

This adopted regulations text is provided as a general explanation to assist the public in understanding the applicable regulations. It does not constitute legal advice, nor should it be relied upon as a formal or binding interpretation by the California Energy Commission or its staff. Only the regulations, as finalized by the Office of Administrative Law and filed with the Secretary of State, represent the official requirements. Parties are responsible for evaluating how the regulations apply to their specific circumstances and may wish to consult their own legal counsel for advice.

EXPRESS TERMS
California Code of Regulations
Title 20. Public Utilities and Energy

Division 2. State Energy Resources Conservation and Development Commission

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, 2029 and is sold or offered for sale in California, except as wholesale for final retail sale outside the state.

(b) This Article applies to a laboratory that provides results from a test described in section 3303 of this Article to a manufacturer, tire brand name owner, or the commission.

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) “All-season winter performance tire” means a tire that is subject to the UTQG standards and

(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

(B) 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) (October 1, 2024), on at least one sidewall.

(5) “Assigned RRC value” means the same as the term “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.”

(6) “ASTM” means ASTM International.

(7) “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.

(8) “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.

(9) “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).

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

(11) “Competition tire” means a tire designed for motorsports usage and intended by manufacturers to be fitted to vehicles involved in motorsport competition and

(A) has a tread depth of 8/32 of an inch or less; and

(B) has a speed rating of W, Y, or (Y); and

(C) does not have a UTQG treadwear rating of greater than 200; and

(D) is not classified as an all-season in manufacturer labeling or original equipment fitment programs.

(12) “Compliance verification laboratory” means a laboratory that is 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).

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

(14) “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).

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

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

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

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

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

(20) “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.

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

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

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

(24) “Large off-road tire” means a tire with a speed rating of up to and including Q and not to exceed 99 miles per hour and a minimum diameter of 34.5 inches or more as measured as the longest distance between two outside edges of the tire on the same side.

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

(26) “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.

(27) “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.

(28) “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.

(29) “Long-life” means a tire with a UTQG wear test score of at least 800 but less than 1,000, as evaluated according to the treadwear rating conditions and grading procedure in 49 Code of Federal Regulations part 575.104(e) (October 1, 2024).

(30) “Low load index” means a tire with a load index of 91 or less.

(31) “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.

(32) “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.

(33) “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).

(34) “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.

(35) “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.

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

(37) “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.

(38) “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.

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

(40) “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.

(41) “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.

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

(43) “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.

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

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

(46) “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 13 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;
- (L) a tire that is not capable of maintaining sustained speeds of greater than 50 miles per hour;
- (M) a competition tire;
- (N) a large off-road tire; or
- (O) any tire that the manufacturer has not labeled with a tire identification number pursuant to 49 Code of Federal Regulations part 574.5(a)(1) (October 1, 2024).

(47) “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 (October 1, 2024).

(48) “Rolling resistance coefficient” 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.

(49) “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).

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

(51) “Run-flat and extended mobility tire” means a tire structure provided with technical solutions allowing the tire, mounted on the appropriate wheel and in the absence of any supplementary component, to supply the vehicle with the basic tire functions as verified by ISO 16992:2018 and labeled as such on the tire sidewall.

(52) “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.

(53) “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.

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

(55) “Substantial change” means a revision to a basic model’s declared tire energy efficiency rating, relative wet grip braking performance index range, or qualification for an applicable definition, performance standard, or exemption under this Article.

(56) “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.

(57) “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.

(58) “Tire distributor” means a person or entity selling replacement tires or limited production tires primarily for resale.

(59) “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.

(60) “Tire retailer” means a tire dealer or tire distributor of replacement tires or limited production tires.

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

(62) “Ultra high-performance” means a tire that both bears a speed category symbol of “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.

(63) “Ultra long-life” means a tire with a UTQG wear test score of 1,000 or higher, as evaluated according to the treadwear rating conditions and grading procedure in 49 Code of Federal Regulations part 575.104(e) (October 1, 2024).

(64) “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.

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

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

(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.

(B) 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) (October 1, 2024), on at least one sidewall.

(67) “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>

INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)

ISO 16992:2018

Passenger car tyres — Spare unit substitutive equipment (SUSE)

ISO 28580:2018

Passenger car, truck and bus tyre rolling resistance measurement method — Single point test and correlation of measurement results

ASTM INTERNATIONAL

ASTM F1805-20

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

ASTM F2493-20

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 571.117 (October 1, 2024).

