**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑1‑100 SO AS TO PROVIDE THAT WHEN REPLACING OR BALANCING A TIRE A PERSON MAY NOT USE A WHEEL WEIGHT OR OTHER PRODUCT FOR BALANCING MOTOR VEHICLE WHEELS IF THE PRODUCT CONTAINS LEAD OR MERCURY THAT WAS INTENTIONALLY ADDED DURING MANUFACTURING, TO PROVIDE THAT A PERSON MAY NOT SELL, OFFER TO SELL, OR DISTRIBUTE WEIGHTS OR OTHER PRODUCTS FOR BALANCING MOTOR VEHICLE WHEELS IF THESE PRODUCTS CONTAIN LEAD OR MERCURY THAT WAS INTENTIONALLY ADDED DURING MANUFACTURING, AND TO PROVIDE THAT A PERSON MAY NOT SELL A NEW MOTOR VEHICLE THAT IS EQUIPPED WITH A WEIGHT OR OTHER PRODUCT FOR BALANCING MOTOR VEHICLE WHEELS IF THE PRODUCT CONTAINS LEAD OR MERCURY THAT WAS INTENTIONALLY ADDED DURING MANUFACTURING AND TO PROVIDE CIVIL PENALTIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 39 of the 1976 Code is amended by adding:

“Section 39‑1‑100. (A) Beginning January 1, 2018, when replacing or balancing a tire on a motor vehicle required to be registered under Chapter 3, Title 56, a person may not use a wheel weight or other product for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

(B) Except as provided in subsection (C), beginning January 1, 2018, a person may not sell, offer to sell, or distribute weights or other products for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

(C) Beginning January 1, 2019, a person may not sell a new motor vehicle that is equipped with a weight or other product for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product. For purposes of this subsection, ‘new motor vehicle’ means a motor vehicle that is required to be registered under Chapter 3, Title 56 that has not been previously sold to any person except a distributor, wholesaler, or motor vehicle dealer for resale.

(D) An initial violation of this section is punishable by a civil penalty not to exceed five hundred dollars. Subsequent violations of this section are punishable by civil penalties not to exceed one thousand dollars for each violation.”

SECTION 2. This act takes effect upon approval by the Governor.

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