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Comments of the US Tire Manufacturers Association (USTMA)

Please see attached.

Additional submitted attachment is included below.

August 3, 2026

California Energy Commission
Docket Unit
715 P Street, MS-4
Sacramento, CA 95814-5512

Re: Additional Comments of the U.S. Tire Manufacturers Association on the California Energy Commission's Revised Replacement Tire Efficiency Regulation (Docket No. 26-TIRE-01)

Dear Chair Hochschild and Members of the Commission:

I. Introduction

The U.S. Tire Manufacturers Association ("USTMA") respectfully submits these additional comments pursuant to the California Energy Commission's ("CEC" or "Commission") Notice of Additional Public Comment Period and Summary of Changes, filed July 17, 2026 (TN #271526) ("Revised Proposal"). USTMA also acknowledges the July 17, 2026 Smithers Addendum to Summary of Tire Testing Reports (TN #271527) ("Smithers Addendum"), which clarifies the test methodology used for light truck tire wet traction testing in the underlying Smithers Phase 1 and Phase 2 studies.

USTMA submitted initial comments on June 16, 2026 (TN #270674) addressing applicability, test methodology, compliance assurance, and enforcement. Many of the changes reflected in the Revised Proposal are directly responsive to those comments, and USTMA appreciates the Commission's careful consideration of the technical issues we raised. These additional comments identify where the Commission's changes address USTMA's prior positions, note areas where additional clarification or revision is needed, and reiterate priorities that have not yet been resolved.

II. Summary of USTMA's Positions on the Revised Proposal

USTMA's overall assessment of the Revised Proposal's changes is as follows:

- USTMA supports the extension of Phase 1 and Phase 2 compliance dates and reiterates its recommendation that the Commission commit to a formal review of Phase 1 results before proceeding to Phase 2 implementation.

- USTMA acknowledges the Commission's adoption of ISO 15222 as the wet grip test method for light truck and commercial replacement tires as a significant step toward resolving the methodological concerns raised in USTMA's initial comments. Because the Smithers Addendum does not resolve the underlying data adequacy concerns, USTMA recommends that CEC defer regulatory action on LT tires at this time[1] and continue to study both wet grip and rolling resistance performance limits for light truck tires until a statistically robust data set, collected under properly documented ISO 15222-compliant conditions, has been obtained and made available for public comment. USTMA also reiterates its comment for the need for a long-life test method and allowance for LT/C category of tires.

- USTMA renews its request for an exemption for original equipment tires sold in the replacement market, which is not addressed in the Revised Proposal.

- USTMA supports the new "competition tire" exclusion and recommends that CEC coordinate with racing organizations to ensure the definition functions as intended in the marketplace.

- USTMA supports the creation of the "all-season winter performance tire" category and its exemption from both rolling resistance and wet grip performance standards. USTMA recommends clarifying the boundary between this new category and the "winter-type snow tire" exclusion to ensure consistent classification throughout the regulation.

- USTMA supports the revised definition of "winter-type snow tire," which now rests on objective, measurable criteria aligned with FMVSS and CMVSS standards, consistent with USTMA's initial recommendation.

- USTMA appreciates the revised regulatory treatment of run-flat and extended mobility tires, which face structural rolling resistance penalties that the standards as originally proposed would not accommodate.

- USTMA raises concerns about the Revised Proposal's forward-looking production volume test for limited production tires, which may constrain market competition

[1] Michelin North America supports continuing to study LT tires but does not support deferring regulatory action on them at this time.

and requires manufacturers to make compliance determinations based on volume projections that cannot account for unpredictable market conditions.

- USTMA acknowledges the two-standard-deviation compliance framework as a meaningful step but urges adoption of explicit numerical tolerance values consistent with UNECE Regulation 117 and EU 2020/740 for both initial certification testing and market surveillance.

- USTMA recognizes that CEC is not requiring testing of each SKU, and requests that CEC confirm in its Final Statement of Reasons that the regulation allows a tire manufacturer to utilize a tire family certification framework.