Code of Federal Regulations, title 49
section 571.139, subdivision (S5)
(October 1, 2024).

Code of Federal Regulations, title 49
section 575.104, subdivision (e) (October
1, 2024).

Code of Federal Regulations, title 49
section 574.5, subdivision (a) (October 1,
2024).

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) Is not prohibited from serving as a compliance verification laboratory pursuant to section 3309(f).

(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 25 °C 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 ($A1_f$, $B1_f$, $A2_c$, 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 car and smaller truck and bus 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:

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

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. If the standard deviation (σ_m) of the candidate laboratory is higher than 0.075 N/kN for passenger car and smaller truck and bus tires 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:

$$n + 1 = 1 + (\sigma_m / \gamma)^2, \text{ rounded up to the nearest higher integer value}$$

where:

$\gamma = 0.043 \text{ N/kN}$ for passenger car and smaller truck and bus 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).

If the coefficient of determination (R^2) for the linear regression function described in this subsection is lower than 0.97, the candidate laboratory shall not be considered aligned for that machine.

The EU correlated rolling resistance coefficient of tires tested by the candidate laboratory on an aligned machine shall be calculated as follows:

$$RRC = (A1_l \times A2_c) \times RRC_{m,c} + (A1_l \times B2_c + B1_l)$$

where:

RRC is the EU correlated rolling resistance coefficient.

(b) Relative Wet Grip Braking Performance Index. Test methods, procedures, and conditions shall be as follows:

(1) For replacement tires that are passenger car tires, 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.

(2) For light truck and commercial replacement tires, the test method, procedures, and conditions to determine the peak coefficient of friction of a replacement tire shall be ISO 15222:2025. The calculation of the relative wet grip braking performance index specified in ISO 15222:2025 shall be conducted using an ASTM F2872-25 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) (2024).

(f) UTQG Treadwear. Except as provided below, 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) (2024). For a light-truck or commercial replacement tire, the test method procedures to determine the UTQG treadwear shall be 49 Code of Federal Regulations part 575.104(e) with the following conditions:

(1) If Table 1, as referenced by 49 Code of Federal Regulations part 575.104(e)(2)(ii) (2024), does not specify a treadwear test inflation pressure applicable to the replacement tire, then the test inflation pressure for the replacement tire shall be 84 percent of the maximum pressure specified on the tire's sidewall as corresponding to its maximum rated single-tire load. Otherwise, use the applicable treadwear test inflation pressure as specified in 49 Code of Federal Regulations part 575.104(e)(2)(ii) (2024).

(2) If 49 Code of Federal Regulations part 575.104(h) (2024) does not specify a test-load multiplier applicable to the replacement tire, then determine the replacement tire's test load as follows: (a) multiply 0.866 by the tire's maximum load rating, (b) round the number obtained in subsection (a) of this section to the nearest multiple of ten pounds, or, if metric units are used, 5 kilograms, and (c) use the test load calculated in subsection (b) of this section as the test load for 49 Code of Federal Regulations part 575.104(e)(2)(iii) (2024). Otherwise, use the applicable test load determination procedure described in 49 Code of Federal Regulations part 575.104(h) (2024).

(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) (2024).

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), (h) (October 1, 2024).

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 STANDARDIZATION (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 15222:2025

Truck and bus tyres – Method for 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

ASTM INTERNATIONAL

ASTM F2493-20

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

ASTM F2872-25

Standard Specification for 225/75R16C
116/114S M+S Radial Light Truck
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

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(h), 3308(b), or both, directly to an owner or operator of an authorized emergency vehicle. A tire that the Executive Director or commission staff has determined is exempted as a tire of last resort under section 3306(i), 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 staff for seven years from the date of submission, after which the commission staff shall move the information to the database of archived tires. The commission staff shall send notice to the contact identified pursuant to

section 3305(c)(2) 30 days prior to the move that the tire will be moved from the database of approved tires to the database of archived tires. The notice shall also state that the contact can submit a new statement pursuant to section 3305.

(2) Database of Archived Tires. The database of archived tires shall contain 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 staff for two years from the date of archiving.

