

DOCKETED	
Docket Number:	26-TIRE-01
Project Title:	Tire Efficiency Rulemaking
TN #:	269617
Document Title:	Proposed Express Terms
Description:	N/A
Filer:	Spencer Kelley
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	4/24/2026 9:11:16 AM
Docketed Date:	4/24/2026

EXPRESS TERMS

California Code of Regulations

Title 20. Public Utilities and Energy

Division 2. State Energy Resources Conservation and Development Commission

Proposed new language appears as underline (example) and proposed deletions appear as ~~strikeout (example)~~. Existing language appears as plain text. Three dots or “...” represents the substance of the regulations that exists between the proposed language and current language.

Chapter 14. Energy Efficient Replacement Tires

Article 1. Replacement Tire Efficiency Program

§3301. Scope

(a) This Article applies to all tire manufacturers, tire brand name owners, and tire retailers, of any replacement tire or any limited production tire, each as defined in section 3302 of this Article, that is manufactured on or after January 1, 2028 and is sold or offered for sale in California, except as wholesale for final retail sale outside the state.

NOTE: Authority cited: Sections 25213, 25218(e), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400,25401, 25770, 25771, 25772, 25773, Public Resources Code, and Section 11343.3, Government Code.

§3302. Definitions

(a) In this article the following definitions apply:

(1) “Align” means to allow direct interlaboratory comparisons of measured results by following the alignment procedure set forth in section 3303(a)(2)(F).

(2) “Alignment tire” means a tire that is tested for the purpose of performing the alignment procedure pursuant to section 3303(a)(2)(F).

(3) “Alignment tire set” means a set of five or more alignment tires for the alignment of one single testing machine pursuant to section 3303(a)(2)(F)(iv).

(4) “Assigned RRC value” is the same as the “assigned value” defined in Annex V of regulation 2020/740 of the European Parliament and of the Council of 25 May 2020,

which states: “a theoretical value of the rolling resistance coefficient (RRC) of one alignment tyre as measured by a theoretical laboratory which is representative of the network of reference laboratories that is used for the laboratory alignment procedure.”

(5) “ASTM” means ASTM International.

(6) “Basic model” means all units of a given type of replacement tire (or class thereof) that are manufactured by one manufacturer and that share the same dimensions, rubber compounds, tread patterns, and energy consumption characteristics, or all units of a given limited production tire.

(7) “Brand name owner” or “tire brand name owner” means a person or entity, other than a tire manufacturer, who owns or has the right to control the brand name of a tire or who licenses another to purchase tires from a tire manufacturer bearing the licensor’s brand name.

(8) “Candidate laboratory” means a laboratory participating in the laboratory alignment procedure set forth in section 3303(a)(2)(F) that is not a reference laboratory. A compliance verification laboratory is referred to as a candidate laboratory when participating in the laboratory alignment procedure set forth in section 3303(a)(2)(F). But a candidate laboratory is not necessarily a compliance verification laboratory, unless it meets the requirements set forth in section 3303(a)(2).

(9) “Commission” means the California State Energy Resources Conservation and Development Commission.

(10) “Compliance verification laboratory” means a laboratory that may be presumed to provide an accurate EU correlated rolling resistance coefficient report for a tire because the laboratory complies with the requirements set forth in section 3303(a)(2), including without limitation, it has aligned its machines through a reference laboratory. A compliance verification laboratory is referred to as a candidate laboratory when participating in the laboratory alignment procedure set forth in section 3303(a)(2)(F).

(11) “Database” means a centralized, digital repository maintained by the commission for the purposes of receiving and making available information reported by entities regulated within the scope of this Article.

(12) “Declared EU correlated rolling resistance coefficient” means the EU correlated rolling resistance coefficient for a basic model of a replacement tire, reported by the tire manufacturer or brand name owner to the database pursuant to section 3305(b)(6)(C), which shall be no lower than the EU correlated rolling resistance coefficient for the tire when tested pursuant to section 3303(a).

(13) “Declared tire energy efficiency rating” means the tire energy efficiency rating, or “leaf value” or “leaves”, listed in the database.

(14) “Deep tread tire” means a tire with a tread depth of 18/32 inch or greater.

(15) “DOT” is an acronym for United States Department of Transportation.

(16) “Energy performance standard” means the requirements under subsections (a), (b), (c), (d), (e), and (f) of section 3306.

(17) “EU” is an abbreviation for the European Union.

(18) “EU correlated rolling resistance coefficient” means the rolling resistance coefficient value of a tire that is equal to the value obtained using ISO 28580:2018 performed at a reference laboratory or compliance verification laboratory.

(19) “Executive Director” means the Executive Director of the commission or the Executive Director’s designee.

(20) “ISO” is an acronym for International Organization for Standardization.

(21) “Laboratory” means a body that performs one or more of the following activities: testing, calibration, or sampling associated with testing or calibration.

(22) “Light truck replacement tire” means a replacement tire that carries an “LT” designation by the manufacturer on the tire sidewall and is intended for use on light-duty trucks, sport utility vehicles, and vans.

(23) “Light-duty truck” means any motor vehicle other than a motorcycle, trailer, or passenger car that has a design capacity not exceeding 10,000 pounds gross vehicle weight rating.

(24) “Limited production tire” means all units of a tire that are manufactured by one manufacturer that share the same dimensions, rubber compounds, tread patterns, and energy consumption characteristics, calendar year of manufacture, and

manufacture plant, that would qualify as a replacement tire but for the fact that the total production in the United States or importation into the United States by the tire's manufacturer, or in the case of a tire marketed under a brand name, the total annual domestic purchase and purchase for importation into the United States by the tire's brand name owner, will be less than 15,000 tires during the current calendar year and has been less than 15,000 tires during every prior calendar year.

(25) "Load index" means a number associated with the weight a tire can carry when operated in conformity with requirements governing utilization specified by the manufacturer.

(26) "Long-life" means a tire with a UTQG wear test score of at least 1,000 but less than 1,400, as evaluated according to the treadwear rating conditions and grading procedure in 49 Code of Federal Regulations part 575.104(e) (2023).

(27) "Low load index" means a tire with a load index of 91 or less.

(28) "Machine" means every tire rolling resistance testing spindle in one specific measurement method; for example, two spindles acting on the same drum shall not be considered as one machine.

(29) "Manufacturer" or "tire manufacturer" means a person or entity manufacturing or assembling replacement tires or limited production tires for resale or importing replacement tires or limited production tires for resale. This term includes any parent corporation, any subsidiary or affiliate, and any subsidiary or affiliate of a parent corporation of a person or entity manufacturing or assembling replacement tires or limited production tires for resale or importing replacement tires or limited production tires for resale.

(30) "Material change" means a change to a tire of such a type or magnitude as to raise the reasonable expectation of a change in the declared tire energy efficiency rating listed in the database.

(31) "Measured rolling resistance coefficient" means the rolling resistance coefficient obtained in a reference laboratory following the alignment procedure set forth in section 3303(a)(2)(F).

(32) "Model name" is synonymous with "tire line" and means the entire name used by a tire manufacturer to designate a tire product, including all prefixes and suffixes as they appear on the sidewall of a tire.

(33) “Motorcycle” means a motorized vehicle designed to be driven astride a seat or saddle and designed to travel on not more than three wheels in contact with the ground.

(34) “Motorcycle tire” means a tire intended for use on a motorcycle.

(35) “Motor vehicle” means a vehicle driven or drawn by electrical or mechanical power, with a maximum speed capacity greater than 35 mph, and designed primarily for driving on a highway, as defined in section 360 of the Vehicle Code.

(36) “Network of reference laboratories” means the group of reference laboratories created by the European Parliament and of the Council to perform inter-laboratory comparison tests on sample tires to establish reference data that is required for the laboratory alignment procedure for the measurement of rolling resistance pursuant to Annex V of regulation 2020/740 of the European Parliament and of the Council of 25 May 2020.

(37) “Nominal rim diameter” means the diameter of a wheel measured at the intersection of the bead seat and the flange.