- USTMA requests that CEC modify what identifying information is required to be reported for each tire in the database. In particular, USTMA asks that CEC require a tire's SKU and its 3-digit plant code, in lieu of requiring a tire's 9-digit Tire Identification Number (TIN). This change would more accurately reflect how tires are identified and ordered by retailers and would reduce market confusion about which tires are allowed to be sold in California.

III. Response to Specific Changes in the Revised Proposal

A. Phase Implementation Dates and the Need for a Phase 1 Review

The Revised Proposal extends compliance dates — moving Phase 1 from January 1, 2028 to January 1, 2029; and Phase 2 from January 1, 2031 to January 1, 2033. USTMA supports this extension. The tire industry operates on multi-year product development cycles, and compliance achieved through product redesign — rather than product withdrawal — requires time for compound formulation, structural validation, production tooling, and market integration. USTMA notes that compliance dates are an area in which its members compete, and that the impact of any compliance timeline on a manufacturer's product offerings will vary depending on that manufacturer's existing portfolio, development pipeline, and market position. The extension reduces, but does not eliminate, the risk that manufacturers will respond to the regulation through product withdrawal rather than innovation.

USTMA reiterates its recommendation that the Commission commit, within the final rule text, to a formal review of Phase 1 outcomes before proceeding to Phase 2 implementation. The Revised Proposal does not include any such provision. The significant uncertainty regarding tire availability, tread life tradeoffs, and scrap tire generation — all of which may become apparent only after Phase 1 takes effect — underscores the need for a formal Phase 1 review. Similarly, the review should evaluate unintended consequences of the regulation on consumers' tire purchasing behavior and resulting effects on vehicle fuel economy. The Commission should adopt a mechanism for evaluating Phase 1 real-world results before the more stringent Phase 2 requirements become operative.

As USTMA noted in its initial comments, there are real and quantifiable tradeoffs among rolling resistance, tread life, and wet traction, such that gains in energy efficiency may come at the expense of other performance dimensions — with downstream consequences for scrap tire generation, consumer replacement costs, and overall product availability that are difficult to model in advance. A Phase 1 review is the appropriate mechanism for evaluating whether those tradeoffs are manifesting in ways the Commission did not anticipate.

B. Light Truck Tires: Data Adequacy and the Need to Defer Performance Limits

The Revised Proposal adopts ISO 15222 as the wet grip test method for light truck and commercial replacement tires. The Smithers Addendum concurrently clarifies that ISO 15222 — not ISO 23671 — was used for LT tire wet traction testing in the Smithers Phase 1 and Phase 2 studies. USTMA acknowledges that the Smithers Addendum is directly responsive to its initial comments, which argued that applying ISO 23671 (a passenger car standard) to LT tires was technically inappropriate. The Commission's adoption of ISO 15222 for LT tires reflects an important correction.

USTMA is concerned, however, that the Smithers Addendum does not fully resolve the underlying data adequacy issues. While the addendum confirms that ISO 15222 was the intended test method, it does not update the underlying test data to document compliance with the specific test conditions required by ISO 15222 — including the applicable reference tire, required inflation pressure, and other test parameters. Without that documentation, USTMA cannot assess whether the test conditions employed in the Smithers studies satisfy all requirements of ISO 15222 or whether the resulting data supports the threshold values the Commission proposes to adopt. USTMA requests that the Commission either provide the full test records necessary to confirm compliance with ISO 15222 test conditions or commission supplementary testing that demonstrates ISO 15222-compliant conditions were met. USTMA requests that the Commission direct Smithers to update its reports specific to the LT tires tested and make them publicly available for comment and allow interested parties adequate time to respond before the regulation is finalized.

