

HOUSE BILL 729

I3, R7

2lr0984
CF 2lr3080

By: **Delegates Kramer, Anderson, Bromwell, Clippinger, Cluster, Costa, DeBoy, Feldman, Gaines, Glass, Guzzone, Holmes, Ivey, Jameson, Krebs, Lafferty, McComas, McConkey, Pena-Melnyk, Reznik, Szeliga, and Wood**

Introduced and read first time: February 8, 2012

Assigned to: Economic Matters

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 14-1324.

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

4 (2) "CONSUMER" HAS THE MEANING STATED IN § 13-101 OF THIS
5 ARTICLE.

6 (3) "MERCHANT" HAS THE MEANING STATED IN § 13-101 OF THIS
7 ARTICLE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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