(38) “Off-road motorized recreational vehicle” means either of the following:

(A) a motor vehicle commonly referred to as a sand buggy, dune buggy, or all-terrain vehicle; or

(B) a recreational off-highway vehicle as defined in Vehicle Code section 500.

(39) “Passenger car” means any 4-wheeled motor vehicle designed primarily for transportation of persons, having a design capacity of 10 persons or less, and not exceeding 10,000 pounds gross vehicle weight rating.

(40) “Passenger car tire” means a tire intended for application on a passenger car.

(41) “Reference laboratory” means a laboratory that is part of the network of reference laboratories, the names of which were published by European Commission communication 2012/C 86/03 in the Official Journal of the European Union, plus RDW of Netherlands, and that is able to achieve the accuracy of test results determined in Section 3 of Annex V of regulation 2020/740 of the European Parliament and of the Council of 25 May 2020.

(42) “Relative wet grip braking performance index” means the relative wet grip braking performance index as calculated pursuant to section 3303(b).

(43) “Relative wet grip braking performance index performance standard” means the requirement under section 3308(a).

(44) “Replacement tire” means a new tire sold or offered for sale in California, except as wholesale for final retail sale outside the state, and is designed to replace a tire on a passenger car or light-duty truck. “Replacement tire” does not include any of the following tires:

(A) a retreaded tire;

(B) a used tire;

(C) a deep tread tire;

(D) a winter-type snow tire;

(E) a space-saver tire;

(F) a temporary use spare tire;

(G) a tire with a nominal rim diameter of 12 inches or less;

(H) a motorcycle tire;

(I) a tire manufactured specifically for use on an off-road motorized recreational vehicle;

(J) a limited production tire;

(K) a tire with a load index of 122 or greater, or where the load index is not marked and the tire is rated for a maximum load that exceeds 1,450 kg; or

(L) a tire that is not capable of maintaining sustained speeds of greater than 50 miles per hour.

(45) “Retreaded tire” means a tire that has had its tread reattached to the tire casing as defined by 49 Code of Federal Regulations part 571.117 (April 9, 2004).

(46) “Rolling resistance coefficient” (RRC) means the ratio of the rolling resistance force, in newtons (N), to the load on the tire in kilonewtons (kN) as calculated pursuant to section 3303. This quantity is dimensionless.

(47) “Rolling resistance force” means the loss of energy (or energy consumed) per unit of distance traveled. The unit conventionally used for the rolling resistance is newton meter per meter (N m/m). This is equivalent to a drag force in newtons (N).

(48) “RRC” is an acronym for rolling resistance coefficient.

(49) "Smaller truck and bus tire" means a truck and bus tire with a load index of 121 or smaller or, where the load index is not marked, a maximum load of 1,450 kg or lower.

(50) "Sold or offered for sale in California" means any sale of or offer to sell a replacement tire or limited production tire for end use in the state, regardless of the seller's physical location, and includes, without limitation, internet, telephone, and mail order transactions. For purposes of this Article, the Uniform Commercial Code – Sales (Division 2 (commencing with section 2101) of the Commercial Code) does not define "sold or offered for sale" or determine where sales or offers for sale occur.

(51) "Space-saver tire" means a temporary use spare tire of reduced size for fitting in a confined space.

(52) "Temporary use spare tire" means a tire with a "T" in the size designation under the ISO 4000-1:2024 specification, as incorporated by reference in section 3305, that carries a T designation on the tire sidewall and is intended for temporary use.

(53) "Tire dealer" means a person or entity selling and distributing replacement tires or limited production tires primarily to purchasers that in good faith purchase them other than for resale.

(54) "Tire distributor" means a person or entity selling replacement tires or limited production tires primarily for resale.

(55) "Tire energy efficiency rating" or "leaf value" or "leaves" means the rating under section 3307 based on the test method set forth in section 3303.

(56) "Tire retailer" means a tire dealer or tire distributor of replacement tires or limited production tires.

(57) "Tire size designation" means the nominal section width, nominal aspect ratio, and rim diameter of a tire.

(58) "Ultra high-performance" means a tire that both bears a speed category symbol of "W," "(W)," "Y," or "(Y)" and is capable of maintaining maximum speeds of 168 miles per hour or above, and that has a relative wet grip braking performance index of at least 1.45.

(59) “Ultra long-life” means a tire with a UTQG wear test score of 1,400 or higher, as evaluated according to the treadwear rating conditions and grading procedure in 49 Code of Federal Regulations part 575.104(e) (2023).

(60) “Used tire” means a tire that was previously sold for end use, was previously mounted on a motor vehicle for more than 24 hours, and is disclosed as being a used tire when it is sold or offered for sale. Tires mounted on a motor vehicle when the vehicle is sold or resold are used tires within the meaning of this definition regardless of whether they have been mounted for more than 24 hours or disclosed as being a used tire when the vehicle is sold.

(61) “UTQG” is an acronym for the Uniform Tire Quality Grading System of the United States Department of Transportation, National Highway Traffic Safety Administration.

(62) “Winter-type snow tire” means a tire that has all the characteristics of subsections (A), (B), and (C) of this definition. A tire subject to the UTQG standards is not a “winter-type snow tire.”

(A) Is limited in its acceptable use to winter periods by virtue of its design and construction.

(B) Attains a traction index equal to or greater than 112, compared to the ASTM F2493 standard reference test tire when using the snow traction test on the medium pack snow surface as described in ASTM F1805-20.

(C) Is equipped with studs or is marked with an Alpine Symbol, specified in the Federal Motor Vehicle Safety Standards at 49 Code of Federal Regulations part 571.139 S5.5(i) (2023), on at least one sidewall.

(63) “Year” means calendar year.

The following documents are incorporated by reference into section 3302.

INTERNATIONAL TEST METHODS

Annex V, Laboratory Alignment Procedure for the Measurement of Rolling Resistance, of Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009.

Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020, published in the Official Journal of the European Union, 2020 O.J. (L 177) 24-26.

Commission communication in the framework of the implementation of Commission Regulation (EU) No 1235/2011 amending Regulation (EC) No 1222/2009 of the European Parliament and of the Council with regard to the wet grip grading of tyres, the measurement of rolling resistance and the verification procedure.

European Commission communication of March 23, 2012, published in the Official Journal of the European Union, 2012/C 86/03

Copies available from:

Publications Office of the European Union
EUR-Lex
L-2985 Luxembourg
Luxembourg
<https://eur-lex.europa.eu/homepage.html?lang=en>

ASTM INTERNATIONAL

ASTM F1805-20

Standard Test Method for Single Wheel Driving Traction in a Straight Line on Snow- and Ice-Covered Surfaces

ASTM F2493-24

Standard Specification for P225/60R16 97S Radial Standard Reference Test Tire

Copies available from:

100 Barr Harbor Drive
P.O. Box C700
West Conshohocken, PA 19428-2959
www.astm.org
Phone: (610) 832-9500
FAX: (610) 832-9555

FEDERAL TEST METHODS

Code of Federal Regulations, title 49 section 575.104, subdivision (e) (October 1, 2023).

Federal Register. (43 FR 30549, pp. 30549-30551 (July 17, 1978).)

Copies available from:

Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402
www.ecfr.gov

NOTE: Authority cited: Sections 25213, 25218(e), 25400, 25401, 25770, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code.

§3303. Testing Specifications

(a) EU Correlated Rolling Resistance Coefficient. A reference laboratory or compliance verification laboratory shall report any rolling resistance coefficients obtained for use pursuant to this Article as an EU correlated rolling resistance coefficient.

(1) The standard test method, procedures, and conditions to determine the EU correlated rolling resistance coefficient of a replacement tire shall be ISO 28580:2018 performed at a reference laboratory or compliance verification laboratory.

(2) To be a compliance verification laboratory, the laboratory shall comply with all the following requirements:

(A) Keeps properly calibrated and maintained, all equipment, material, and facilities necessary to apply the ISO 28580:2018 test method precisely as written.

(B) Maintains documentation that its test results are aligned pursuant to subsection (F) and are otherwise accurate.