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. Each manufacturer or brand name owner shall electronically submit with the commission staff through the database a statement for each basic model before a basic model is sold or offered for sale in California, except as wholesale for final retail sale outside the state or for sale directly to an owner or operator of an authorized emergency vehicle as provided pursuant to section 3306(h), section 3308(b), or both. 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 shall 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 listings 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 (b)(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), any time a basic model's characteristics change such that it is a new basic model as defined in section 3302, the manufacturer or brand name owner shall submit a new statement pursuant to this section. This subsection is subject to the provisions in section 3304(a)(1)(A).

(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 shall 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 section 3303(a).

(D) The tire energy efficiency rating shall be based on the declared 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 section 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 reported as “not applicable.”

(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 reported as “not applicable.”

(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 reported as “not applicable.”

(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 reported as “ongoing.” Reporting “ongoing” as an end year 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). Reporting “ongoing” as an end year 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. This subsection is subject to the provisions in section 3304(a)(1)(A).

(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.
- (4) The name of any laboratory and the contact name, address, telephone number, and email address, where testing was conducted to base the EU correlated rolling resistance coefficient and relative wet grip braking performance index for the basic model.

(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 1,000. (Reportable as “Yes” or “No”)
 - (B) A UTQG treadwear test score of at least 800 but less than 1,000. (Reportable as “Yes” or “No”)
 - (C) A load index of 91 or lower. (Reportable as “Yes” or “No”)
 - (D) Designation as light truck and commercial replacement tire. (Reportable as “Yes” or “No”)
 - (E) Is an all-season winter performance tire. (Reportable as “Yes” or “No”)
 - (F) Is marked with an Alpine Symbol, as described in section 3302(a)(4)(B). (Reportable as “Yes” or “No”)
 - (G) Is a run-flat and extended mobility tire. (Reportable as “Yes” or “No”)
- (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) (2024), 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) 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? (Reportable as "Yes" or "No")

(G) Manufacture year.

(H) Plant code, as printed on the tire sidewall and as required by 49 Code of Federal Regulations part 574.5(b)(1) (2024), 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 tire manufacturer or brand name owner seeks to make a substantial change, as defined in section 3302, it shall submit a new statement modifying the information for the basic model in the database of approved tires 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 tire in the 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 does not meet 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. The commission staff shall subsequently notify the manufacturer or brand name owner of the move. 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

(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 manufacturer or brand name owner shall include a copy of the test report or other information that verifies that the tire complies with this Article.

INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)

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

Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402
www.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), and (i) 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, 2029, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2029 and before January 1, 2033, 9.0 N/kN.

(3) For tires manufactured on or after January 1, 2033, 7.1 N/kN.

(b) Ultra Long-Life Tires, Ultra High-Performance Tires, and Run-Flat and Extended Mobility 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 replacement tire, ultra high-performance replacement tire, or run-flat and extended mobility 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, 2029, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2029 and before January 1, 2033, 9.8 N/kN.

(3) For tires manufactured on or after January 1, 2033, 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, 2029, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2029 and before January 1, 2033, 9.4 N/kN.

(3) For tires manufactured on or after January 1, 2033, 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, 2029, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2029 and before January 1, 2033, 9.5 N/kN.

(3) For tires manufactured on or after January 1, 2033, 7.6 N/kN.

(e) Light Truck and Commercial 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 and commercial 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, 2029, there is no energy performance standard requirement.

(2) For tires manufactured on or after January 1, 2029 and before January 1, 2033, 9.0 N/kN.

(3) For tires manufactured on or after January 1, 2033, 7.8 N/kN.

(f) All-Season Winter Performance Tires. There is no energy performance standard requirement for any all-season winter performance replacement tire.

(g) 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. In the event that a replacement tire qualifies for the tire type listed in subsection (f) in addition to one or more of the tire types listed in subsections (b), (c), (d), or (e), then the provisions of subsection (f) apply.

(h) 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), (f), and (g) 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.

(i) 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), (f), and (g) 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) of section 3308, or both, that is available for sale in California, in sufficient quantities, as used in subsection (i)(2)(C), 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 if applicable, shall, within 14 days after receipt, notify the filer that the exemption request letter was not complete and specify what information is missing from the request. If the filer does not provide all of the missing information within 14 days after the notice is sent, the Executive Director shall deny the exemption request.
- (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 and send a written decision to the filer concerning the approval or denial by email or postal mail. 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) of section 3308. The notice shall state that the filer can appeal the Executive Director's determination made under subsection (i)(2)(C) of this section pursuant to section 3310(d).

