

SUBJECT: Creating a civil penalty for knowingly installing unsafe tires

COMMITTEE: Transportation — favorable, without amendment

VOTE: 7 ayes — Canales, Y. Davis, Leman, Martinez, Ortega, Raney, E. Thompson

2 nays — Hefner, Krause

4 absent — Landgraf, Bernal, Goldman, Thierry

SENATE VOTE: On final passage, April 29 — 23-8 (Bettencourt, Campbell, Creighton, Hall, Hancock, Kolkhorst, Paxton and Perry)

WITNESSES: No public hearing.

DIGEST: SB 511 would prohibit individuals who own or operate a business that installs tires or their employees from knowingly installing unsafe tires on a motor vehicle to be used on public roads. The prohibition would not apply to the reinstallation of a tire on a motor vehicle that had been removed from the vehicle.

The bill would define an "unsafe tire" as a tire that:

- had tire tread less than one-sixteenth of an inch deep;
- had a localized worn spot that exposed the ply or cord through the tread;
- had a tread or sidewall crack, cut, or snag as measured on the outside of the tire that was more than an inch long and deep enough to expose the body cords;
- had any visible bump, bulge, or knot apparently related to tread or sidewall separation or partial failure of the tire structure, including the bead area;
- had been repaired temporarily with a blowout patch or boot;
- had worn tread wear indicators that contacted the road in any two

- adjacent major grooves in the center or middle of the tire; or
- did not otherwise meet applicable Department of Public Safety standards for the tire.

A person who violated the bill would be liable for a civil penalty of up to \$500.

This bill would take effect September 1, 2019.

**SUPPORTERS
SAY:**

SB 511 would improve public safety by discouraging the installation of unsafe tires that contribute significantly to crashes. The bill would not create an additional burden for tire shops because they already are required to reject unsafe tires under Department of Public Safety rules. The bill would simply give weight to the rules and establish an enforcement tool by adding a civil penalty for violations.

The bill would not shift the liability for defective tires from a manufacturer to an installer because the installer would have to knowingly install an unsafe tire to violate the bill's provisions.

**OPPONENTS
SAY:**

SB 511, while well intentioned, would burden tire shops with unnecessary regulation. The bill could give manufacturers of defective tires additional protection from lawsuits by shifting liability onto businesses that install tires and would be difficult to enforce.