(C) Agrees to and does maintain copies of all test reports and provides any test reports to the Executive Director or commission staff on request.

(D) Agrees to and does allow the Executive Director, or commission staff to witness any test on request.

(E) The commission, or Executive Director pursuant to section 3309, has not prohibited the laboratory from serving as a compliance verification laboratory.

(F) Maintains alignment pursuant to the following alignment procedure:

(i) General Provisions.

a. Principle. The measured (m) rolling resistance coefficient obtained in a reference laboratory (l), ($RRC_{m,l}$), shall be aligned to the assigned RRC values of the network of reference laboratories. The measured (m) rolling resistance coefficient obtained by a machine in a candidate laboratory (c), ($RRC_{m,c}$), shall be aligned through one reference laboratory of the network of reference laboratories of its choice.

b. Tire Selection Requirements. Alignment tire sets shall be selected for the laboratory alignment procedure in accordance with the following criteria. One alignment tire set shall be selected for passenger car and smaller truck and bus tires together:

1. The alignment tire set shall be selected so as to cover the range of different rolling resistance coefficients for passenger car and smaller truck and bus tires together; in any event, the difference between the highest RRC_m of the alignment tire set, and the lowest RRC_m of the

alignment tire set shall be, before and after alignment, at least equal to 3 N/kN for passenger car and smaller truck and bus tires.

2. The RRC_m in the candidate or reference laboratories ($RRC_{m,c}$ or $RRC_{m,l}$) based on declared rolling resistance coefficient values of each alignment tire of the alignment tire set shall be distributed evenly.

3. Load index values shall adequately cover the range of the tires to be tested, ensuring that the rolling resistance coefficients also cover the range of the tires to be tested.

4. Each alignment tire shall be checked prior to use and shall be replaced when:

A. the alignment tire shows a condition that makes it unusable for further tests; or

B. there are deviations of $RRC_{m,c}$ or $RRC_{m,l}$ greater than 1.5 % relative to earlier measurements after correction for any machine drift.

c. Measurement Method. The reference laboratory shall measure each alignment tire four times and retain the three last results for further analysis, in accordance with Section 7 of ISO 28580:2018 and under the conditions set out in Section 6 of ISO 28580:2018. The candidate laboratory shall measure each alignment tire ($n + 1$) times, with n being specified in subsection (a)(2)(F)(iv) of this section and retain the n last results for further analysis, in accordance with Section 7 of ISO 28580:2018 and applying the conditions set out in Section 6 of ISO 28580:2018. Each time an alignment tire is measured, the tire/wheel assembly shall be removed from the machine and the entire test procedure referred to in Section 7 of ISO 28580:2018 shall be followed again from the start. The candidate or reference laboratory shall calculate:

1. the measured value of each alignment tire for each measurement as specified in Section 9.2 and 9.3 of ISO 28580:2018 (corrected for a temperature of and a drum diameter of 2 m);

2. the mean value of the three last measured values of each alignment tire (in the case of reference laboratories) or the mean value of the n last measured values of each alignment tire (in the case of candidate); and

3. the standard deviation (σ_m) as follows:

$$\sigma_m = \sqrt{\frac{1}{p} \cdot \sum_{i=1}^p \sigma_{m,i}^2}$$

$$\sigma_{m,i} = \sqrt{\frac{1}{n-1} \cdot \sum_{j=2}^{n+1} \left(Cr_{i,j} - \frac{1}{n} \cdot \sum_{j=2}^{n+1} Cr_{i,j} \right)^2}$$

where:

i is the counter from 1 to p for the alignment tires;

j is the counter from 2 to $n + 1$ for the n last repetitions of each measurement of a given alignment tire;

$n + 1$ is the number of repetitions of tire measurements ($n + 1 = 4$ for reference laboratories and $n + 1 \geq 4$ for candidate laboratories);

p is the number of alignment tires ($p \geq 5$).

d. Data Formats to be Used for the Computations and Results. The measured rolling resistance coefficient values corrected from drum diameter and temperature shall be rounded to two decimal places. Then the computations shall be made with all digits: there shall be no further rounding except on the final alignment equations. All standard deviation values shall be displayed to three decimal places. All rolling resistance coefficient values shall be displayed to two decimal places. All alignment coefficients ($A1_l$, $B1_l$, $A2_c$, and $B2_c$) shall be rounded and displayed to four decimal places.

(ii) Requirements Applicable to the Reference Laboratories and Determination of the Assigned RRC Values. The assigned RRC values of each alignment tire shall be determined by the network of reference laboratories. Every second year the network shall assess the stability and validity of the assigned RRC values. Each reference laboratory participating in the network shall comply with the specifications of ISO 28580:2018 and have a standard deviation (σ_m) as follows: not greater than 0.05 N/kN for passenger vehicles and light-duty truck tires. The alignment tire sets that have been selected in accordance with subsection (a)(2)(F)(i)b. of this section shall be measured in accordance with subsection (a)(2)(F)(i)c. of this section by each reference laboratory of the network. The assigned RRC value of each alignment tire is the average of the measured values given by the reference laboratories of the network for this alignment tire.

(iii) Procedure for the Alignment of a Reference Laboratory to the Assigned RRC Values. Each reference laboratory (l) shall align itself to each new set of assigned RRC values and always after any significant machine change or any

drift in machine control tire monitoring data. The alignment shall use a linear regression technique on all individual data. The regression coefficients, $A1_l$ and $B1_l$, shall be calculated as follows:

$$\underline{RRC = A1_l \times RRC_{m,l} + B1_l}$$

where:

RRC is the assigned RRC value;

$RRC_{m,l}$ is the individual measured value of the rolling resistance coefficient by the reference laboratory “ l ” (including temperature and drum diameter corrections).

(iv) Requirements Applicable to Candidate Laboratories. A candidate laboratory shall repeat the alignment procedure at least once every second year for every machine and always after any significant machine change or any drift in machine control tire monitoring data. A common set of five different tires that have been selected in accordance with subsection (a)(2)(F)(i)b. of this section shall be measured in accordance with subsection (a)(2)(F)(i)c. of this section, first by the candidate laboratory and then by one reference laboratory. More than five alignment tires may be tested at the request of the candidate laboratory. The candidate laboratory shall provide the alignment tire set to the selected reference laboratory. The candidate laboratory (c) shall comply with the specifications of ISO 28580:2018 and have standard deviations (σ_m) as follows: not greater than 0.075 N/kN for passenger car tires. If the standard deviation (σ_m) of the candidate laboratory is higher than those values after four measurements, the last three being used for the computations, then the number $n + 1$ of measurement repetitions shall be increased as follows for the entire batch:

$$\underline{n = (\sigma_m / \gamma)^2, \text{ rounded up to the nearest higher integer value}}$$

where:

$\gamma = 0.043$ N/kN for passenger car tires;

(v) Procedure for the Alignment of a Candidate Laboratory. One reference laboratory (l) of the network shall calculate the linear regression function on all individual data of the candidate laboratory (c). The regression coefficients, $A2_c$ and $B2_c$, shall be calculated as follows:

$$RRC_{m,l} = A2_c \times RRC_{m,c} + B2_c$$

where:

$RRC_{m,l}$ is the individual measured value of the rolling resistance coefficient by the reference laboratory (l) (including temperature and drum diameter corrections);

$RRC_{m,c}$ is the individual measured value of the rolling resistance coefficient by the candidate laboratory (c) (including temperature and drum diameter corrections)

(b) Relative Wet Grip Braking Performance Index. The test method, procedures, and conditions to determine the peak coefficient of friction of a replacement tire shall be ISO 23671:2021. The calculation of the relative wet grip braking performance index specified in ISO 23671:2021 shall be conducted using an ASTM F2493-20 standard reference test tire set.

(c) Load Index. The test method, procedures, and conditions to determine the load index of a replacement tire shall be ISO 10191:2021.

(d) Speed Rating. The test method, procedures, and conditions to determine the speed rating of a replacement tire shall be ISO 10191:2021.