(C) The Executive Director shall grant the request if they determine that the filer has demonstrated that there is no basic model that complies with the requirements of subsection (a), (b), (c), (d), (e), (f), and (g) of this section, or subsection (a) of section 3308, or both, as applicable, and is 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 shall consider the following factors including: 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 for Last Resort Tires. The Executive Director shall revoke any granted exemption for last resort tires, upon a 60-day notice to the tire manufacturer or brand name owner 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), (g), and (h) of this section, or subsection (a) of section 3308, such that the basis for requesting an exemption no longer applies.

(A) Notice of Intent to Revoke. The notice described in subsection (i)(3) of this section shall provide the supporting facts showing that the basic model has become available in sufficient quantities under the factors described in subsection (i)(2)(C). The notice shall state that the tire manufacturer or brand name owner may proceed according to subsection (i)(3)(B) of this section and may appeal the Executive Director's revocation under section 3310(d).

(B) Opportunity to Respond. Within 30 days after the Executive Director sends the notice described in subsection (i)(3) of this section, the tire manufacturer or brand name owner may submit a written response to the Executive Director to contest, with supporting facts, the Executive Director's finding that the last resort tire exemption no longer applies.

(C) If a written response pursuant to subsection (i)(3)(B) of this section is not submitted, then the Executive Director shall revoke the granted exemption for the last resort tire 60 days after sending the notice described in subsection (i)(3)(A).

(D) If a written response pursuant to subsection (i)(3)(B) of this section is submitted, the Executive Director shall provide the tire manufacturer or brand name owner with a written decision within 30 days of receiving the written response either revoking or continuing to apply the last resort tire exemption. In making this decision, the Executive Director shall determine whether the

evidence, including facts identified in the notice described in subsection (i)(3)(A) of this section and any facts presented under subsection (i)(3)(B) of this section, shows that the basic model is available in sufficient quantities based on the factors identified in subsection (i)(2)(C). The written decision shall provide a statement that the decision can be appealed pursuant to section 3310(d).

(4) 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 (i)(1) of this section. Nothing in this section prohibits an entity whose exemption has terminated from requesting an exemption as set forth in subsection (i)(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 that identifies the number of leaves that correlates to the declared EU correlated rolling resistance coefficient, as set forth in Figure 1, for 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

TIRE ENERGY EFFICIENCY RATING	Passenger Cars and Light-Duty Trucks
 (Four leaves)	Has a declared EU correlated rolling resistance coefficient no more than 6.5 N/kN.

 (Three leaves)	Has a declared EU correlated rolling resistance coefficient greater than 6.5 and no more than 7.7 N/kN.
 (Two leaves)	Has a declared EU correlated rolling resistance coefficient greater than 7.7 and no more than 9.0 N/kN.
 (One leaf)	Has a declared EU correlated rolling resistance coefficient greater than 9.0 and no more than 10.5 N/kN.
[No Rating] (Zero leaves)	Has a declared EU correlated rolling resistance coefficient greater than 10.5 N/kN.

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, 2029 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 subsection (a) 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(i)(1).

(d) Exemption of All-Season Winter Performance Tires. 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 meets the definition of an all-season winter performance tire but does not meet the relative wet grip braking performance index performance standard in subsection (a).

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 section 3304(a)(1) for a tire sold directly to an owner or operator of an authorized 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), 3306(g), and 3308(a), except for a tire of last resort approved pursuant to sections 3306(i) or 3308(c), a tire sold directly to an owner or operator of an authorized emergency vehicle pursuant to sections 3306(h) and 3308(b), or an all-season winter performance tire pursuant to section 3308(d).

(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), 3306(g), and section 3308(a), except for a tire of last resort that the Executive Director has approved pursuant to section 3306(i) or 3308(c), or a tire sold directly to an owner or operator of an authorized emergency vehicle as provided in section 3305(a), or an all-season winter performance tire pursuant to section 3308(d).

(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 shall 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 information submitted pursuant to section 3305, if the

Executive Director or commission staff has reason to believe that the information is incomplete, inaccurate, or otherwise not in compliance with this Article. 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 or information establishing tire production or importation numbers as the basis to qualify as a limited production tire, to the Executive Director and commission staff within 30 days of receipt of the request, or at a mutually agreed upon date.

