 **WRITTEN DISCLOSURE; AND**

5                   **(III) RETAIN THE ORIGINAL SIGNED WRITTEN DISCLOSURE**  
6 **FOR A PERIOD NOT LESS THAN 3 YEARS.**

7           **(D) A MERCHANT MAY NOT REMOVE FROM A TIRE A LABEL REQUIRED**  
8 **UNDER SUBSECTION (B) OF THIS SECTION UNLESS THE CONSUMER REQUESTS**  
9 **THAT THE MERCHANT REMOVE THE LABEL FROM THE TIRE.**

10           **(E) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS**  
11 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT**  
12 **MORE THAN \$500.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2012.