(e) UTQG Traction. The test method, procedures, and conditions to determine the UTQG traction of a replacement tire shall be 49 Code of Federal Regulations part 575.104(f) (2023).

(f) UTQG Treadwear. The test method, procedures, and conditions to determine the UTQG treadwear of a replacement tire shall be 49 Code of Federal Regulations part 575.104(e) (2023).

(g) UTQG Temperature. The test method, procedures, and conditions to determine the UTQG temperature of a replacement tire shall be 49 Code of Federal Regulations part 575.104(g) (2023).

The following documents are incorporated by reference into section 3303.

FEDERAL TEST METHODS

Code of Federal Regulations, title 49 section 575.104, subdivisions (e), (f),(g) (October 1, 2023).

Federal Register. (43 FR 30549, pp. 30549-30551 (July 17, 1978).)

Copies available from:

Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402
www.ecfr.gov

INTERNATIONAL TEST METHODS

Annex V, Laboratory Alignment Procedure for the Measurement of Rolling Resistance, of Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009.

Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020, published in the Official Journal of the European Union, 2020 O.J. (L 177) 24-26.

INTERNATIONAL ORGANIZATION FOR STANDARDS (ISO)

ISO 28580:2018

Passenger Car, Truck and Bus Tyre Rolling Resistance Measurement Method — Single Point Test and Correlation of Measurement Results

ISO 23671:2021

Passenger car tyres — Methods of measuring relative wet grip performance — Loaded new tyres

ISO 10191:2021

Passenger car tyres – Verifying tyre capabilities – Laboratory test methods

Copies available from:

ISO Central Secretariat
International organization for Standardization (ISO)
1, Rue de Varembé, Case Postale 56
CH-1211 Geneva 20, Switzerland
www.iso.org
Phone: +41 22 749 01 11
Fax: +41 22 733 34 30

NOTE: Authority cited: Sections 25213, 25218(e), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code.

§3304. Database of Replacement Tires and Limited Production Tires

(a) Creation of the Database. The commission staff shall create and maintain a database, as defined in section 3302. The database shall consist of the following two parts:

(1) Database of Approved Tires. The database of approved tires shall contain, information on all basic models including all units of limited production tires that are sold or offered for sale in California, for which complete and accurate statements have been received pursuant to section 3305, and that have not been removed from the approved database pursuant to sections 3305(g) or 3309, unless the tire is sold pursuant to sections 3306(g), 3308(b), or both directly to an owner for an emergency vehicle. A tire that the Executive Director or commission staff has determined is exempted as a tire of last resort under section 3306(h), section 3308(c), or both, shall be listed in the database of approved tires.

(A) Information submitted to the database of approved tires shall be maintained by the commission for seven years from the date of submission. Upon seven years from the date of submission, the commission may move information in the database of approved tires to the database of archived tires without notice.

(2) Database of Archived Tires. The database of archived tires shall contain, at minimum, information on tires that have been removed from the database of approved tires or are no longer sold or offered for sale in California, for which complete and accurate tire information has been received pursuant to section 3305.

(A) Information within the database of archived tires shall be maintained by the commission for two years from the date of archiving, after which time the commission may delete it without notice.

NOTE: Authority cited: Sections 25213, 25216.5(d), 25218(e), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code.

§3305. Submitting Tire Information to the Database

(a) Submission of Statements. Except for an authorized emergency vehicle as provided pursuant to section 3306(g), section 3308(b), or both, before a basic model is sold or offered for sale in California, except as wholesale for final retail sale outside the state, each manufacturer or brand name owner shall electronically submit with the commission staff through the database a statement for each basic model; upon receipt of a submittal complying with this section, the commission staff shall list the basic model in the database of approved tires. Statements shall comply with all requirements of subsection (b) of this section. Statements for basic models except for limited production tires shall contain all the information described in subsections (b), (c), (d), (e), (g), and

(h). Statements for limited production models shall contain the information described in subsections (b), (c), (d), (f), (g), and (h).

(b) All Statements submitted pursuant to this Article shall comply with the following requirements:

(1) Format and Categories. Each statement shall be submitted through the database in a format (including but not limited to computer formats) and in categories specified by the commission staff pursuant to subsections (b), (c), (d), (e), (f), (g), and (h).

(2) Database Profile. A manufacturer or brand name owner must register a database profile or account before it can add a tire to, or modify tire information listed in, the database.

(A) No more than one profile or account shall be associated with any manufacturer, brand name owner, or model name of tire.

(B) If a manufacturer or brand name owner does not submit to the database a complete statement for a basic model within 48 hours after registering a new database profile or account, the commission staff may remove the profile or account from the database.

(C) If the commission staff determines that multiple profiles or accounts have listed tires of the same tire model to the database, the commission staff shall remove to the database of archived tires of that model that were listed by any profile or account except by the first profile or account to list the tire model. The commission staff shall provide notice of the removal to the contact person listed in the database for the tire model and for the removed tires. If the first profile or account to list the tire model voluntarily removes its listing of that model, the tires listed by the next earliest listing shall be reinstated from the database of archived tires. If the commission staff determines there is a dispute over control of information about a tire model in the database, the commission staff, unless otherwise required by law, shall give control to the manufacturer or brand name owner that substantiates that it registered a federal trademark for the tire model name.

(3) For the purposes of this section, each basic model that is not a limited production tire shall be reported separately and shall only be listed once, unless modified as described in subsection (5).

(4) Each single basic model of a limited production tire listed in the database of approved tires may be listed separately by manufacture year, manufacture plant, or both, and the categories of information submitted pursuant to subsection (f) shall be resubmitted annually on or before April 15.

(5) Except for limited production tires as stated in subsection (b)(4), a statement need not be submitted annually for a basic model, unless its characteristics change such that it is a new basic model as defined in section 3302 or there is a material change to a basic model as provided in section 3305(g)(1), in both cases a statement shall be submitted pursuant to this section.

(6) How Information Must Be Reported.

(A) Model Name. The model name of a brand of tire shall be reported in the database through a database profile or account. Once reported, all tires of the same model shall be listed with the same model name. The commission staff may allow an appendix to the model name if necessary to distinguish different basic models sharing the same dimensions and model name.

(B) The tire size designation shall be reported for each basic model with the section width in millimeters (mm), aspect ratio, and the rim diameter in inches (in.).

(C) The declared EU correlated rolling resistance coefficient shall be reported in newtons per kilonewton (N/kN) to the tenths place value. The reported value shall be no lower than the exact result of the EU correlated rolling resistance coefficient for the tire when tested according to the specifications in 3303(a).

(D) The tire energy efficiency rating shall be based on the reported EU correlated rolling resistance coefficient and shall be reported as a single number, from zero to four, representing the number of leaves assigned according to the ratings set forth in section 3307.

(E) The relative wet grip braking performance index shall be based on the test method specified in section 3303(b), and shall be reported as a range as either below 1.0, equal to or greater than 1.0 and less than 1.45, or equal to or greater than 1.45. The reported range shall be no higher than the exact result for the tire when tested according to the specifications in 3303(b).

(F) The tread depth in 1/32 of an inch measured from the bottom of the groove.

(G) If present, the load index shall be reported as the load index designation marking on the tire. If the marking is not present, the load index shall be based on the test method specified in section 3303(c) and shall be reported for each replacement tire based on the corresponding load carrying capacity in kilograms (kg), in accordance with Table 2– Equivalence between load index and tyre load carrying capacity, in ISO 4000-1:2024.

(H) If present, the speed rating shall be reported as the speed rating designation marking on the tire. If the marking is not present, the speed rating shall be based on the test method specified in section 3303(d) and shall be reported as the corresponding speed symbol for each replacement tire based on the maximum speed the tire can sustain in kilometers per hour (km/h), in accordance with Table 3 – Speed symbols and corresponding speed, in ISO 4000-1:2024.

(I) If present, the UTQG traction rating shall be reported as the UTQG traction rating designation marking on the tire. If the marking is not present, the UTQG traction rating shall be based on the test method specified in section 3303(e) and shall be reported as AA, A, B, or C for each replacement tire.

