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Comments of the US Tire Manufacturers Association (USTMA)

Please see attached.

Additional submitted attachment is included below.

June 16, 2026

California Energy Commission
Docket Unit
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

Re: Comments of the U.S. Tire Manufacturers Association on the California Energy Commission's Proposed Tire Efficiency Regulation

I. Introduction and Overview

The U.S. Tire Manufacturers Association ("USTMA") respectfully submits these comments in response to the California Energy Commission's ("CEC" or "Commission") proposed tire efficiency regulation.

USTMA is the national trade association representing manufacturers that make tires in the United States. USTMA members operate 55 facilities in 16 states, are responsible for more than 329,527 jobs and have an annual economic footprint of $259.5 billion. The U.S. tire manufacturing industry supports more than 606,477 additional U.S. jobs in supplier and induced activities, totaling more than 936,004 jobs nationwide. USTMA advances a sustainable tire manufacturing industry through thought leadership and a commitment to science-based public policy advocacy. Our member companies' tires make mobility possible. USTMA members are committed to continuous improvement of the performance of our products, worker and consumer safety, and environmental stewardship.

USTMA acknowledges the Commission's goals of improving tire energy efficiency and providing consumers with meaningful information about tire performance. These are goals that USTMA and its members share. USTMA has been engaged in this regulatory development process since its inception, engaging in public workshops, submitting comments, providing data and organizing educational opportunities for CEC staff. Accordingly, we offer these comments in a constructive spirit, focused on questions of applicability, test methodology, compliance assurance, and enforcement — areas where we believe the current proposal can be strengthened to achieve its objectives more effectively and equitably.

II. Summary of USTMA Positions

USTMA's overall positions on the proposed regulation are summarized below and developed in greater detail in subsequent sections.

USTMA supports a consumer-facing rating system at point of sale that addresses rolling resistance, wet traction, and tread wear. Such a system enables consumers to understand and evaluate the performance tradeoffs associated with different tire choices and to select the tire best suited to their driving needs, climate, and vehicle. The staff report already contemplates a public database and rating system for fuel-efficiency information, and federal law likewise directed the U.S. Department of Transportation to develop a national replacement-tire fuel-efficiency rating system, consumer information requirements, test specifications, and a tire-maintenance consumer education program under 49 U.S.C. § 32304A. A coordinated North American approach remains preferable where possible since the CEC proposal expressly relies on internationally recognized methods, including ISO and European frameworks, for rolling resistance and wet traction. We believe transparency about these tradeoffs is essential to building consumer confidence in the rating system and ensuring that energy efficiency gains are not achieved at the expense of safety or durability.

USTMA supports achievable rolling resistance coefficient ("RRC") performance standards. Because USTMA members compete vigorously with one another in the marketplace on rolling resistance performance, each member company is best positioned to speak individually to its own capabilities, perspectives, and commitments in this area. USTMA members reserve the right to submit individual comments regarding RRC standards.

USTMA supports minimum wet traction performance standards as a necessary safety backstop to ensure that there are no unacceptable tradeoffs between rolling resistance improvements and wet traction performance. We note, however, that wet traction standards for passenger tires should be established at the federal level. The National Highway Traffic Safety Administration ("NHTSA") has a statutory mandate under the FAST Act to promulgate minimum wet traction standards for tires sold in the United States. That mandate has not yet been implemented. USTMA urges the Commission to coordinate with NHTSA and to structure any California wet traction requirements in a manner consistent with anticipated federal standards.

USTMA supports consumer education about proper tire maintenance, including maintenance of proper tire inflation pressure, as a cost-effective complement to tire efficiency standards. USTMA also supports a consistent regulatory approach across North America — encompassing

both the United States and Canada — to enhance market consistency, reduce compliance complexity for manufacturers, and facilitate cross-border trade, while respecting the unique needs of each market.

III. Applicability

USTMA generally supports the Commission's approach of targeting replacement tires and excluding used and retreaded tires from the scope of the proposed regulation, but several categories in the scope should be refined to improve clarity and enforceability. The proposal indicates that used and retreaded tires are outside the rule's scope and identifies specific excluded categories, including certain specialty tires, emergency-vehicle tires, motorcycle tires, certain small-diameter tires, and limited-production tires. USTMA supports the exclusions identified in the proposal. However, we have significant concerns about how several scope and category questions are resolved in the current proposal. We address those concerns in turn below.