USTMA also notes that the sample size for LT tires in the Smithers studies is very small relative to the breadth of the LT tire market. In particular, 16 LT tires were studied in the Smithers studies – 6 in the Phase 1 report and 10 in Phase 2. Additionally, while the Smithers reports do not identify whether any of the LT tires contain 3PMS markings, USTMA understands from discussions with CEC staff that some of the tires are 3PMS marked, which would exclude them from the applicability of the proposed regulation and further narrow the sample size of the Smithers data. The statistical reliability of any wet grip threshold derived from a limited sample is inherently constrained. USTMA urges the Commission to ensure that the threshold ultimately adopted for LT tires is supported by a representative and statistically robust data set before it is incorporated into the final regulation.

USTMA also notes that LT tires operate under significantly different load, speed, and use conditions than passenger car tires, and that the performance tradeoffs among rolling resistance, load capacity, durability, and traction may differ from those applicable to the passenger car tire. The limited Smithers data cannot characterize these differences, which further supports developing a more complete and representative data set for LT tires.

As well, "Large Off Road" LT tires for applications like mud terrain and commercial need to be addressed more fully. The newly proposed Large Off Road category includes only a very limited size range. As such, USTMA proposes that CEC consider an additional exclusion based on speed rating and 3 sidewall plies called "Heavy Duty Off Road." This category would also address smaller LT and pickup truck sizes metric tires that are intended for off road usage but are not 3PMS. USTMA would be willing to work with CEC to identify appropriate criteria.

For all these reasons, USTMA recommends that the Commission defer regulation on LT tires at this time and continue to study wet grip and rolling resistance performance limits for light truck and commercial replacement tires to obtain a statistically robust data set collected under properly documented ISO 15222-compliant conditions and provide the public a meaningful opportunity to comment on that data. Including LT performance limits in the final regulation before this foundation is established risks setting standards that are not technically defensible, that may not be achievable by the LT tire market, and that were not subject to adequate public review. USTMA is prepared to engage constructively with Commission staff on a process for developing LT-specific limits on an appropriate timeline.

Regarding C-type tires: USTMA supports the Commission's decision to bring C-type tires within the definition of "light truck and commercial replacement tire." As USTMA noted in its initial comments, excluding C-type tires while regulating LT tires would create a pathway to circumvent the requirements. The Commission's revision addresses this concern. USTMA recommends that the Commission confirm that the same wet grip test method and performance threshold apply to C-type tires as to LT-prefix tires.

C. Original Equipment Tires Sold in the Replacement Market

The Revised Proposal does not address USTMA's initial recommendation to exempt original equipment ("OE") tires sold in the replacement market. USTMA reiterates this crucial request. AB 844 (Nation, 2003) was "designed to ensure that replacement tires sold in the state are at least as energy efficient, on average, as the tires sold in the state as original equipment on these vehicles," also codified at Public Resources Code Sections 25770 through 25773. Based on this legislative language, the intent of the legislature is clear – to apply to replacement tires, not the tires that are sold in the state as original equipment.

USTMA members must honor their contractual obligations to vehicle manufacturer customers to provide OE-specification tires as direct replacements for the life of the vehicle model. These tires are developed to vehicle-specific performance and safety requirements and, in many cases, cannot be freely substituted with alternative products without adverse safety consequences.

USTMA requests that the Commission adopt a targeted exemption for tires sold in the replacement market as direct replacements for OE applications, identifiable by OE part number, vehicle fitment designation, or other manufacturer designation developed in consultation with Commission staff. USTMA understands, based on conversation with CEC staff, that CEC may be willing to create such an exemption but that they were struggling to develop language that would create an appropriate exemption without potential unintended consequences. USTMA would like to offer to meet with CEC to better understand their concerns with this request and work cooperatively with the Commission to develop an appropriate exemption.

D. All-Season Winter Performance Tires — New Category

The Revised Proposal creates a new defined category, "all-season winter performance tire," for tires that (A) are subject to the UTQG standards, (B) achieve a traction index of 112 or greater on the ASTM F1805-20 snow traction test, and (C) bear the Alpine Symbol per 49 CFR 571.139 S5.5(I). All-season winter performance tires are included within the scope of the regulation as "replacement tires" but are exempt from both the energy performance standards in Section 3306 and the wet grip performance standards in Section 3308.

