§ 27-1905. Mandatory tire acceptance; notices.

1. A tire service that maintains a physical retail location in the state shall, until December thirty-first, two thousand twenty-seven:

(a) accept from a customer, waste tires of approximately the same size and in a quantity equal to the number of new tires purchased or installed by the customer;

(b) post written notice in a prominent location, which must be at least eight and one-half inches by fourteen inches in size and contain the following language:

"New York State law requires us to accept and manage waste tires from vehicles in exchange for an equal number of new tires that we sell or install. Tire retailers are required to charge a separate and distinct waste tire management and recycling fee of $2.50 for each new tire sold.

The retailers in addition are authorized, at their sole discretion, to pass on waste tire management and recycling costs to tire purchasers. Such costs may be included as part of the advertised price of the new tire, or charged as a separate per-tire charge in an amount not to exceed $2.50 on each new tire sold."

The written notice shall also contain one of the following statements at the end of the aforementioned language and as part of the notice, which shall accurately indicate the manner in which the tire service charges for waste tire management and recycling costs, and the amount of any charges that are separately invoiced for such costs:

"Our waste tire management and recycling costs are included in the advertised price of each new tire.", or

"We charge a separate per-tire charge of $____ on each new tire sold that will be listed on your invoice to cover our waste tire management and recycling costs."; and

(c) ensure that any retail advertisement of promotional material provided by or on behalf of the tire service that lists a tire price which does not include waste tire management and recycling costs contains one of the following statements conspicuously located in or on the advertisement and in the same font as the advertised price of the tire: "Additional fees relating to tire management and recycling costs

may apply," or, "We charge a separate per-tire charge of $____ on each new tire sold that will be listed on your invoice to cover our waste tire management and recycling costs where applicable." Where the latter statement is used, it shall list the amount of the separate per-tire charge.

2. A tire service that does not maintain a physical retail location in the state shall, until December thirty-first, two thousand twenty-seven make viewable to a customer in the state a statement, prior to the purchase of new tires, that contains the following language:

"New York state law requires tire retailers to charge a separate and distinct waste tire management and recycling fee of $2.50 for each new tire sold."