(A) "Reason to believe" under subsections (b)(1) and (f) of this section shall be based on information including consumer complaints, information from manufacturers or retailers, information from the database, publicly available sales or product information, or commission staff observations regarding the tire, basic model, or reported tire information.

(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 shall 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 pursuant to this subsection indicates that the replacement tire information is 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. However, if the information submitted pursuant to this subsection shows 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), (f), and (g) 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 (h) or (i) of section 3306 or subsections (b), (c), or (d) of section 3308, the Executive Director or commission staff shall move the listing for the basic model from the database of approved tires to the database of archived tires and inform the contact of the move. Additionally, the Executive Director may proceed according to subsection (f).

(4) If information submitted pursuant to this subsection indicates that a tire does not meet the definition of a limited production tire but the manufacturer or brand name owner has submitted information pursuant to sections 3305(f)(1) and 3305(f)(2)(F) representing that the tire meets the definition of a limited production tire, then the Executive Director or commission staff shall send the manufacturer or brand name owner a written notice pursuant to section 3305(g)(2)(A) with a statement that the manufacturer or brand name owner may submit a new statement pursuant to section 3305.

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

(1) The Executive Director or commission staff may 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 shall include testing replacement tires under subsections (d) and (e) of this section.

(A) Selection of replacement tires for inspection under subsection (c)(1) of this section shall be based on sales volume, claimed exemptions, prior compliance history on the part of the tire manufacturer or brand name owner, consumer complaints, information from the tire manufacturer or brand name owner, information from retailers, publicly available sales or product information, or commission staff observations regarding the tire, basic model, claimed exemptions, or reported tire information.

(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 consistent with the inspection, the matter shall be closed and the Executive Director or commission staff shall take no further action.

(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 shall proceed according to subsections (e) or (f), as applicable.

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

(1) The Executive Director or commission staff may test replacement tires sold or offered for sale in California at test facilities meeting the requirements and applying the test method, procedures, and conditions 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 using the applicable test procedure in section 3303.

(B) If the mean EU correlated rolling resistance coefficient from the testing performed pursuant to subsection 3309(d)(1)(A) is more than two standard deviations greater than the information reported pursuant to section 3305(e)(5), then the Executive Director or commission staff shall proceed according to subsections (e) or (f), as applicable.

(C) If the mean relative wet grip braking performance index from the testing performed pursuant to subsection 3309(d)(1)(A) is more than two standard deviations below 1.0, then the Executive Director or commission staff shall proceed according to subsections (e) or (f), as applicable.

(D) For manufacturers or brand name owners that reported that the relative wet grip braking performance index is 1.45 and greater pursuant to subsection

3305(e)(7), if the mean relative wet grip braking performance index from the testing performed pursuant to subsection 3309(d)(1)(A) is more than two standard deviations below 1.45, then the Executive Director or commission staff shall proceed according to subsections (e) or (f), as applicable.

(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:

(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 shall 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), (f), and (g) 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 (h) or (i) of section 3306 or subsections (b), (c), or (d) of section 3308, the commission staff shall 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 name owner's cost as described in subsection (d) of this section.

(5) The Executive Director or 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, 11445.40, 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) Investigation of a Compliance Verification Laboratory. Notwithstanding any other provision of these regulations, the Executive Director shall investigate a compliance verification laboratory, including requesting test reports from the laboratory and requiring the laboratory to allow the Executive Director to witness any test on request, if the Executive Director has reason to believe that the laboratory has failed to comply with the requirements for a compliance verification laboratory pursuant to section 3303(a)(2). As used in this subsection, "reason to believe" has the same meaning as the term in subsection (b)(1)(A) of this section. If the laboratory has failed to comply with the requirements for a compliance verification laboratory pursuant to section 3303(a)(2), the Executive Director shall prohibit the laboratory from serving as a compliance verification laboratory, subject to the following procedures:

(1) Notice of Intent to Prohibit. The Executive Director shall send the laboratory a notice stating that they intend to prohibit the laboratory from serving as a compliance verification laboratory effective 30 days after the date of the notice. The notice shall identify the requirements under section 3303(a)(2) that the laboratory has not complied with and provide supporting facts that show that the laboratory has not complied. The notice shall state that the laboratory may proceed according to subsection (f)(2) of this section and that the Executive Director's final written decision under subsection (f)(3) of this section can be appealed pursuant to section 3310(d).