USTMA supports this approach. The creation of the all-season winter performance tire category reflects the Commission's recognition of a fundamental engineering reality: tires designed to meet rigorous snow traction performance standards cannot simultaneously achieve the rolling resistance levels required by Phase 2 standards without compromising the very safety characteristics that justify their design. The exemption from both RRC and wet grip standards correctly treats these tires as a distinct product category with a distinct safety function.

USTMA makes the following recommendations:

- USTMA urges CEC to consider combining the dedicated snow and all-season 3PMS categories into a single snow-tire category to improve clarity and ease of interpretation. The definition should align with USTMA TISB 37: Definition for Passenger and Light Truck Tires For Use In Severe Snow Conditions."

- The proposed regulations should make clear how the all-season winter performance tire exemption interacts with all applicable performance standard categories. Section 3306(g) specifies that Section 3306(f) takes precedence when a tire qualifies for both the all-season category and one of Sections 3306(b) through (e). The same priority rule should be expressly stated in Section 3308(d). USTMA recommends that the Commission add parallel cross-reference language to ensure consistency.

- The definition of all-season winter performance tire requires that the tire be "subject to the UTQG standards." UTQG applicability is governed by federal law (49 CFR 575.104) and may not always be readily verifiable by regulators from the tire sidewall alone. Furthermore, no LT/C tires are subject to UTQG requirements. USTMA recommends that the Commission specify how UTQG applicability is to be confirmed for purposes of this definition, for example by reference to whether the tire carries UTQG markings (treadwear, traction, and temperature grades) as required by federal regulation.

E. Winter-Type Snow Tire Definition

USTMA appreciates that CEC has now implemented an objective, performance-based approach to defining dedicated winter tires that USTMA recommended, keyed to the same traction index threshold and Alpine Symbol used by NHTSA in FMVSS 139 and Transport Canada in CMVSS 139.

The Revised Proposal strikes the subjective criterion from the original proposed definition of "winter-type snow tire" — which required a finding that the tire is "limited in its acceptable use to winter periods by virtue of its design and construction" — and replaces it with an objective two-part test: (1) traction index of 112 or greater on ASTM F1805-20, and (2) equipped with studs or marked with the Alpine Symbol. The Revised Proposal also adds the clarifying sentence: "A tire subject to the UTQG standards is not a 'winter-type snow tire.'"

USTMA supports the removal of the subjective design-and-construction criterion, which USTMA identified in its initial comments as a source of definitional uncertainty and regulatory inconsistency. However, USTMA recommends a change to the language in §3302. Definitions as follows:

> (~~62~~66) "Winter-type snow tire" means a tire that has all the characteristics of subsections (A), **~~and~~** **or** (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.~~
>
> (A) Attains a traction index equal to or greater than 112, compared to the ASTM F2493-20 standard reference test tire when using the snow traction test on the medium pack snow surface as described in ASTM F1805-20 and marked with an Alpine Symbol, specified in the Federal Motor Vehicle Safety Standards at 49 Code of Federal Regulations part 571.139 S5.5(a) (October 1, 20243), on at least one sidewall.
>
> (~~C~~B) Is equipped with studs~~ or is~~.

Regarding UTQG markings, USTMA also highlights and asks CEC to recognize that some tires are voluntarily marked with UTQG grades, even if the tires are not subject to the requirements. Tire manufacturers might choose to provide voluntary UTQG markings for marketing reasons or other commercial reasons.

USTMA urges the Commission to align with the industry standard for the "Definition for Passenger and Light Truck Tires For Use In Severe Snow Conditions" in USTMA TISB 37. Alternatively, USTMA urges the Commission to provide additional guidance on the two-tier structure now created by the Revised Proposal — the distinction between UTQG-subject tires (all-season winter performance tires, within scope but exempt) and UTQG-exempt tires (winter-type snow tires, excluded from scope entirely). USTMA recommends that the Commission publish administrative guidance that clearly explains how tire manufacturers should classify their 3PMS-marked products between the two categories.

