

HOUSE BILL 122

I3, C2

3lr0899

By: **Delegate Davis**

Introduced and read first time: January 17, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Automotive Repair Facilities – Tire Repairs**

3 FOR the purpose of prohibiting an automotive repair facility from repairing a tire
4 unless the facility demounts and removes the tire from the wheel and rim,
5 performs a visual and tactile inspection of the tire's interior and exterior
6 surfaces, and repairs certain damage to the tire in a certain manner; prohibiting
7 an automotive repair facility from repairing a tire under certain circumstances;
8 establishing a certain penalty for a violation of this Act; defining certain terms;
9 and generally relating to automotive repair facilities and the repair of tires.

10 BY adding to

11 Article – Commercial Law

12 Section 14–1324

13 Annotated Code of Maryland

14 (2005 Replacement Volume and 2012 Supplement)

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

17 **Article – Commercial Law**

18 **14–1324.**

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

21 **(2) (I) “AUTOMOTIVE REPAIR FACILITY” HAS THE MEANING**
22 **STATED IN § 14–1001 OF THIS TITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) “AUTOMOTIVE REPAIR FACILITY” INCLUDES ANY**
2 **PERSON WHO DIAGNOSES OR CORRECTS MALFUNCTIONS OF A TIRE FOR**
3 **FINANCIAL PROFIT.**

4 **(3) “COMBINATION REPAIR UNIT” MEANS A SINGLE COMPONENT**
5 **COMPRISED OF A PATCH AND A RUBBER STEM TO REPAIR DAMAGE TO A TIRE.**

6 **(4) “MOTOR VEHICLE” HAS THE MEANING STATED IN § 11–135 OF**
7 **THE TRANSPORTATION ARTICLE.**

8 **(5) “PATCH” MEANS A RUBBER COMPONENT USED TO COVER**
9 **AND SEAL DAMAGE TO THE INTERIOR SURFACE OF A TIRE.**

10 **(6) “RUBBER STEM” MEANS A RUBBER COMPONENT INSERTED**
11 **INTO A PUNCTURE, CUT, OR OTHER BREACH IN THE TREAD AREA OF A TIRE TO**
12 **FILL AND SEAL DAMAGE TO THE TREAD, BELTS, AND PLYS OF A TIRE.**

13 **(7) “TIRE” MEANS A TIRE FOR USE ON A MOTOR VEHICLE WITH A**
14 **MANUFACTURER’S GROSS VEHICLE WEIGHT RATING EQUAL TO OR LESS THAN**
15 **10,000 POUNDS.**

16 **(B) AN AUTOMOTIVE REPAIR FACILITY MAY NOT REPAIR A TIRE UNLESS**
17 **THE AUTOMOTIVE REPAIR FACILITY:**

18 **(1) DEMOUNTS AND REMOVES THE TIRE FROM THE WHEEL AND**
19 **RIM;**

20 **(2) PERFORMS A VISUAL AND TACTILE INSPECTION OF THE**
21 **TIRE’S INTERIOR AND EXTERIOR SURFACES; AND**

22 **(3) REPAIRS ANY PUNCTURE, CUT, OR OTHER BREACH IN THE**
23 **TREAD AREA OF THE TIRE BY USING:**

24 **(I) A PATCH AND RUBBER STEM; OR**

25 **(II) A COMBINATION REPAIR UNIT.**

26 **(C) AN AUTOMOTIVE REPAIR FACILITY MAY NOT REPAIR A TIRE IF:**

27 **(1) THE TIRE TREAD DEPTH IS EQUAL TO OR LESS THAN**
28 **TWO–THIRTY–SECONDS OF 1 INCH;**

1 **(2) A PUNCTURE, CUT, OR OTHER BREACH IN THE TIRE PASSES**
2 **THROUGH A SIDEWALL, SHOULDER, OR BELT EDGE AREA OF THE TIRE;**

3 **(3) A PUNCTURE, CUT, OR OTHER BREACH IN THE TIRE EXCEEDS**
4 **ONE-QUARTER INCH IN DIAMETER OR WIDTH;**

5 **(4) A PATCH OVERLAPS ANOTHER PATCH OR A PATCH WILL**
6 **OVERLAP ANOTHER PATCH IF A REPAIR IS ATTEMPTED; OR**

7 **(5) THE TIRE HAS AN EXISTING REPAIR THAT IS NOT IN**
8 **COMPLIANCE WITH THIS SECTION.**

9 **(D) AN AUTOMOTIVE REPAIR FACILITY THAT VIOLATES ANY PROVISION**
10 **OF THIS SECTION IS SUBJECT TO A FINE OF \$500 FOR EACH VIOLATION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2013.