**A** **BILL**

TO AMEND TITLE 39 OF THE 1976 CODE, RELATING TO TRADE AND COMMERCE, BY ADDING CHAPTER 77, TO PROHIBIT THE SALE OF UNSAFE USED TIRED, TO IMPOSE A DUTY OF INSPECTION PRIOR TO THE INSTALLATION OF USED TIRES, TO PROVIDE FOR PENALTIES, AND TO DEFINE NECESSARY TERMS.

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

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

“CHAPTER 77

Sale of Unsafe Used Tires

Section 39‑77‑10. For the purposes of this chapter ‘unsafe used tire’ means a used tire that:

(1) has a tread depth worn to two thirty‑seconds of an inch or less on any area of the tire;

(2) has any damage exposing the reinforcing plies of the tire, including cuts, cracks, bulges, punctures, scrapes, or other wear;

(3) has any repair in the tread shoulder or belt edge area;

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

(5) has a repair to the sidewall or bead area of the tire;

(6) has a puncture repair of damage larger than one-fourth of an inch;

(7) has evidence of the prior use of a temporary tire sealant without evidence of a subsequent properly performed repair;

(8) has a defaced or removed United States Department of Transportation tire identification number located on the sidewall of the tire;

(9) is a recalled tire the sale of which is prohibited by federal law;

(10) has any inner liner or bead damage;

(11) has any indication of internal separation, such as bulges or local areas of irregular tread wear indicating possible tread or belt separation; or

(12) is ten years old or older.

Section 39-77-20. A person may not sell or offer to sell an unsafe used tire for use on a passenger car or light truck.

Section 39-11-30. A person who suffers damages resulting from a violation of Section 39-77-20 has a civil cause of action for treble the amount of his actual damages, consequential damages, punitive damages, an injunction, and any other appropriate relief in law or equity. Upon prevailing in the civil action, the plaintiff may recover reasonable attorney’s fees and costs.

Section 39‑77‑40. The provisions of this chapter do not apply to a business or individual selling used tires for retreading.”

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

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