A. Original Equipment Tires Sold in the Replacement Market

The Commission should exempt from the requirements all original equipment ("OE") tires that are sold in the replacement market. USTMA member companies have contractual obligations to their OE customers — typically vehicle manufacturers — to provide OE-specification tires as direct replacements for the life of that vehicle model. These tires are developed to precise vehicle-specific performance and safety requirements and may not be freely substituted with alternative products. Requiring OE replacement tires to meet separate state-level efficiency rating criteria creates conflicts with those contractual and technical obligations and could impair vehicle safety.

B. Light Truck and C-Type Tires

The proposal raises important questions about the treatment of light truck ("LT") tires and European Metric commercial ("C-type") tires[1] that must be resolved carefully. USTMA

[1] European Metric C-Type tires are standardized by the European Tyre and Rim Technical Organisation (ETRTO) and are heavy-duty, commercial-grade tires designed specifically for cargo vans, delivery vehicles, and light trucks that regularly haul heavy payloads. Originally popularized in Europe as "Euro-Metric commercial" tires, they have become more common in North America due to the increased popularity of cargo and transit vans. A C-type tire is identified by the letter "C" placed directly after the wheel diameter (for example: 225/75R16C). C-type tires typically have a high load capacity, reinforced construction, higher inflation pressures, and lower speed tolerances. USTMA produced a Tire Information Service Bulletin (TISB) differentiating C-type tires from LT tires and cautioning

recommends that LT and C-type tires be considered outside of scope of this regulation until issues surrounding the wet traction test method appropriate for these tires can be resolved.

USTMA notes that the applicable wet traction test standard, ISO 23671, was developed for and validated on passenger car tires only. The Commission should study and resolve LT wet traction testing methodology before requiring LT tires to meet wet traction requirements. In the interim, the LT tires should remain outside the scope of the tire efficiency requirements until appropriate wet traction test methods are established. These recommendations are described more fully in the section below on wet traction. Similarly, USTMA urges CEC to develop an allowance for long-wearing LT tires.

With respect to C-type tires, USTMA recommends that if LT tires are included within the scope of the regulation, C-type tires should be included as well. C-type tires can be used as functional replacements for LT tires in many applications. Excluding C-type tires from coverage while regulating LT tires would create an obvious circumvention pathway, particularly for importers, and would undermine the integrity of the program.

C. Street-Legal Race Tires

Street-legal race tires should be excluded from the applicability of this regulation. These tires are not designed or intended for sustained use on public roads. They carry DOT markings because they are often required by race organizations to level the playing field and to reduce costs. These tires typically are not intended for use on roads or highways at all. Subjecting these highly specialized tires to consumer tire efficiency rating requirements would be technically inappropriate and would produce misleading consumer information. We recommend that the Commission exclude any tire that the manufacturer designates as a street-legal competition tire from the regulation, and we are willing to work with Commission staff to develop appropriate identification criteria.

D. Limited-Production and Low-Volume Exemption

USTMA understands the rationale for a limited-production, reporting-only approach for low-volume tires and views the concept as potentially useful for certain specialty tire types and fitments that are produced in small quantities and for which compliance testing would impose

about replacing a C-type tire with an LT tire. Tire Information Service Bulletin (TISB) Vol. 49, No. 3: Vehicles Equipped With C-Type Commercial Tires. U.S. Tire Manufacturers Association, 2024.

disproportionate burdens. However, we have significant concerns about the enforceability and potential abuse of the current proposal.

Specifically, we are concerned that the "every prior year" lookback concept for verifying volume thresholds is impractical and unverifiable, particularly for imported tires from manufacturers with little or no U.S. presence. We recommend that the Commission adopt a more workable, time-bounded lookback period and provide clear guidance criteria for qualifying for the exemption. The Commission should also incorporate anti-gaming provisions to prevent repeated or cyclical reliance on the low-volume exemption to avoid compliance obligations, while ensuring that such provisions do not impose unmanageable documentation burdens on legitimately compliant manufacturers.