USTMA also advocates that CEC remove the revision date from the reference to ASTM F2493 reference tire. In its 2022 final rule adopting the ASTM F2493 reference tire,[2] NHTSA recognized that

> it would be preferable to refer to ASTM F2493 without regard to version number. Because the SRTT is a reference tire that is designed to have a specific level of performance, NHTSA would not expect that any subsequent revision of ASTM F2493 to have a consequential effect on the performance of the SRTT. Further, regardless of any particular version of ASTM F2493 that might be referenced in NHTSA's regulations, it is likely that any tire available for purchase and used by NHTSA will be manufactured according to the most recent or immediate prior version of ASTM F2493, given that the tire is manufactured in small batches.

USTMA recommends that CEC align its reference to the ASTM F2493 reference tire with this NHTSA final rule, as well as Canadian and UNECE regulations.

Competition Tire Exclusion

The Revised Proposal adds “competition tire” as an excluded category from the definition of “replacement tire.” A competition tire must satisfy all four of the following criteria: (A) tread depth of 8/32 of an inch or less; (B) speed rating of W, Y, or (Y); (C) UTQG treadwear rating of not greater than 200; and (D) not classified as all-season in manufacturer labeling or original equipment fitment programs.

USTMA supports the creation of this exclusion, which responds to USTMA’s initial recommendation to exclude street-legal competition tires from the regulation’s scope. However, USTMA recommends that CEC align the definition for these tires with that used by racing organizations, rather than the criteria outlined in the regulation and enumerated in the previous paragraph. In this short comment period, a cursory review of racing organizations’ requirements indicates that they typically do not carry speed rating

[2] Federal Motor Vehicle Safety Standards, Consumer Information; Standard Reference Test Tire, 87 Fed. Reg. 34800 (June 8, 2022) (to be codified at 49 C.F.R. pt. 571 & 575).

requirements, for example, and a more thorough survey is necessary to reflect the needs of this niche market.

USTMA recognizes that some competition tires do not carry speed ratings or a speed rating of V, in addition to those listed, have tread depths greater than 8/32" and/or contain higher UTQG tread wear markings or no UTQG tread wear markings. In addition, the term "all-season" is a marketing term with no industry standard definition. USTMA welcomes the opportunity to work with CEC on outreach to racing organizations to align these criteria with what is used in the field.

Competition tires carry DOT markings not because they are designed for sustained road use, but because racing organizations require DOT markings to level the competition field. Subjecting these tires to consumer efficiency requirements would produce misleading consumer information and regulatory results inconsistent with the tires' design purpose.

F. Run-Flat and Extended Mobility Tires

The Revised Proposal introduces a formal definition of "run-flat and extended mobility tire" keyed to ISO 16992:2018 and sidewall labeling (§3302(a)(51)), and subjects run-flat tires to a separate, more lenient energy performance standard in §3306(b), grouped with ultra long-life and ultra high-performance tires: Phase 1(on or after January 1, 2029) not to exceed 9.8 N/kN; Phase 2 (on or after January 1, 2033) not to exceed 8.5 N/kN. These thresholds are more lenient than the general passenger car standard (9.0 N/kN for Phase 1; 7.1 N/kN for Phase 2). USTMA acknowledges the Commission's effort to accommodate run-flat tire design constraints through a distinct performance category.

Run-flat tires are engineered with reinforced sidewalls and additional internal support structures that enable a vehicle to continue operating safely after a complete loss of air pressure. These structural requirements impose a measurable and unavoidable rolling resistance penalty that cannot be removed without undermining the core safety function of the tire. Applying the same RRC performance standards to run-flat tires as to conventional passenger car tires effectively disadvantages a product category whose structural characteristics were expressly designed to protect vehicle occupants.

USTMA requests that the Commission provide the supporting test data on which the 9.8/8.5 N/kN thresholds were based. While USTMA acknowledges that these limits are more lenient than the general standard, the degree of leniency must be validated by actual test data for run-flat tire designs. If the data demonstrate that the thresholds are not technically achievable given the RRC penalty inherent in reinforced sidewall construction, the Commission should be prepared to adjust the standards further. USTMA is willing to engage with Commission staff to identify technically defensible thresholds drawing on ISO 16992:2018 test data.