(J) If present, the UTQG treadwear rating shall be reported as the UTQG treadwear rating designation marking on the tire. If the marking is not present,

the UTQG treadwear rating shall be based on the test method specified in section 3303(f) and shall be reported as a number of three digits representing the tire's grade for treadwear and expressed in multiples of 20 for each replacement tire.

(K) If present, the UTQG temperature rating shall be reported as the UTQG temperature rating designation marking on the tire. If the marking is not present, the UTQG temperature rating shall be based on the test method specified in section 3303(g) and shall be reported as A, B, or C for each replacement tire.

(L) The manufacture year of a basic model shall include a beginning year when the basic model first complied with this Article, up to the calendar year ten years prior to the date of submission, and an end year when the basic model will no longer comply with this Article, which may be listed as "ongoing." Entering "ongoing" will result in the database automatically applying the submitted tire attributes to all subsequent years until otherwise amended, such as pursuant to subsection (g) of this section or section 3309(e). Entering "ongoing" as an end date affirms that the manufacturer or brand name owner will file a new statement pursuant to this section when there is a modification or change to the tire. This includes when characteristics of the basic model change becoming a new basic model as defined in section 3302 or there is a change to production or importation such that the tire no longer fits the definition of a limited production tire.

(c) Manufacturer or Brand Name Owner Information. For each basic model, a tire manufacturer or brand name owner shall report the following information:

(1) The name, address, telephone number, email address, and, if available, URL (web site) address of the manufacturer or brand name owner; provided, however, that if a parent entity is filing on behalf of a subsidiary entity, if a subsidiary entity is filing on behalf of a parent entity, or if an affiliate entity is filing on behalf of an affiliate entity, then each entity shall be clearly identified, and the information shall be provided for both entities.

(2) The name, address, telephone number, and email address of an individual to contact concerning the statements pursuant to this section. Only one individual can be listed as the contact except that the individual may designate another contact during a temporary absence.

(3) The name, address, telephone number, and email address of the person signing the declaration pursuant to this section.

(d) Declaration.

(1) Each statement reported under this section shall include a declaration, executed under penalty of perjury of the laws of California, that all the information provided in the statement is true, complete, accurate, and in compliance with all applicable provisions of this Article.

(2) If the declaration is executed by a corporation, partnership, or other business entity, the declaration shall be electronically signed by an individual authorized to make the declaration and submit the statement on behalf of the business entity, and the declaration shall contain an affirmation that the individual signing is so authorized.

(3) The declaration shall be submitted electronically through the database and maintained by the commission staff for a period of at least nine years, pursuant to the requirements in section 3310(c).

(e) Statement for Replacement Tires. The statement for replacement tires shall include all of the following information reported in accordance with subsection (b)(6) of this section:

(1) Tire manufacturer or brand name owner.

(2) From marking on replacement tires (if present):

(A) Brand name.

(B) Model name.

(C) DOT tire identification number (first nine digits).

(D) Tread and sidewall ply & material identification.

(E) Load index.

(F) Speed rating.

(G) UTQG traction rating.

(H) UTQG treadwear rating.

(I) UTQG temperature rating.

(3) Tire size designation.

(4) Tire energy efficiency rating.

(5) EU correlated rolling resistance coefficient.

(6) Any of the following applicable conditions:

(A) A UTQG treadwear test score of equal to or greater than 1,400.

(B) A UTQG treadwear test score of at least 1,000 but less than 1,400.

(C) A load index of 91 or lower.

(D) Designation as light truck replacement tire.

(7) Whether the relative wet grip braking performance index is less than 1.0, at least 1.0 and less than 1.45, or 1.45 and greater.

(8) Tread depth in 1/32 of an inch measured from the bottom of the groove.

(9) Manufacture year.

(10) Plant code, as printed on the tire sidewall and as required by 49 Code of Federal Regulations part 574.5(b)(1) (2023), if it is necessary to distinguish the basic model from other basic models.

(f) Statement for Limited Production Tires. The statement for limited production tires shall include all of the following information reported in accordance with subsection (b)(6) of this section:

(1) A statement that the tire is a limited production tire within the definition in section 3302.

(2) The following information or answers to the following:

(A) Tire manufacturer or brand name owner.

(B) Brand name.

(C) Model name.

(D) DOT tire identification number (first nine digits).

(E) Tire size designation.

(F) Has the total production in the United States or importation into the United States by the tire's manufacturer, or in the case of a tire marketed under a brand name, the total annual domestic purchase and purchase for importation into the United States by the tire's brand name owner been less than 15,000 tires during every prior calendar year? (Yes or No)

(G) Will the total production in the United States or importation into the United States by the tire's manufacturer, or in the case of a tire marketed under a brand name, the total annual domestic purchase and purchase for importation into the United States by the tire's brand name owner be less than 15,000 tires during the current calendar year? (Yes or No)

(H) Manufacture year.

(I) Plant code, as printed on the tire sidewall and as required by 49 Code of Federal Regulations part 574.5(b)(1) (2023), if it is necessary to distinguish the basic model from other basic models or if the tire is reported as a separate limited production tire based on its plant of manufacture.

(g) Statement of Modification of Tires or Tires That Have Ceased Being Sold or Offered for Sale in California.

(1) If a material change is made to a basic model listed in the database of approved tires, the tire manufacturer or brand name owner shall submit a new statement modifying the information for the basic model in the approved database pursuant to this section.

(2) If a change in production or importation occurs to a limited production tire such that the production or importation meets or exceeds 15,000 tires for a claimed year or changes any of the information that was provided pursuant to subsection (f) of this section, the manufacturer or brand name owner shall submit a new statement modifying the information for the limited production tire in database of approved tires pursuant to this section.

(A) Limited Production Tire No Longer Fits the Definition of Limited Production Tire. If the changes reported for the limited production tire mean the tire no

longer meets the definition of a limited production tire, the commission staff shall move the listing of the limited production tire from the database of approved tires into the database of archived tires without prior notice. The Executive Director or commission staff shall subsequently provide notice of the move to the manufacturer or brand name owner. The removal of a limited production tire from the database of approved tires does not affect the status of a limited production tire reported separately based on either manufacture year or manufacture plant or both, even if they are the same basic model.

(3) If any tire listed in the database of approved tires has ceased being sold or offered for sale in California, the manufacturer or brand name owner shall submit a statement so stating. Upon receipt of such a statement, the commission staff shall move the tire listing into the database of archived tires.

(h) Additional Information for Tires Similar to or Identical to Tires Previously Denied or Removed from Listing in the Database of Approved Tires.

(1) Similar to Tires Previously Denied or Removed. The manufacturer or brand name owner shall submit a statement that the basic model or a substantially similar basic model has not been previously denied or removed from being listed in the database of approved tires, except for a basic model listing that has been removed from being listed in the database of approved tires due to the seven-year record retention period pursuant to section 3304(a)(1). For purposes of this subsection, “substantially similar replacement tire” means a tire that is both manufactured at the same manufacturing facility and has the same dimensions, rubber compounds, tread patterns, and energy consumption characteristics.

(2) Tires Identical to Tires Previously Denied or Removed. If the basic model has been previously denied or removed from the database of approved tires, then as a prerequisite to being listed in the database of approved tires, the Executive Director or commission staff may require the manufacturer or brand name owner to include a copy of the test report or other information that verifies that the tire complies with this Article.

The following documents are incorporated by reference into section 3305.

INTERNATIONAL ORGANIZATION FOR STANDARDS (ISO)

ISO 4000-1:2024

Passenger car tyres and rims – Part 1:
Tyres (metric series)

Copies available from:

ISO Central Secretariat
International organization for
Standardization (ISO)
1, Rue de Varembé, Case Postale 56
CH-1211 Geneva 20, Switzerland

Phone: +41 22 749 01 11

Fax: +41 22 733 34 30

FEDERAL TEST METHODS

Code of Federal Regulations, title 49
section 574.5, subdivision (b) (October
1, 2023)

Federal Register. (39 FR 1197, pp. 1197)
(January 26, 1971).