E. Definition and Treatment of Winter/3PMS Tires

The proposed regulation contains internally inconsistent definitions of winter tires that must be reconciled before the rule can be implemented fairly. Some sections define winter/snow tires solely by reference to achieving 112 on the ASTM F1805 test and the Three-Peak Mountain Snowflake (3PMS) symbol, while other provisions of the proposal appear to use a narrower definition limited to tires specifically designed and intended for dedicated winter use. This inconsistency creates significant uncertainty about which tires are covered as "winter tires," for purposes of scope exclusions.

USTMA recommends that the Commission adopt a single, consistent definition of tires for use in severe snow conditions throughout the regulation, and that this definition encompass all tires that bear the 3PMS marking and have achieved a Traction Index of 112 or greater on the ASTM F1805 standard (" Standard Test Method for Single Wheel Driving Traction in a Straight Line on Snow- and Ice-Covered Surfaces").The 3PMS marking is earned only by meeting this objective performance criterion: a tire may carry the symbol only if its snow traction index meets or exceeds 112% of the traction index of a defined reference tire under ASTM F1805 testing.[2] Both NHTSA and Transport Canada have adopted this criterion to identify tires for use in severe snow conditions in Federal Motor Vehicle Safety Standard (FMVSS) No. 139 and the Canadian Motor Vehicle Safety Standard (CMVSS) No. 139 respectively. Basing the winter tire definition on this

[2] USTMA defines passenger and light truck tires for use in severe snow conditions in its Tire Information Service Bulletin (TISB) 37. This bulletin indicates that "tires designed for use in severe snow conditions are recognized by manufacturers to attain a snow grip index equal to or greater than [a Minimum Snow Grip Index of 1.12 using SRTT16 ASTM F2493 or a Minimum Snow Grip Index of 1.10 when using the SRTT14 ASTM E1136], when using ASTM F1805-20 snow traction test with medium packed snow surface and equivalent percentage loads."

measurable, independently verified criterion — rather than on a manufacturer's product positioning — ensures that the definition reflects genuine, demonstrated snow-traction capability and is administrable by regulators and enforceable in the marketplace. All-season tires that carry the 3PMS marking have met this threshold and should be treated consistently with dedicated winter tires for purposes of this regulation; the relevant distinction is performance, not marketing category.

Tires that meet the ASTM F1805 threshold of 112 and carry the 3PMS marking must be treated consistently throughout the regulation — both for purposes of any scope exclusion and for purposes of any RRC allowance. A tire excluded from scope on the basis of its winter-performance characteristics under one provision of the regulation should not be subject to rolling resistance requirements under a different provision that employs a different, narrower definition. Conversely, if 3PMS-marked tires are retained within scope, the RRC allowance must apply uniformly to all of them, not only to a subset that the Commission regards as "dedicated" winter products.

UNECE Regulation 117 provides directly relevant and well-established international precedent for this approach. Regulation 117, which governs rolling resistance and wet grip and other performances for tires approved under the UNECE type-approval framework, expressly grants tires bearing the 3PMS marking an RRC allowance above the applicable category threshold. This allowance reflects that the unique tread compound characteristics, sipe density, block geometries, and void ratios required to achieve snow traction performance are inherently incompatible with the rolling resistance levels achievable by summer or non-severe snow-rated all-season designs. The UNECE drafters recognized that penalizing 3PMS-marked tires for their necessary engineering tradeoffs would distort the market against tires that deliver a genuine and important safety benefit to consumers in winter driving conditions. Critically, Regulation 117 applies this allowance uniformly to all tires bearing the 3PMS marking, without further subdivision into "dedicated" versus "four-season" winter products. The Commission should follow the same approach and apply consistent treatment of all tires that have earned the 3PMS marking through the ASTM F1805 performance test.

USTMA therefore recommends that the Commission revise Section 62(a) to state that tires bearing the 3PMS marking based on meeting the snow traction index threshold of 112 are "acceptable for use in winter periods," with express clarification that this definition applies uniformly throughout the regulation. Should CEC instead opt to include some or all tires with the 3PMS marking within the scope of the regulation, USTMA advocates that all such in-scope tires

be entitled to an RRC allowance appropriate for this critical market and offers to work with CEC as it develops the allowance approach.