G. Limited Production Tire — Revised Definition

The Revised Proposal replaces the original “every prior year” lookback with a forward-looking test: a tire qualifies as a limited production tire if the manufacturer projects that production or importation “will be less than 15,000 tires during the current calendar year.” USTMA appreciates the Commission’s recognition that the “every prior year” lookback was unworkable. However, the Commission’s proposed solution raises its own significant concerns that may limit market competition and impose compliance burdens on manufacturers who cannot predict annual production with certainty. USTMA would welcome the opportunity to discuss this provision with CEC staff to assist in the development of a workable framework for this provision.

USTMA recommends that CEC Recommend aligning with Code of Federal Regulations 575.104 quantity definition of "does not exceed 15,000 tires" instead of CEC's "less than 15,000 tires".

Requiring manufacturers to project production or importation volumes at the start of a calendar year — before market demand, supply chain conditions, and other externalities are known — creates the risk that manufacturers will either forgo the limited production designation (even for tire lines that are genuinely low-volume) out of concern about mid-year compliance exposure, or that a tire line that begins the year within the threshold will exceed 15,000 units due to unanticipated demand. Either outcome undermines the purpose of the limited production tier and may constrain legitimate market competition. Manufacturers cannot reasonably be expected to stake compliance status on volume projections made before they can observe the conditions that drive demand.

USTMA urges the Commission to adopt an approach based on a verified 3-year average of prior calendar year actual volumes — for example, qualifying a tire SKU for limited production treatment if it was produced or imported in an average of fewer than 15,000 units over the preceding three calendar years, with documentation requirements appropriate to that standard. An approach based on known historical data is more administrable, more predictable, and less likely to distort manufacturer decision-making than one based on forward-looking projections. Additionally, CEC should create a mechanism to address how to estimate sales for a new tire size entering the market and allow projected volumes to demonstrate compliance for the first year that it is in the market.

H. Compliance Margins and Measurement Tolerances

The Revised Proposal introduces a two-standard-deviation (2 SD) framework for triggering enforcement action in Section 3309(d)(1)(B), (C), and (D). Under this framework, Commission staff will proceed to formal enforcement only if testing results for RRC exceed the declared value by more than two standard deviations, or if wet grip results fall more than two standard deviations below 1.0 (or 1.45 for UHP tires). USTMA acknowledges this as a meaningful step toward incorporating measurement uncertainty into the enforcement framework.

However, USTMA notes important differences between the 2-SD framework and the fixed numerical tolerances USTMA recommended in its initial comments:

The 2-SD framework is probabilistic and depends on the standard deviation of CEC's test results for a specific tire, which may vary across products and test programs. A fixed numerical tolerance — such as 0.3 N/kN for RRC and 0.03 for wet grip index G, as specified in UNECE Regulation 117 and EU 2020/740 — provides a clear, predictable safe harbor that manufacturers can rely on when labeling products and structuring compliance testing programs. USTMA urges the Commission to adopt fixed numerical tolerances in addition to the 2-SD enforcement trigger.

I. Long-Life and Ultra Long-Life Tire Thresholds

The Revised Proposal lowers the UTQG treadwear score thresholds for both the "long-life tire" and "ultra long-life tire" definitions: the long-life threshold decreases from ≥1,000/<1,400 to ≥800/<1,000, and the ultra-long-life threshold decreases from ≥1,400 to ≥1,000. USTMA supports these changes, which expand the population of tires eligible for the durability-based RRC allowances available to these categories. Tires engineered for durability occupy a distinct market segment, and these threshold adjustments appropriately recognize the performance tradeoffs inherent in long-life tire design. USTMA also reiterates need for an appropriate methodology to identify and provide an allowance for Long Life LT/C tires (another reason to defer requirements for and continue studying LT/C tires).

