

As Introduced

130th General Assembly
Regular Session
2013-2014

S. B. No. 289

Senator Patton

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A BILL

To enact section 1345.82 of the Revised Code to 1
regulate the sale of used tires and provide notice 2
to consumers of the age and history of purchased 3
used tires. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1345.82 of the Revised Code be 5
enacted to read as follows: 6

Sec. 1345.82. (A) As used in this section: 7

(1) "Consumer," "consumer transaction," and "supplier" have 8
the same meanings as in section 1345.01 of the Revised Code. 9

(2) "Tire" means a tire for use on a motor vehicle classified 10
as a passenger vehicle or motorcycle. 11

(B) A supplier shall not sell a tire to a consumer as a new 12
tire if either of the following apply to the tire: 13

(1) The tire is a retreaded, previously used, or recycled 14
tire. 15

(2) The tire was manufactured more than three years before 16
the date of sale to the consumer. 17

(C) A supplier who sells a tire described in division (B) of 18
this section to a consumer shall provide both of the following to 19

the consumer: 20

(1) Before installation of the tire, a notice that states, in plain language and in at least ten point boldface type, the month and year in which the tire was manufactured; 21
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(2) A written disclosure, in at least ten point boldface type, that contains the following statement: 24
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"Notice. This tire is not new. 26

Tires deteriorate with age, even if they have never or seldom been used. As tires age, they are prone to sudden and catastrophic failure. This tendency also applies to spare tires and tires that are stored for future use. Many automobile manufacturers recommend that tires be replaced after six years, regardless of the remaining tread depth. For your safety and the safety of others, inspect your tires regularly and maintain the proper inflation." 27
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(D) This section shall not be construed to affect or modify a tire manufacturer's tire warranty. 34
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(E) A supplier's failure to comply with the requirements of this section: 36
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(1) Shall not be considered evidence of negligence or contributory fault for purposes of sections 2315.32 to 2315.36 of the Revised Code; 38
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(2) Is inadmissible in a civil action for damages involving injury, death, or harm to person or property. 41
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(F) Violation of this section in connection with a consumer transaction constitutes an unfair or deceptive act or practice in violation of section 1345.02 of the Revised Code. Notwithstanding the powers and remedies available to the attorney general to enforce sections 1345.01 to 1345.13 of the Revised Code as regards an unfair or deceptive act or practice, the violating supplier shall be subject to a fine of up to two hundred fifty dollars for 43
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each violation.