IV. Tire Efficiency (RRC) Standards, Categories, and Timelines

As noted above, because USTMA members compete vigorously with one another in the marketplace on rolling resistance performance, USTMA is not submitting collective comments on proposed RRC performance levels, tier categories, or compliance timelines. Individual member companies may submit comments on these matters reflecting their own technical capabilities and competitive perspectives.

That said, any final rule should continue to recognize category-specific performance differences and should avoid treating all tire designs as interchangeable. While USTMA members may comment individually on the sufficiency of the categories and associated allowances proposed by CEC, USTMA recognizes and appreciates that CEC proposes establishing separate categories where product characteristics justify differentiated treatment.

V. Wet Traction Requirements

USTMA and its members support the principle of a safety backstop for wet traction to complement rolling resistance requirements. Ensuring that efficiency improvements do not degrade wet traction performance is a matter of genuine consumer safety, and USTMA endorses the Commission's objective in this regard. The staff report states that the proposed wet-grip minimum is 1.0 using ISO 23671:2021 and explains that the standard is intended to ensure that improved efficiency does not come at the expense of safety. The Notice of Proposed Action likewise describes the wet-grip standard as part of the statutory effort to avoid adverse impacts on tire safety.

As noted in Section III.B above, the CEC proposal relies on ISO 23671 as the applicable wet traction test standard. ISO 23671, however, explicitly applies only to passenger car tires. The staff report describes ISO 23671:2021 as the wet-grip method incorporated by reference for the proposal, but that method is framed around passenger-car tire testing, while the proposal also covers light-duty-truck applications. The ISO 23671 scope statement excludes commercial vehicle tires, and the standard is designed around test vehicles, reference tires, and test speeds appropriate for passenger car applications: an instrumented passenger car with ABS, braking from 85 km/h down to 20 km/h, and a single reference tire — the P225/60R16 97S Standard Reference Test Tire (SRTT) defined in ASTM F2493. Using ISO 23671 to evaluate LT tires would be

technically inappropriate, would produce results that are not comparable to data generated in passenger car testing programs, and has not been validated for the larger, heavier, and differently loaded tire structures used in LT applications.

The most relevant existing ISO methodology for LT tire wet traction testing is ISO 15222, "Truck and Bus Tyres — Method for Measuring Relative Wet Grip Performance — Loaded New Tyres" (most recently updated in 2021). ISO 15222 was developed specifically to measure relative wet grip braking performance (wet traction) of commercial vehicle tires, and its scope encompasses all commercial vehicle, truck, and bus tires. The standard offers two test procedures — a vehicle method using an ABS-equipped commercial vehicle, and a trailer or tyre test vehicle method — which parallel the dual-method structure of ISO 23671. ISO 15222 uses three distinct Standard Reference Test Tires calibrated to different commercial tire size ranges: the SRTT16C (225/75R16C 116/114S, defined in ASTM F2872) for tires with load index ≤121 and speed category ≥N, the SRTT19.5 (245/70R19.5 136/134M, defined in ASTM F2871) for narrow-profile heavy truck tires, and the SRTT22.5 (315/70R22.5 154/150L, defined in ASTM F2870) for wide-profile heavy truck tires. The SRTT16C is sized and rated directly in the LT tire range, making ISO 15222 structurally well-suited to serve as the foundational test method for LT tires if appropriately validated for that application.

Notwithstanding these structural similarities, ISO 15222 and ISO 23671 differ in several important respects that bear directly on any attempt by the Commission to apply ISO 15222 to LT tires in the context of a California regulatory requirement. First, the test speeds differ: ISO 15222's vehicle method brakes from 60 km/h to 20 km/h, reflecting the lower operating speeds and longer stopping distances of loaded commercial vehicles, while ISO 23671 brakes from 80 km/h to 20 km/h using a passenger car. This speed differential affects the friction and the wet braking dynamics captured by the test, meaning that wet grip indices (G) generated under the two standards are not directly interchangeable.