(2) Opportunity to Respond. Within 14 days after the Executive Director sends the notice pursuant to subsection (f)(1) of this section, the laboratory may submit a written response to the Executive Director that contests the Executive Director's finding that it has not complied with the requirements of subsection 3303(a)(2) and provides supporting facts.

(3) Executive Director's Written Decision of Prohibition. If the laboratory submitted a written response pursuant to subsection (f)(2) of this section, the Executive Director shall provide the laboratory with a written decision within the 30-day period described under subsection (f)(1) of this section either prohibiting or allowing the laboratory to serve as a compliance verification laboratory. In making this decision, the Executive Director shall determine whether the evidence, including facts identified in the notice pursuant to subsection (f)(1) of this section and any facts provided under subsection (f)(2) of this section, shows that the laboratory has complied with the requirements under section 3303(a)(2). The written decision shall provide a statement that the laboratory can appeal the decision pursuant to section 3310(d).

(4) Duration of Prohibition. If a laboratory is prohibited from serving as a compliance verification laboratory, the prohibition shall remain for a minimum period of 90 days. After the 90-day period, the Executive Director shall proceed according to

subsection (f)(5) of this section only after receiving both of the following via email or postal mail:

(A) A complete test report performed according to section 3303(a)(2) by the laboratory at any time after receiving the Executive Director's written decision described in subsection (f)(3); and

(B) A declaration by the laboratory attesting that it will comply with the requirements of section 3303(a)(2).

(5) Notice of Removal of Prohibition. Within 30 days of receipt of both the complete test report and declaration submitted pursuant to subsections (f)(4)(A) and (B) of this section, the Executive Director shall send a notice to the laboratory confirming receipt. The notice shall also state that the laboratory is no longer prohibited from serving as a compliance verification laboratory effective the date of the notice.

(A) If the laboratory provides a test report or declaration that is not complete pursuant to subsections (f)(4)(A) and (B) of this section, the Executive Director shall so provide the laboratory with notice via email or postal mail within 30 days of receipt of both the test report and declaration with a statement that the laboratory may submit a complete test report and declaration described under subsections (f)(4)(A) and (B) of this section.

(6) List of Prohibited Compliance Verification Laboratories. A "prohibited compliance verification laboratory" is a laboratory that the Executive Director has prohibited from serving as a compliance verification laboratory in a written decision pursuant to subsection (f)(3) of this section or that remains prohibited after an appeal of the Executive Director's written decision pursuant to section 3310(d). The Executive Director shall ensure that a current list of all prohibited compliance verification laboratories is posted on the Commission's webpage. If the Executive Director has issued a notice of removal of prohibition pursuant to subsection (f)(5) of this section, then the Executive Director shall remove the prohibited compliance verification laboratory from the list.

(g) Tires Illegally Being Sold or Offered for Sale in California. If the Executive Director determines that a tire requiring submission to the database of approved tires 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 the following: testing units of the tire at the commission's, manufacturer's, or brand name owner's cost as described in subsection (d) 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 information that has been reported pursuant to section 3305(e)(4). 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, 11425.10, 11425.20, 11425.30, 11425.40, 11425.50, 11425.60, 11445.10, 11445.20, 11445.30, 11445.40, 11445.50, and 11445.60, Government Code; Reference: Sections 25210, 25216.5(d), 25218, 25400, 25401, 25770, 25771, 25772, 25773, 25900, Public Resources Code; Sections 11180, 11425.10, 11425.20, 11425.30, 11425.40, 11425.50, 11425.60, 11445.10, 11445.20, 11445.30, 11445.40, 11445.50, and 11445.60, 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) The commission staff shall refuse an electronic submission by any person, and shall remove affected basic models from the database of approved tires, 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 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 Executive Director or 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 or commission staff shall provide the appellant a written response, 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 or commission staff's written response shall be accompanied by any relevant notices, responses, correspondence, documents, and decisions not previously provided by the appellant.

(3) 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 commission may appoint a committee to conduct proceedings including an oral hearing, if any. If 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 or commission staff submits its written response, the presiding member shall close the hearing record and preclude additional testimony and evidence.

(4) 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; Sections 11425.10 and 11445.10, Government Code.