

MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 231 (LS)

F.T. Ishizaki
R.J. Respicio
A.B. Palacios, Sr.

2008 JUL -9 PM 3:17

AN ACT TO ADD A NEW §3218 TO CHAPTER 3,
ARTICLE 2, TITLE 16 GUAM CODE ANNOTATED,
RELATIVE TO THE PROHIBITION OF THE SALE
OF TIRES AGED OVER SIX (6) YEARS, THE
STATING OF THE DATE OF MANUFACTURE,
AND THE MANDATORY POSTING OF THE
DANGERS OF AGED TIRES AT THE POINT OF
SALE.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds
3 that a study conducted by Safety Research and Strategies Inc., shows that
4 tires, like any other rubber product, have a limited service life regardless of
5 tread depth and use. As tires age, the rubber components become harder and
6 less elastic and the potential for corrosion and oxidation of the internal steel
7 belts increases, even though there may be no external evidence of
8 deterioration. The dangers of "aged" tires is a little known problem outside of
9 the industry and one that is likely the cause of a significant number of tread

1 separation problems. "Aged" tires are often unsuspectingly put into service
2 after having served as a spare, stored in garages or warehouses, or simply
3 used on a vehicle that is infrequently driven. In many instances these tires
4 show no visible sign of deterioration, and absent any visible indicators, tires
5 with adequate tread depth are likely to be put into service regardless of age. *I*
6 *Liheslaturan Guahan* also finds that two major automobile manufacturers, Ford
7 and DaimlerChrysler, began recommending tire replacement after six years,
8 regardless of mileage or remaining tread depth. *I Liheslaturan Guahan* further
9 finds that a key study on this issue was conducted by the British Rubber
10 Manufacturers Association, which includes many of the same tire companies
11 that produce and sell tires in the United States, and according to the study,
12 association members strongly recommend that unused tires should not be put
13 into service if they are over six years old, and that all tires should be replaced
14 10 years from the date of their manufacture.

15 It is the intent of *I Liheslaturan Guahan* to increase driver awareness as to
16 the dangers of aged tires that are being sold and used on Guam. It is also the
17 intent of *I Liheslaturan Guahan* to mandate all wholesale and retail points of
18 sale to specifically inform buyers of the dangers of aged tires, the dates of
19 manufacture of all tires sold, and to prohibit the sale of tires that are older
20 than six (6) years.

21 **Section 2.** A new §3218 is hereby added to Chapter 3, Article 2, 16 GCA
22 to read as follows:

23

1 **“§3218. Tire Safety.**

2 **(a)** The sale of tires older than 6 (six) years, for use on vehicles
3 operated on the highways and roadways of Guam, shall be
4 prohibited.

5 **(b)** All sales of tires shall include a written statement as to the
6 date of manufacture of the tires sold.

7 **(c)** All points of sale on Guam that vend tires shall post in a
8 conspicuous location, in letters at least two (2) inches tall, a statement
9 that indicates the dangers of aged tires. The statement shall be printed
10 as follows:

11 **“WARNING – AGED TIRES CAN FAIL IN USE, CAUSING**
12 **LOSS OF VEHICLE CONTROL, AND PERSONAL INJURY. TIRES**
13 **DETERIORATE WITH AGE, EVEN WITH SELDOM OR NO USE. ANY**
14 **TIRE OLDER THAN SIX (6) YEARS, MAY NOT BE SOLD FOR USE ON**
15 **VEHICLES OPERATED ON THE HIGHWAYS AND ROADWAYS OF**
16 **GUAM.”**

17 **Section 3. Penalties.** Violation of this section shall be a third degree
18 felony.

19 **Section 4. Severability.** If any of the provisions of this Act or the
20 application thereof to any person or circumstance is held invalid, such
21 invalidity shall not affect any other provision or application of this Act
22 which can be given effect without the invalid provision or application,
23 and to this end the provisions of this Act are severable.