Second, the permissible water depth on the test track surface differs slightly: ISO 15222 allows 0.5–2.0 mm, while ISO 23671 specifies a narrower range of 0.5–1.5 mm, which can affect interlaboratory variability. Third, the reference tires are different and are calibrated to different vehicle and tire populations, so any performance threshold expressed as a relative index under one standard cannot be assumed to map directly to an equivalent performance level under the other. Both standards do share core surface characterization requirements — dense asphalt, maximum chipping size 8–13 mm, macro texture depth (MTD) of (0.7 ± 0.3) mm, and temperature correction protocols — and both produce a dimensionless relative wet grip index

(G) by comparing candidate tire braking performance against the applicable SRTT, which provides a meaningful structural basis for harmonization over time.

UNECE Regulation No. 117 also is relevant here because it includes wet-grip (typically referred to as “wet traction” in U.S. regulations) provisions for different tire classes, including C-type tires, rather than treating all products as if passenger-car methods necessarily apply unchanged. UNECE Regulation 117 sets wet grip minimum performance standards for C2-class tires — defined as tires conforming to UNECE Regulation No. 54 with a load index in single formation of ≤121 and a speed category symbol of "N" or higher (i.e., ≥140 km/h) — which substantially overlaps with the LT tire class. Under Regulation 117, C2 tires are tested using the procedures specified in Annex 5, Part B, which employs a tyre test vehicle or a trailer, consistent with the trailer method described in ISO 15222.

The minimum wet grip index (G) thresholds under Regulation 117 for C2 tires are: (i) G ≥ 0.95 for normal tires and snow tires (non-traction position), (ii) G ≥ 0.85 for traction-position tires, special-use tires, and tires designated as severe-snow-condition (3PMS) tires. Notably, Regulation 117 sets a lower minimum threshold for 3PMS-marked C2 tires (G ≥ 0.85) than for non-winter C2 tires (G ≥ 0.95), recognizing the performance tradeoffs inherent in winter tire design — a consideration that parallels the RRC allowance discussed in Section III.E above. Regulation 117 does not expressly cross-reference ISO 15222 as the applicable test method for C2 tires, and the precise test procedures set out in its Annex 5 Part B would need to be reviewed carefully in any effort to align California requirements with the Regulation 117 framework.

USTMA does not currently have sufficient data on wet traction performance across the range of LT tire products to recommend appropriate minimum threshold levels for a California regulation. The absence of such data is itself a reason why the Commission should undertake or commission targeted testing and technical study before establishing LT wet traction requirements. We recommend that the Commission engage with USTMA members, NHTSA, and relevant standards bodies including ISO Technical Committee 31 to evaluate whether ISO 15222, appropriately scoped and validated for LT tires, can serve as the foundation for LT wet traction compliance testing in California, and whether the Regulation 117 C2 threshold structure provides a reasonable starting point for minimum performance requirements.

In its report entitled *Summary of tire testing for California's replacement tire efficiency program, per Assembly Bill 844*[3], Smithers MSC, Inc. evaluated C2 LT tires for wet grip using the ISO 23671:2021 trailer-based wet braking method on a wetted asphalt surface, with one tire tested per SKU at 65 ± 2 km/h, 75% of load index, and inflation pressures of 180 kPa (standard load) or 220 kPa (extra load). Smithers tested six distinct LT tire models in four tire sizes (LT245/75R16 120/116 S, LT255/70R17 121/118 S, LT245/75R16 120/116 Q, and LT275/65R18 113/100 Q) for wet grip using the LISO 23671:2021 test. Unfortunately, as Smithers correctly noted in its report, ISO 23671:2021 is specified for passenger car tires; therefore, it is not appropriate to use this test for LT tires. Even if this test method were appropriate for LT tires, the sample size of six individual tire models across four sizes does not represent a large enough sample size to characterize LT tires, across diverse tire applications, performance needs and vehicle types and service demands.

Smithers then tested additional LT tire models and sizes in its Phase 2 study.[4] In this updated study, 10 unique tire samples (unique service descriptions tested included were LT225/75R16 115/112 R, LT225/75R16 115/112 S, LT255/75R17 111/108 Q, LT255/75R17 111/108 T, LT275/70R18 125/122 S, LT285/70R17 121/118 S, LT315/70R17 121/118 S, AND LT315,70R17 126/123 R) tested for wet grip following ISO 23671:2021. However, the load indices for three of those unique tires were higher than 121 (two were 125/122, while the third was 126/123), and thus would be out of scope of this regulation. Like the Phase 1 Report, these tests were conducted using ISO 23671:2021, which is specified exclusively for passenger car tires. While these additional tests add seven new unique datapoints and seven additional unique service descriptions that would be subject to the proposal, the sample size remains too small to characterize the diverse LT tire category, even if the test method used were appropriate for LT tires.