IV. Compliance and Enforcement

A. Tire Family Certification

In its comments on the April 24 proposed regulation, USTMA advocated that CEC adopt a tire family certification approach. Based on conversations with CEC staff, USTMA understands that CEC believes that the proposed regulations as currently drafted would allow for certification by family, since data are not required for every tire size/SKU and the provisions contain a one-side tolerance band (e.g., a tire can performed better than the level to which it was certified, but only two standard deviations worse than the test value as tested by CEC. USTMA requests that CEC express and confirm this interpretation in its Final Statement of Reasons accompanying the final regulation.

USTMA notes the replacement of “material change” with “substantial change” as the trigger for new database submissions. USTMA supports the broadened definition of substantial change. Additionally, USTMA asks that CEC provide clarification as to what types of changes would not qualify as a substantial change, potentially in the Final Statement of Reasons. USTMA recommends that plant code be expressly identified as a change that would not meet the definition of “substantial change.”

As USTMA noted in its initial comments, the per-SKU testing requirement will impose aggregate compliance costs that are potentially prohibitive for smaller manufacturers, niche product producers, and importers with limited technical infrastructure. Tire family certification — grouping tire lines that share defined design and construction characteristics for compliance testing through a representative sample — is well established under both domestic (49 CFR Part 575.104) and international (UNECE Regulation 117; EU 2020/740) frameworks.

B. Tire Reporting – Identifying Information

USTMA requests that CEC modify what identifying information is required to be reported for each tire in the database. In particular, USTMA asks that CEC require a tire’s SKU and its 3-digit plant code, in lieu of requiring a tire’s 9-digit Tire Identification Number (TIN). The 9-digit TIN is not how tires are identified in manufacturer, distributor and retail catalogues or ordering portals. Instead, these systems rely on a tire’s SKU to identify a tire for ordering and purchasing. This change would more accurately reflect how tires are identified and ordered by retailers and would reduce market confusion about which tires are allowed to be sold in California.

C. Enforcement Improvements — Acknowledgment and Remaining Concerns

USTMA acknowledges several improvements in the enforcement provisions of the Revised Proposal, including:

- The new due process framework for laboratory prohibition proceedings in Section 3309(f), which provides for prior notice, an opportunity for written response, a written decision, a 90-day minimum prohibition period, a structured reinstatement process, and a publicly maintained list of prohibited laboratories.

- The "reason to believe" standard for information requests in Section 3309(b)(1), which replaces the original "at any time" formulation with a threshold standard for initiating compliance inquiries. This change reduces the risk of burdensome inquiries directed at manufacturers acting in good faith.

- The conversion of discretionary ("may") to mandatory ("shall") language throughout the regulation for key staff actions, which provides manufacturers with greater procedural predictability.

USTMA reiterates its recommendation that the Commission adopt targeted enforcement mechanisms specifically directed at imported tires from manufacturers with little or no U.S. presence. The Revised Proposal expands the definition of "manufacturer" to include importers and their affiliates, which is helpful. However, defining enforcement obligations broadly is not the same as providing CEC with practical tools to enforce against overseas actors. USTMA urges the Commission to describe, in implementing guidance or regulation, how it intends to coordinate with 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.

V. Conclusion

USTMA appreciates the Commission's responsiveness to many of the concerns raised in our initial comments. The revisions reflected in the Revised Proposal — particularly the extension of compliance dates, the adoption of ISO 15222 for LT wet grip testing, the creation of the all-season winter performance tire category, the revision of the winter-type snow tire definition, the competition tire exclusion, and the lowering of the long-life tire treadwear thresholds — represent meaningful progress toward a regulation that is technically sound and practically enforceable.

USTMA urges the Commission to resolve the remaining concerns identified in these comments before finalizing the regulation.

USTMA remains committed to constructive technical engagement with Commission staff and stands ready to provide additional information, data, or analysis on any of the issues raised in these comments. We thank the Commission for the opportunity to participate in this proceeding.

Respectfully submitted,

Tracey J. Norberg
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U.S. Tire Manufacturers Association