

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 574

Representatives Sprague, DeVitis

Cosponsor: Representative Smith, K.

A BILL

To amend section 1345.99 and to enact section
1345.022 of the Revised Code to prohibit the
installation of unsafe used tires on certain
motor vehicles.

1
2
3
4

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

Section 1. That section 1345.99 be amended and section
1345.022 of the Revised Code be enacted to read as follows:

5
6

Sec. 1345.022. (A) As used in this section:

7

(1) "Improper repair" means any of the following:

8

(a) Any repair to a tire in the tread shoulder or belt
edge area;

9
10

(b) A puncture that has not been both sealed or patched on
the inside and repaired with a cured rubber stem through the
outside;

11
12
13

(c) A repair to the sidewall or bead area of a tire;

14

(d) A puncture repair of damage larger than one-fourth of
an inch.

15
16

(2) "Multipurpose passenger vehicle," "passenger car," and 17
"truck" have the same meanings as in section 4513.021 of the 18
Revised Code. 19

(3) "Unsafe used tire" means a used tire, to which any of 20
the following criteria applies: 21

(a) The tire is worn to two-thirty-seconds of an inch 22
tread depth or less on any area of the tread. 23

(b) The tire has any damage exposing the reinforcing plies 24
of the tire, including cuts, cracks, punctures, scrapes, or 25
wear. 26

(c) The tire has an improper repair. 27

(d) The tire shows evidence of prior use of a temporary 28
tire sealant without evidence of a subsequent proper repair. 29

(e) The tire has a defaced or removed United States 30
department of transportation tire identification number. 31

(f) The tire is a recalled tire whose sale is prohibited 32
under federal law. 33

(g) The tire has any inner liner damage or bead damage. 34

(h) There is indication of internal separation, such as 35
bulges or local areas of irregular tread wear indicating 36
possible tread or belt separation. 37

(B) (1) No supplier shall install an unsafe used tire on a 38
passenger car, multipurpose passenger vehicle, or truck that 39
will operate on a public highway. 40

(2) A violation of division (B) (1) of this section shall 41
be considered an unconscionable consumer sales act or practice 42
under section 1345.03 of the Revised Code. 43

(C) This section shall not apply to tires mounted on 44
wheels or rims that are temporarily removed from a vehicle for 45
service unrelated to the tire and reinstalled on the same 46
vehicle. 47

Sec. 1345.99. (A) Whoever violates section 1345.23 or 48
1345.24 of the Revised Code is guilty of a minor misdemeanor. 49

(B) Whoever violates division (C) of section 1345.30 or 50
division (D) of section 1345.76 of the Revised Code shall be 51
fined not more than one thousand dollars. 52

(C) Whoever knowingly violates division (E) of section 53
1345.02 or knowingly violates section 1345.18 of the Revised 54
Code is guilty of a misdemeanor of the third degree for a first 55
offense and a misdemeanor of the second degree for any 56
subsequent offense. 57

(D) Whoever violates section 1345.022 of the Revised Code 58
shall be fined not more than one thousand dollars. A violation 59
of section 1345.022 of the Revised Code is a strict liability 60
offense and section 2901.20 of the Revised Code does not apply. 61

Section 2. That existing section 1345.99 of the Revised 62
Code is hereby repealed. 63