USTMA recommends that CEC defer tire efficiency and wet traction requirements for LT tires until these issues can be resolved, which would be consistent with the staff report's repeated emphasis on technical feasibility and would reduce the risk of adopting a requirement that cannot be applied uniformly or defended scientifically for the covered product set. USTMA also requests that the Commission address testing-related issues, including the specification of test

[3] Smithers MSE Inc. (2023). *Summary of tire testing for California's replacement tire efficiency program, per Assembly Bill 844* (Smithers File No. F49432BS-01VAU). Prepared for Pacific Gas and Electric Company, in consultation with the California Energy Commission.
[4] Smithers MSE Inc. (2024). Summary of tire testing for California's replacement tire efficiency program per Assembly Bill 844: Phase 2 – Correlated to the European virtual machine (Smithers File No. F53018BS). Prepared for the California Energy Commission, funded by Pacific Gas and Electric.

inflation pressures and test loads, which can materially affect wet traction test results. These parameters must be clearly specified in the regulation to ensure reproducibility and fair comparison across products. We also encourage the Commission to assess whether sufficient accredited testing capacity exists to support the compliance regime as proposed, and to consider whether capacity constraints could create barriers to market entry that disproportionately affect smaller manufacturers.

USTMA also continues to believe that wet-traction requirements are better suited to federal action where possible. Congress directed the Secretary of Transportation to develop, by rule, a national tire fuel-efficiency consumer information program that includes test specifications and consumer information for replacement tires, and the FAST Act subsequently reinforced the federal role in tire performance standards and consumer information. A federal solution would better support consistent safety messaging and reduce the risk of divergent state-by-state wet-traction regimes. Given that CEC wishes to move forward on its tire efficiency rulemaking before federal wet traction requirements have been established, USTMA recommends that CEC include a provision in its regulations to adopt federal wet traction requirements, if and when they are established. This provision would allow CEC to move forward now, while recognizing the benefits of a unified federal approach that would avoid a patchwork of potentially different requirements on a key safety attribute of tires.

VI. Testing Burden, Compliance Margins, and Tire Family Certification

The proposed regulation will impose significant compliance testing obligations on tire manufacturers and importers. Each tire (9-digit DOT) that is subject to the regulation must be tested to demonstrate conformity with the applicable rolling resistance and wet grip requirements before it can be offered for sale in California. For a manufacturer with a broad product portfolio spanning multiple tire categories, rim diameters, aspect ratios, load ratings, and speed ratings, the number of individual tires subject to testing could reach the thousands. The direct cost of compliance testing — including laboratory fees, test tire procurement, and logistics — can be substantial on a per-tire basis, and the aggregate burden across a large portfolio is potentially prohibitive, particularly for smaller manufacturers, niche product producers, and importers with limited technical infrastructure. The Commission should address this reality through a well-designed tire family certification framework before the regulation takes effect.

A. Tire Family Certification

USTMA supports the use of tire family certification — the grouping of tire lines sharing defined common design and construction characteristics for purposes of demonstrating regulatory compliance through a representative sample of tests — as an essential component of any workable compliance framework. Tire family certification is well-established in both domestic and international tire regulation. Under the federal Uniform Tire Quality Grading Standards ("UTQGS"), codified at 49 C.F.R. Part 575.104, NHTSA has long permitted manufacturers to conduct treadwear, traction, and temperature resistance testing on a representative tire within a tire line rather than on every individual size and variant, with results applied across the line.

UTQGS indicates that a "tire line" is a group of tires of the same materials, construction and design, and allows a manufacturer to select a representative tire from each line for road testing according to the regulations.[5] This approach has been in effect for decades under a federal tire performance labeling program and provides a proven domestic precedent for exactly the kind of family-based compliance framework that the CEC should adopt here. In the international context, UNECE Regulation 117 allows tires sharing the same construction type, ply structure, tread pattern family, compound type, and speed and load rating range to be grouped into a family from which a worst-case or representative line is selected for testing, and the EU Tyre Labelling Regulation (EU 2020/740) employs a similar approach. USTMA supports adoption of a comparable framework in California, provided that the family grouping criteria are clearly defined, technically defensible, and set out in the regulation itself rather than left to case-by-case Commission discretion.

