

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 122 (Delegate Davis)
Economic Matters

Commercial Law - Automotive Repair Facilities - Tire Repairs

This bill prescribes a method for an automotive repair facility to repair a tire and prohibits a facility from repairing a tire in a specified condition. A facility that violates the bill's provisions is subject to a \$500 fine for each violation.

Fiscal Summary

State Effect: The bill's imposition of penalty provisions does not have a material impact on State finances or operations. Enforcement can be handled with existing resources.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: A facility may not repair a tire unless the facility demounts and removes the tire from the wheel and rim, visually and tactilely inspects the tire's interior and exterior surfaces, and uses a patch and rubber stem or a combination repair unit to repair any puncture, cut, or other breach in the tire's tread area.

The bill also prohibits a facility from repairing a tire if:

- the tire tread depth is equal to or less than two-thirty-seconds of one inch;
- a puncture, cut, or other breach to the tire passes through a sidewall, shoulder, or belt edge area of the tire;

- a puncture, cut, or other breach to the tire exceeds one-quarter inch in diameter or width;
- a patch overlaps another patch or will do so if a repair is attempted; or
- the tire has an existing noncompliant repair.

Current Law: There is no current requirement prescribing the method by which an automotive repair facility must repair a tire. However, Title 14, Subtitle 10 of the Commercial Law Article requires automotive repair facilities to provide a specified written estimate and repair invoice for any work performed on a vehicle. A violation of any of the provisions under that subtitle relating to an automotive repair facility is an unfair and deceptive practice and punishable under the Maryland Consumer Protection Act.

Background: According to the National Highway and Transportation Safety Administration (NHTSA), there are general guidelines for the length of time before a vehicle owner should replace the vehicle's tires. Some vehicle manufacturers recommend that tires be replaced every 6 years, whereas some tire manufacturers advise 10 years is the maximum service length. NHTSA also states that, while most tire failures only result in property damage, about 400 fatalities a year can be attributed to tire failures.

The Rubber Manufacturers Association (RMA) recommends using either a two-piece stem and patch repair component or a one-piece combination repair unit to repair a tire. RMA further advises against repairing a tire with a tread no greater than two-thirty-seconds of an inch.

A similar bill was introduced in the New York State Assembly in 2012 but did not become law.

Small Business Effect: The bill has a potentially meaningful detrimental impact on an automotive repair facility, which may be a small business, that repairs tires. As noted above, there is no current State requirement that prescribes a method of repairing a tire. A facility that repairs tires by an alternative method may have to make a significant operational change to adhere to the bill's requirements. The effect on expenditures from such an operational change cannot be estimated, but a facility may have to purchase new tools and spend more time on each customer's repairs.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division), National Highway and Transportation Safety Administration, Rubber Manufacturers Association, Department of Legislative Services

Fiscal Note History: First Reader - February 4, 2013
ncs/kdm

Analysis by: Michael F. Bender

Direct Inquiries to:
(410) 946-5510
(301) 970-5510