Code of Federal Regulations, title 49
section 575.104, subdivision (e)
(October 1, 2023).

Federal Register. (43 FR 30549, pp.
30549-30551 (July 17, 1978).)

Copies available from:

Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402
www.ecfr.govwww.ecfr.gov

NOTE: Authority cited: Sections 25213, 25216.5(d), 25218(e), 25301, 25400, 25401,
25602, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections
25216.5(d), 25301, 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public
Resources Code.

§3306. Energy Performance Standards

(a) Except as provided in subsections (b), (c), (d), (e), (f), (g), (h) of this section, no tire
manufacturer, tire brand name owner, or tire retailer shall sell or offer for sale in
California, except as wholesale for final retail sale outside of the state, any replacement
tire that has an EU correlated rolling resistance coefficient greater than the following,
when tested according to the specifications in section 3303(a):

(1) For tires manufactured before January 1, 2028, there is no energy performance
standard requirement.

(2) For tires manufactured on or after January 1, 2028, 9.0 N/kN.

(3) For tires manufactured on or after January 1, 2031, 7.1 N/kN.

(b) Ultra Long-Life and Ultra High-Performance Tires. No tire manufacturer, tire brand
name owner, or tire retailer shall sell or offer for sale in California, except as wholesale
for final retail sale outside the state, any ultra long-life or ultra high-performance
replacement tire that has an EU correlated rolling resistance coefficient greater than the
following, when tested according to the specifications in section 3303(a):

(1) For tires manufactured before January 1, 2028, there is no energy performance
standard requirement.

(2) For tires manufactured on or after January 1, 2028, 9.8 N/kN.

(3) For tires manufactured on or after January 1, 2031, 8.5 N/kN.

(c) Long-Life Tires. No tire manufacturer, tire brand name owner, or tire retailer shall sell or offer for sale in California, except as wholesale for final retail sale outside the state, any long-life replacement tire that has an EU correlated rolling resistance coefficient greater than the following, when tested according to the specifications in section 3303(a):

(1) For tires manufactured before January 1, 2028, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2028, 9.4 N/kN.

(3) For tires manufactured on or after January 1, 2031, 7.8 N/kN.

(d) Low Load Index Tires. No tire manufacturer, tire brand name owner, or tire retailer shall sell or offer for sale in California, except as wholesale for final retail sale outside the state, any low load index replacement tire that has an EU correlated rolling resistance coefficient greater than the following, when tested according to the specifications in section 3303(a):

(1) For tires manufactured before January 1, 2028, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2028, 9.5 N/kN.

(3) For tires manufactured on or after January 1, 2031, 7.6 N/kN.

(e) Light Truck Replacement Tires. No tire manufacturer, tire brand name owner, or tire retailer shall sell or offer for sale in California, except as wholesale for final retail sale outside the state, any light truck replacement tire that has an EU correlated rolling resistance coefficient greater than the following, when tested according to the specifications in section 3303(a):

(1) For tires manufactured before January 1, 2028, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2028, 9.0 N/kN.

(3) For tires manufactured on or after January 1, 2031, 7.8 N/kN.

(f) Multiple Applicable Standards. In the event a replacement tire qualifies for more than one of the tire types listed in subsections (b), (c), (d), or (e), then the applicable energy performance standard is the numerically higher EU correlated rolling resistance coefficient energy performance standard that applies to the tire.

(g) Exemption of Tires Sold to Equip Authorized Emergency Vehicles. This section does not prohibit the sale or offering for sale of a replacement tire or a limited production tire that does not meet the standards in subsections (a), (b), (c), (d), (e), and (f) directly to an owner or operator of one or more authorized emergency vehicles as defined by section 165 of the Vehicle Code to equip its authorized emergency vehicles.

(h) Exemption for Last Resort Tires. When no basic model is available in sufficient quantities, for a specific vehicle model operated in California, that complies with the requirements set forth in either subsections (a), (b), (c), (d), (e), and (f) of this section,

subsection (a) of section 3308, or both, a tire manufacturer or brand name owner may request an exemption from the energy performance standard or the relative wet grip braking performance index performance standard for a basic model that would be available for that vehicle. Tires exempted pursuant to this subsection will be listed in the database of approved tires.

(1) Request for Exemption for Last Resort Tire. To request an exemption, a tire manufacturer or brand name owner shall submit an exemption request letter to the Executive Director and commission staff by sending it both electronically to the email address for tire program inquiries at TIRES@energy.ca.gov, and hard copy by mail to the Executive Director's address listed on the commission's website at <https://www.energy.ca.gov>. The exemption request letter shall include a declaration executed under penalty of perjury of the laws of the State of California showing each of the following:

(A) The model name and tire size designation of the basic model for which it is seeking an exemption;

(B) Any facts and evidence necessary to establish that there is no alternative basic model that meets the standards in either subsections (a), (b), (c), (d), (e), (f), and (g) of this section, subsection (a) and (b) of section 3308, or both, that is available for sale in California, in sufficient quantities, that could meet the tire specifications, based on fit, vehicle weight, load index, and typical driving conditions, of a specific vehicle model operated in California;

(C) If a request for exemption was previously denied, the new information that has become available or the changed circumstances that have occurred that materially affect the previous decision;

(D) The information required to be submitted pursuant to section 3305(e);

(E) The full legal name, address of the principal place of business, telephone number, and email address of both the person executing the declaration and any entity requesting an exemption, and the title of the person, and;

(F) The person executing the declaration is authorized to do so and to submit the request on behalf of all entities included in the request.

(2) Executive Director Determination. The Executive Director shall review all requests for exemptions for last resort tires as follows:

(A) The Executive Director shall review exemption request letters for completeness and may, within 14 days after receipt, notify the filer that the exemption request letter was not complete, and, if so, shall specify what information is missing from the filing.

(B) Once the Executive Director determines that an exemption request letter is complete, the Executive Director shall have 60 days to approve or deny the request. In evaluating the request, the Executive Director shall review the information provided in the request letter, the existing tires available on the market in California, and assess the tire manufacturer's ability to manufacture a

replacement tire that meets the energy performance standards of this section and the wet grip performance standards of subsection (a) and (b) of section 3308.

(C) The Executive Director shall grant the request if the Executive Director determines that the filer has sufficiently demonstrated that no basic model complies with the requirements of subsection (a), (b), (c), (d), (e), (f), and (g) of this section, or subsection (a) and (b) of section 3308, or both, as applicable, and is not available in sufficient quantities for a specific vehicle model operated in California. In determining whether a basic model is available in sufficient quantities, the Executive Director may consider factors including, but not limited to, the extent that the frequency that tire retailers accept and fulfill orders for the basic model, the frequency that tire retailers experience undue delays in fulfilling orders for the basic model, and any other facts that the requestor presents.

(D) Nothing in this subsection limits the Executive Director's authority pursuant to section 3309.

(3) Revocation of the Exemption. The Executive Director may revoke any granted exemption for last resort tires, upon 60 days' notice to the contact submitted pursuant to section 3305(c)(2), prospectively for a basic model manufactured after the date of revocation if the Executive Director determines that a basic model is available in California that complies with the requirements set forth in subsections (a), (b), (c), (d), (e), (f), and (g) of this section, or subsections (a) and (b) of section 3308, such that the basis for requesting an exemption no longer applies.

(4) Appeal to the Commission. Within 30 days of a decision by the Executive Director pursuant to this section, a filer may appeal it to the Commission pursuant to section 3310(d).





(5) Exemption Duration and Renewal. An exemption granted under this section shall remain in effect for seven years after the exemption is granted and then automatically terminate without notice, unless renewal is granted. An entity may apply to renew the seven-year period of an exemption at any time before an exemption terminates by requesting an exemption as set forth in subsection (h)(1) of this section. Nothing in this section prohibits an entity whose exemption has terminated from requesting an exemption as set forth in subsection (h)(1).