At minimum, a tire family framework for this regulation should specify: (1) the construction and design parameters that define family membership, including tread pattern category, compound family, carcass construction type (radial vs. bias), and ply rating; (2) the criteria for selecting the worst-case or reference tire within a family for compliance testing, in a manner that is conservative and protective of the regulatory objectives; (3) the process by which a manufacturer demonstrates that non-tested family members fall within the performance range

[5] Within 49 CFR § 575.104, the testing procedures use the term "tire line" (e.g., § 575.104(e)(2)(i) requires tires on each axle to be "identical with respect to manufacturer and line." 49 CFR § 575.104 defines "new tire line" (in § 575.104(d)(1)(i)(A)) as "a group of tires differing substantially in construction, materials, or design from those previously sold by the manufacturer or brand name owner." *Uniform tire quality grading standards* (Title 49, Pt. 575.104). National Archives and Records Administration.

established by the tested representative; and (4) the circumstances under which a family must be re-tested, such as upon a significant change to tread compound, construction, or pattern. Without these guardrails, tire family certification could be misused to avoid testing obligations, and the Commission would lack the tools to identify and challenge inappropriate family groupings. USTMA is willing to engage with Commission staff on the technical criteria that should define tire families for purposes of this regulation, drawing on the frameworks established under Regulation 117 and EU 2020/740 as reference points.

B. Compliance Margins and Measurement Tolerances

Any physically measured tire performance value — whether rolling resistance coefficient or wet grip index — is subject to inherent measurement variability arising from test equipment calibration, track surface conditions, ambient temperature fluctuations, and tire-to-tire production variation. A regulatory compliance regime that applies rated performance values as hard pass/fail thresholds with zero tolerance will systematically penalize manufacturers for normal, non-systematic measurement variation, and will create perverse incentives to label tires conservatively far below their actual performance rather than at their genuine capability. This outcome would distort consumer information, undermine the reliability of the rating system, and disadvantage manufacturers who label accurately.

USTMA urges the Commission to adopt compliance margins and measurement tolerances consistent with the approach established under existing domestic and international tire performance labeling programs. The federal UTQGS program offers a relevant domestic baseline: NHTSA's enforcement practice under 49 C.F.R. Part 575.104 accounts for test-to-test variability in treadwear and traction grades when assessing whether a tire is mislabeled, rather than treating grade boundaries as absolute bright lines, reflecting the agency's long-standing recognition that tire performance measurements carry inherent variability that must be factored into any enforcement judgment. In the international context, UNECE Regulation 117 and the EU Tyre Labelling Regulation (EU 2020/740) specify explicit numerical tolerances: a tire is deemed compliant with its declared rolling resistance class if the measured RRC value does not exceed the declared value by more than 0.3 N/kN; for wet grip, a declared index value is confirmed if the measured index is within 3 percentage points (i.e., the measured G is not less than the declared G minus 0.03). These tolerances reflect the demonstrated interlaboratory reproducibility of the applicable test methods and represent a technically grounded approach to managing measurement uncertainty in a regulatory context. USTMA recommends that the Commission adopt equivalent numerical tolerances — 0.3 N/kN for RRC and 0.03 for wet grip index G — as the compliance margins for this regulation, applying them both to initial

certification testing and to market surveillance testing conducted by or on behalf of the Commission.

Adopting these tolerances in the California regulation would have several benefits. It would align California with a well-established international framework, reducing the risk that manufacturers face conflicting compliance obligations in different markets. It would provide manufacturers with a clear and predictable safe harbor, encouraging accurate labeling rather than conservative labeling. And it would focus enforcement attention on tires that genuinely underperform their declared ratings by a meaningful margin, rather than on tires that fall within the normal band of measurement variation. USTMA recommends that the Commission expressly incorporate these tolerance values into the regulation and specify that they apply to both initial certification testing and market surveillance testing conducted by or on behalf of the Commission.

