

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

S

D

SENATE DRS75081-LM-71B (03/02)

Short Title: School Buses/State Vehicles/Tires.

(Public)

Sponsors: Senators Harrington, Rabon, and Forrester (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT THE STATE AND LOCAL BOARDS OF EDUCATION SHALL USE THE MOST COST-EFFICIENT TIRE RETREADS ON AND PRESERVE CRITICAL TIRE INFORMATION FOR STATE VEHICLES AND SCHOOL BUSES, RESPECTIVELY.

Whereas, on April 1, 2007, the Joint Legislative Transportation Oversight Committee contracted with Smithers Scientific Services of Akron, Ohio, to conduct a comparative analysis of quality, safety, and cost-effectiveness for the types of retread processes purchased through the State's statewide contract; and

Whereas, the final Smithers report, which was delivered on April 10, 2008, indicated that approximately 80% to 85% of the U.S. market for tire retreads is of the pre-cure type and approximately 15% to 20% is of the mold-cure type; and

Whereas, the final Smithers report indicated that the percentage of the bead-to-bead type of tire retread, which is a subset of the mold-cure type, in the U.S. market is "very small" and "unusual"; and

Whereas, the final Smithers report indicated that the retread tires with the lowest cost per mile is the pre-cure type and not the mold-cure type; and

Whereas, the bead-to-bead retread process removes critical tire information from the original tire sidewall, including tire brand name, tire line name, tire identification numbers, load and pressure markings, tire size designation, service descriptions such as load and speed ratings, and other specifications placed by the original manufacturer on the original tire sidewall; and

Whereas, the removal of critical tire information from the original tire sidewall can void the tire warranty, disallow identification of original tires in the case of a manufacturer recall, or disallow the identification of original tires in case of a tire-related accident; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. Article 3 of Chapter 143 of the General Statutes is amended by adding a new section to read as follows:

§ 143-63.2. Purchase of tires for State vehicles; repair or refurbishment of tires for State vehicles.

(a) Definitions. – The following terms apply in this section:

(1) State vehicle. – Any vehicle owned, rented, or leased by the State, or an institution, department, or agency of the State, that is driven on a public road consistently at speeds greater than 30 miles per hour.



1 (2) Critical tire information. – Tire brand name, tire line name, tire identification
2 numbers, load and pressure markings, tire size designation, service
3 descriptions such as load and speed ratings, and other information and
4 specifications placed on the original tire sidewall by the original tire
5 manufacturer.

6 (b) Forensic Tire Standards. – In order to preserve critical tire information, the
7 Secretary of Administration and any institution, department, or agency of the State shall only
8 procure and install tires for State vehicles that possess the original, unaltered, and uncovered
9 tire sidewall. Furthermore, neither the Secretary of Administration nor any institution,
10 department, or agency of the State shall execute a contract for the repair or refurbishment of
11 tires for State vehicles that provides for the removal, covering, or other alteration in any
12 manner of the critical tire information contained on the original tire sidewall.

13 (c) Tire Purchase and Contract Standards Applicability. – All contracts for the
14 purchase, repair, or refurbishment of tires for State vehicles, or contracts for the purchase of
15 products or services related to the repair or refurbishment of tires for State vehicles, executed
16 on or after the date this section becomes effective shall comply with the provisions of this
17 section."

18 **SECTION 2.** Article 17 of Chapter 115C of the General Statutes is amended by
19 adding a new section to read as follows:

20 "**§ 115C-249.1. Purchase of tires for school buses; repair or refurbishment of tires for**
21 **school buses.**

22 (a) Definitions. – The following terms apply in this section:

23 (1) School bus. – A vehicle as defined in G.S. 20-4.01(27)d3. and
24 G.S. 20-4.01(27)d4. that is owned, rented, or leased by a local board of
25 education.

26 (2) Critical tire information. – Tire brand name, tire line name, tire
27 identification numbers, load and pressure markings, tire size designation,
28 service descriptions such as load and speed ratings, and other information
29 and specifications placed on the original tire sidewall by the original tire
30 manufacturer.

31 (b) Forensic Tire Standards. – In order to preserve critical tire information, a local
32 board of education shall only procure and install tires for school buses that possess the original,
33 unaltered, and uncovered tire sidewall. Furthermore, a local board of education shall not
34 execute a contract for the repair or refurbishment of tires for school buses that provides for the
35 removal, covering, or other alteration in any manner of the critical tire information contained
36 on the original tire sidewall.

37 (c) Tire Purchase and Contract Standards Applicability. – All contracts for the
38 purchase, repair, or refurbishment of tires for school buses, or contracts for the purchase of
39 products or services related to the repair or refurbishment of tires for school buses, executed on
40 or after the date this section becomes effective shall comply with the provisions of this section."

41 **SECTION 3.** This act is effective when it becomes law.