NOTE: Authority cited: Sections 25210, 25213, 25218(e), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code; Section 11180, Government Code. Reference: Sections 25210, 25216.5(d), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code; Section 11180, Government Code.

§3307. Energy Efficiency Rating for Replacement Tires

(a) Tire Energy Efficiency Rating System. Replacement tires shall be assigned a tire energy efficiency rating from zero to four leaves, with zero leaves or no rating assigned to the least energy efficient tires, and four leaves to the most energy efficient tires. Each manufacturer or brand name owner shall assign a tire energy efficiency rating, as set forth in Figure 1, to each of its replacement tires listed in the database of approved tires. The energy efficiency rating shall be based on the declared EU correlated rolling resistance coefficient of each replacement tire of the same basic model submitted by a manufacturer or brand name owner to the database of approved tires.

Figure 1: Energy Efficiency Rating for Replacement Tires

<u>TIRE ENERGY EFFICIENCY RATING</u>	<u>Passenger Cars and Light-Duty Trucks</u>
	<u>Has a declared EU correlated rolling resistance coefficient no more than 6.5 N/kN.</u>
	<u>Has a declared EU correlated rolling resistance coefficient greater than 6.5 and no more than 7.7 N/kN.</u>
	<u>Has a declared EU correlated rolling resistance coefficient greater than 7.7 and no more than 9.0 N/kN.</u>
	<u>Has a declared EU correlated rolling resistance coefficient greater than 9.0 and no more than 10.5 N/kN.</u>
<u>[No Rating]</u>	<u>Has a declared EU correlated rolling resistance coefficient greater than 10.5 N/kN.</u>

NOTE: Authority cited: Sections 25213, 25218(e), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400, 25401, 25602, 25770, 25771, 25772, 25773, Public Resources Code.

§3308. Relative Wet Grip Braking Performance Index Performance Standard

(a) No tire manufacturer, tire brand name owner, or tire retailer shall sell or offer for sale in California, except as wholesale for final retail sale outside of the state, any replacement tire that is manufactured on or after January 1, 2028 that has a relative wet grip braking performance index less than 1.0.

(b) Exemption of Tires Used to Equip Authorized Emergency Vehicles. This section does not prohibit a tire manufacturer, tire brand name owner, or tire retailer from selling or offering for sale a replacement tire that does not meet the relative wet grip braking performance index performance standard in subsection (a) directly to an owner or operator of one or more authorized emergency vehicles as defined by section 165 of the Vehicle Code to equip its authorized emergency vehicles.

(c) Exemption for Last Resort Tires. When no basic model that complies with the requirements set forth in subsections (a) and (b) is available for a specific vehicle model operated in California, a tire manufacturer or brand name owner may request an exemption from the relative wet grip braking performance index performance standard stated in this section by submitting a request for exemption pursuant to section 3306(h)(1).

NOTE: Authority cited: Sections 25213, 25218(e), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code.

§3309. Compliance and Verification

(a) General Requirements for the Sale of All Replacement Tires and Limited Production Tires. No tire manufacturer, tire brand name owner, or tire retailer shall sell or offer for sale a replacement tire or a limited production tire in California, except as wholesale for final retail sale outside the state, unless the tire meets all of the following conditions:

(1) The basic model shall be listed in the database of approved tires described in section 3304, except as provided in sections 3306(g) and 3308(b) for an emergency vehicle.

(2) For replacement tires, the basic model shall meet the energy performance standard and the relative wet grip braking performance index performance standard listed in sections 3306(a), 3306(b), 3306(c), 3306(d), 3306(e), 3306(f) and 3308(a), except for a tire of last resort approved pursuant to section 3306(h) or an emergency vehicle pursuant to sections 3306(g), 3308(b), or both.

(3) For replacement tires, the tire manufacturer or brand name owner has submitted an up-to-date statement pursuant to section 3305 that the basic model meets the performance standard listed in sections 3306(a), 3306(b), 3306(c), 3306(d), 3306(e), 3306(f) and section 3308(a), except for a tire of last resort that the Executive

Director has approved pursuant to section 3306(h) or an emergency vehicle as provided in sections 3306(g), 3308(b), or both.

(b) Request for Verification from Manufacturer or Brand Name Owner of Statements and Confirmations.

(1) For any basic model, the Executive Director or commission staff may at any time request from a manufacturer or brand name owner a copy of the test report or other information that provides the basis for any information or confirmation submitted under this Article, including without limitation information submitted pursuant to section 3305. The request shall be sent to the contact person designated in section 3305(c)(2). The manufacturer, brand name owner, or designee shall provide a copy of the applicable information, including any applicable test report, to the Executive Director and commission staff within 30 days of receipt of the request, or at a mutually agreed upon date.

(2) If the Executive Director or commission staff does not receive the information within 30 days or the agreed upon time under subsection (b)(1) of this section, the commission staff may move the listing for the basic model into the database of archived tires described in section 3304(a)(2) and shall so notify the database-designated contact person, as described in section 3305(c)(2).

(3) If the Executive Director or commission staff determines that information submitted indicates that the replacement tire characteristics are different than declared by the manufacturer or brand name owner pursuant to section 3305(e), the Executive Director shall, after notifying the contact person designated in section 3305(c)(2), modify the listing of the replacement tire in the database to accurately reflect the information or test report. Additionally, the Executive Director may proceed according to subsection (f).

(c) Inspection of Replacement Tires by the Executive Director or Commission Staff.

(1) The Executive Director or commission staff may periodically inspect replacement tires sold or offered for sale in California, to determine whether they conform to sections 3303, 3304, 3305, 3306, 3307, and 3308. Inspection of a basic model shall consist of inspection of at least one replacement tire. Inspection may include testing replacement tires under subsections (d) and (e) of this section.

(2) Tire Is the Same as Reported and Declared by Manufacturer or Brand Name Owner. If the inspection indicates that the tire conforms to sections 3303, 3304, 3305, 3306, 3307, and 3308 and the information listed in the database described in section 3304 is correct, the matter may be closed.

(3) Replacement Tire Is Different Than Reported and Declared by Manufacturer or Brand Name Owner. If the Executive Director or commission staff determines that the inspection indicates that the tire characteristics are different than declared by the manufacturer or brand name owner pursuant to section 3305, the Executive Director or commission staff may proceed according to subsections (e) or (f).

(d) Testing of Replacement Tires by the Executive Director or Commission Staff.

(1) The Executive Director or commission staff may periodically test replacement tires sold or offered for sale in California, at test facilities meeting the criteria of section 3303, to determine whether the replacement tires are as reported and declared by the manufacturer or brand name owner pursuant to section 3305.

Testing shall be performed as follows:

(A) The Executive Director or commission staff shall cause tests on three units of a basic model of a replacement tire. For rolling resistance, the Executive Director or commission staff shall use the applicable test procedure specified in section 3303 and determine the mean plus two standard deviations of the rolling resistance coefficient for the three tires.

(B) Upon completion of the test, the Executive Director or commission staff shall make a determination and proceed as follows:

(i) Replacement Tire Is No Different Than Reported and Declared by Manufacturer or Brand Name Owner. If the test result from subsection (d)(1)(A) of this section indicates that the replacement tire is no different than reported and declared by the manufacturer or brand name owner to the database pursuant to section 3305, the matter may be closed.

(ii) Replacement Tire Is Different Than Reported and Declared by Manufacturer or Brand Name Owner. If the Executive Director or commission staff determines that the replacement tire characteristics tested under subsection (d)(1)(A) of this section are different than declared by the manufacturer or brand name owner pursuant to section 3305, the Executive Director or commission staff may proceed according to subsections (e) or (f).