VII. Enforcement, Compliance Risk, and Market Fairness

USTMA's members have significant concerns that unclear or underinclusive enforcement could place compliant domestic manufacturers at a competitive disadvantage relative to non-compliant actors, particularly importers with limited U.S. presence and limited assets subject to California jurisdiction. An efficiency regulation that is not effectively enforced against *all* market participants does not achieve its energy and consumer-information objectives, and it imposes real competitive harm on those who do comply.

To address these concerns, USTMA recommends that the Commission:

- Establish enforcement mechanisms that reflect the practical realities of testing variability and measurement uncertainty, including clearly specified tolerances and safe harbors that protect manufacturers from penalties for minor, non-systematic deviations from rated performance.
- Focus enforcement resources and penalties on high-risk actors and intentional noncompliance, rather than on minor reporting discrepancies by manufacturers acting in good faith.
- Within Phase 1 adoption, implement clear market enforcement and surveillance mechanisms, ensuring all tires allowed for sale in Phase 1 are fully compliant with both recommended minimum performance standard for tire fuel efficiency and minimum wet grip performance.

- Coordinate with other regulatory bodies — including U.S. Customs and Border Protection and retail oversight authorities — to ensure that imported tires are subject to the same compliance expectations as domestically produced tires, creating a level playing field.
- Develop a predictable, transparent compliance pathway that provides manufacturers with clear guidance on testing, assigning rating levels and reporting obligations well in advance of applicable compliance dates.
- Explore other additional enforcement measures and authority to help ensure enforcement within appropriate tolerances.

VIII. Performance Tradeoffs and Sustainability Impacts

USTMA recognizes the real and quantifiable performance tradeoffs that generally exist among rolling resistance, tread life, wet traction, and cost. A regulation requiring a lower rolling resistance will generally result in tires with decreased tread life as well as potentially reduced wet traction. This would cause potential downstream consequences including increased scrap tire generation, higher replacement costs for consumers, and price impacts that could undercut consumer acceptance and the broader sustainability goals motivating the regulation. These tradeoffs can be particularly pronounced for certain tire categories and use cases. Tire engineering involves the balancing of multiple competing performance demands, and improvements in one dimension frequently come at the expense of another.

As described above, because USTMA members compete vigorously with one another in the marketplace on rolling resistance performance, USTMA is not submitting collective comments on proposed RRC performance levels, tier categories, or compliance timelines. Individual member companies may submit comments on these matters reflecting their own technical capabilities and competitive perspectives on the extent to which this proposal would or could pose unacceptable performance tradeoffs.

USTMA acknowledges the CEC proposal to review and revise the program at least every three years following adoption and implementation, which intends to provide a mechanism to assess whether standards are producing unintended consequences for durability, cost, or scrap-tire outcomes. We encourage CEC to assess the regulation's impact on product availability in California and consumer choice as part of this review process and consider product development cycle times in any changes CEC makes to the program based on the outcome of a review. USTMA recommends that CEC review the impact of Phase 1 before implementing Phase 2.

IX. Consumer Information and Maintenance

The consumer-information component of the rule should be designed so purchasers can understand tradeoffs rather than viewing tire performance through a single metric. The federal program contemplated by 49 U.S.C. § 32304A includes consumer information, point-of-sale and internet disclosure, test specifications, and a tire-maintenance education program, and those elements remain useful guideposts for California even though the federal program remains incomplete. USTMA therefore supports a practical consumer-information structure that helps drivers consider rolling resistance alongside wet traction, treadwear, and maintenance practices.

X. Conclusion and Path Forward

USTMA appreciates the opportunity to comment on the Commission's proposed tire efficiency regulation. We remain committed to continued constructive technical engagement with CEC staff on test methods, database design, enforcement approaches, and long-term technology trajectories. We stand ready to assist the Commission in developing a regulation that is technically sound, practically enforceable, and equitable across all market participants.

We urge the Commission to adopt a balanced, phased, and enforceable rule that achieves meaningful energy-efficiency benefits while maintaining consumer safety, preserving consumer choice across a full range of performance attributes, and ensuring a level competitive playing field for all tire manufacturers and importers operating in the California market.

USTMA thanks the Commission for its consideration of these comments and looks forward to continued dialogue on these important issues.

Respectfully submitted,

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