(e) Determination of Completeness, Accuracy, and Compliance of Statements, Confirmations, and Database Listings. Notwithstanding any other provision of these regulations, the Executive Director or commission staff may at any time challenge the completeness, accuracy, and compliance with the requirements, of any statement or confirmation submitted pursuant to this Article, or of any information listed in the database. If the Executive Director or commission staff determines that any statement or confirmation submitted pursuant to this Article, or of any information listed in the database is incomplete, inaccurate, or otherwise fails to comply with any of the requirements of this Article, then the Executive Director or commission staff shall send notice of the defects to the database-designated contact person, as described in section 3305(c)(2) and may take any other action authorized by law, including without limitation, any one or combination of the following:

(1) If the affected basic model or tire of last resort is not listed in the database of approved tires, then the Executive Director or commission staff may refuse to allow the basic model or tire of last resort to be listed in the database of approved tires, until the Executive Director or commission staff determines the defect is cured.

(2) If the test result indicates that the replacement tire is different than reported and declared by the manufacturer or brand name owner to the database pursuant to

section 3305 but meets the energy performance standard set forth in section 3306 and the relative wet grip braking standards set forth in section 3308, the commission staff shall modify the information of the tire in the database to accurately reflect the Executive Director or commission staff's determination and shall so inform the database-designated contact person, as described in section 3305(c)(2).

(3) If the test result indicates that as of the date of manufacture, the replacement tire does not meet the energy performance standard set forth in subsections (a), (b), (c), (d), (e), and (f) of section 3306, the relative wet grip braking standards set forth in subsection (a) of section 3308, or both, and the replacement tire is not exempted under subsections (g) or (h) of section 3306, subsections (b) or (c) of section 3308, or both, the commission staff may remove the listing for the basic model from the database of approved tires to the database of archived tires upon notice to the database-designated contact person, until the Executive Director or commission staff determines that any defect is cured.

(4) The Executive Director or commission staff may test units of the replacement tire at the commission's, manufacturer's, or brand owner's cost as described in subsection (f) of this section.

(5) The Executive Director of commission staff may seek appropriate judicial action and undertake a proceeding against the manufacturer, the brand name owner, or both pursuant to Sections 11445.10, 11445.20, 11445.30, 1445.40, 11445.50, and 11445.60 of the California Government Code (or, at the manufacturer's or brand name owner's option, pursuant to Sections 11425.10, 11425.20, 11425.30, 11425.40, 11425.50, and 11425.60 of the California Government Code).

(f) Determination of Qualification of a Compliance Verification Laboratory.

Notwithstanding any other provision of these regulations, the Executive Director may at any time challenge the qualifications of a compliance verification laboratory and investigate a laboratory, including requesting and auditing test reports from the laboratory and requiring the laboratory to allow the Executive Director to witness any test on request. If the Executive Director finds the laboratory has failed to comply with the requirements for a compliance verification laboratory pursuant to section 3303(a)(2), the Executive Director may disqualify the laboratory from serving as a compliance verification laboratory until the laboratory has established to the Executive Director that the laboratory complies with section 3303(a)(2). If the Executive Director determines that a laboratory has willfully failed to comply with the requirements of section 3303(a)(2), or is unable to comply based on repeated violations, then the Executive Director may permanently disqualify a laboratory from serving as a compliance verification laboratory.

(g) Tires Illegally Being Sold or Offered for Sale in California. If the Executive Director determines that a tire requiring submission to the database is not listed on the database of approved tires and is being sold or offered for sale in California, the Executive Director shall take appropriate legal action to restrain and discourage such sale or offering, including but not limited to, any one or combination of the following: testing

units of the tire at the commission's, manufacturer's, or brand name owner's cost as described in subsection (f) of this section; recommending that the commission consider initiating appropriate judicial action; and notifying the tire manufacturer, tire brand name owner, or tire retailer of the requirement to list products to the database.

(h) No tire manufacturer, brand name owner, or tire retailer shall make, or knowingly cause to be made, a statement, representation, or claim in any commercial advertising material that is inconsistent with any information that has been reported pursuant to section 3305. For purposes of this subsection, commercial advertising material includes, but is not limited to, the following examples: written, electronic, broadcast, or digital advertisements, promotional materials, press releases, or brochures.

(i) Nothing in this section shall prohibit the Executive Director, commission, or both from taking any other action provided for by law for violations of this Article, including, without limitation, referring the matter to the Attorney General for enforcement.

NOTE: Authority cited: Sections 25210, 25213, 25216.5(d), 25218, 25400, 25401, 25602, 25770, 25771, 25772, 25773, 25900, Public Resources Code; Sections 11180, 11455.10, 11455.20, Government Code; Reference: Sections 25210, 25216.5(d), 25218, 25400, 25401, 25770, 25771, 25772, 25773, 25900, Public Resources Code; Sections 11180, 11455.10, 11455.20 Government Code.

§3310. General Administration

(a) Forms and Formats Specified by Commission Staff. The commission staff may specify and require the use of any form or format for the submittal of any data, reports, or other information required by this Article, including but not limited to computer programs or formats.

(b) Electronic Submittals.

(1) Unless otherwise stated in this Article, the statements and other submittals required or allowed by this Article shall be submitted electronically to the database.

(2) Any electronic submittal to the database constitutes a representation by the person making the submission that:

(A) All applicable requirements of this Article have been met;

(B) The person will electronically acknowledge receipt through the database of all electronic communications concerning the submission from the commission staff through the database to the person;

(C) All electronic communications concerning the submission from the commission staff through the database to the person making the filing shall be deemed received by the person upon notification to the commission staff, by the computer or other electronic device from which the commission staff communication has been sent, that the communication has been sent; and

(D) All electronic communications concerning the submission from the person to the commission staff shall be deemed received by the commission staff only upon becoming accessible to the commission staff through a database submission or via email.

(3) At any time, the commission staff may refuse an electronic submission by any person, and may remove affected basic models from the database, upon determining that an applicable requirement of this Article is not being met.

(c) Retention of Records.

(1) Tire manufacturers and tire brand name owners shall retain all data, forms, information, and all other records required by this Article concerning each tire in accordance with the following:

(A) For at least two years after the manufacturer or brand name owner notifies the Executive Director or commission staff, by the statement required by section 3305(g)(3), that the tire has ceased being sold or offered for sale in California; and

(B) In a manner allowing ready access by the Executive Director or commission staff on request.

(2) The commission staff shall retain all data, forms, information, and all other records required by this Article concerning each tire for nine years after the record is initially submitted or reconfirmed.

(d) Appeals to the Commission. Within 30 days of any decision or determination made by the commission staff pursuant to this Article, any entity subject to the part of the decision or determination at issue may appeal the decision or determination to the commission. The following procedures apply to the appeal:

(1) The appeal shall be in writing and signed by the appellant and filed with the commission's Docket Unit by mail or email, as set forth in Title 20 CCR sections 1208 and 1208.1. The appeal shall consist of a written argument, stating the grounds for modifying or reversing the decision, identifying the statutes and regulations relevant to the appeal, and stating whether an oral hearing is requested. The appeal shall include a copy of all relevant notices, responses, correspondence, documents, and decisions.

(2) Within 30 days after the date the appeal was filed, the Executive Director shall provide the appellant a written decision or determination, stating the grounds for affirming, modifying, or reversing the decision, identifying the statutes and regulations relevant to the appeal, and stating whether an oral hearing is requested. The Executive Director's written decision or determination shall be accompanied by any relevant notices, responses, correspondence, documents, and decisions not previously provided by the appellant.

(A) The proceedings on appeal shall be conducted using informal hearing procedures in a manner consistent with Government Code sections 11425.10 and 11445.10 and Title 20 CCR sections 1200, 1201, 1202, 1203, 1204, 1205,

1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, and 1216. The Chair of the commission may appoint a committee to conduct proceedings including an oral hearing, if any. If the Chair of the commission appoints a committee, the presiding member of the committee shall prepare a proposed decision for consideration at a business meeting for potential adoption by the commission. At the conclusion of an oral hearing or anytime thereafter, or if no oral hearing is requested then anytime after the Executive Director submits its written decision or determination, the presiding member may close the hearing record and preclude additional testimony and evidence.

(B) The commission shall review the decision or determination made pursuant to this Article de novo.

NOTE: Authority cited: Sections 25213, 25218(e), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code; Reference: Sections 25216.5(d), 25400, 25401, 25770, 25771, 25772, 25773, Public Resources Code.