Testimony before the California Energy Commission on
The Replacement Tire Efficiency Program Final Rulemaking

August 17, 2026

Good afternoon, Commissioners and staff of the California Energy Commission, my name is Karim D. Marshall. I am the Director of Climate and Energy Policy at the Consumer Federation of America.

Consumer Federation is a non-profit association of over 250 non-profit consumer organizations. Established in 1968, we work to advance consumer rights and safety through public education, research, and advocacy before Congress, state legislatures, federal and state agencies, and the courts. We are a non-partisan nonprofit organization. Our driving perspective is that of preserving the consumer interest and consumer rights. In this instance our priorities are the immediate impact to consumers of lowering the overall cost to fuel a vehicle over time and the longer-term necessity of maximizing environmental benefits.

On April 24, 2026, the California Energy Commission (CEC) published a Notice of Proposed Action regarding Replacement Tire Efficiency Program Rulemaking. The CEC was required to promulgate these rules by Assembly Bill 844, a 2003 statute codified in the Public Resources Code at sections 25770 through 25773. The Statute requires CEC to promulgate a replacement tire efficiency standard that ensures that “replacement tires sold in the state are at least as energy efficient, on average, as tires sold in the state as original equipment on new passenger cars and light-duty trucks.”

After many years of federal and state level efforts to provide guidance in this space, California is at the cusp of adopting a program that will deliver real cost savings and environmental benefits to the people of California allowing you to drive forward energy and climate benefits.

Industry will tell you that the rulemaking isn’t ready or we’re moving too fast. This is a statement more rooted in fear than fact. Several major tire manufacturers are already in compliance and have offered their support. This rule has been required for 23 years. Requests for additional delay are a cynical attempt to continue to extract profit from consumers while the market is saturated with suboptimal product.

The rulemaking is imperfect. We believe that the concessions offer too much time to industry to comply and provides a significant exemption that must be actively monitored to prevent exploitation but, the practical consequence is that starting over would stretch the timeframe out even longer and leave California without an operational Program in the interim.

These regulations are acceptable and should be adopted immediately to enable an operational baseline that will be hopefully improved in future revisions. Therefore, Consumer Federation of America offers its firm support of the rulemaking as it exists. We also offer the following prioritizes for future improvements.

As you implement and monitor this Program, please prioritize:

1. Implementing Phase 2 Standards no later than 2032; and
2. Adopting and enforcing efficiency standards for all-season winter performance tires.
3. In operations, please closely monitor the compliance of tire manufacturers, particularly as they designate "limited-production" tires. This exemption provides an opportunity for abuse of a loophole.

Phase 2 Standards:
We urge the Commission to implement the Phase 2 standards no later than 2032. The Commission's original proposal called for Phase 1 compliance in 2028 and Phase 2 compliance in 2031. We are disappointed by the proposed revisions pushing back the compliance dates for Phase 1 by a year (to 2029) and Phase 2 by two years (to 2033). Delaying Phase 2 is particularly problematic because the Phase 2 standards will deliver the vast majority of the program's benefits—generating most of the consumer fuel savings and statewide emissions reductions—while fulfilling the legislative mandate to ensure replacement tires are as efficient as original equipment tires. Every year of delay defers tangible economic benefits for California drivers and slows progress toward the state's climate goals. A 2032 compliance date would still give manufacturers more than five years to redesign their products for Phase 2. [Add a line comparing the five years to the standard implementation timeline CEC uses for other regulated products?] For these reasons, we urge the Commission to adopt a Phase 2 compliance date no later than 2032.

All-Season Tires:
We urge the Commission to adopt a resolution to establish future standards for all-season winter performance tires. The Commission's amended 15-day language would exempt all-season winter performance tires from the rolling resistance and wet grip standards, with the rationale being that these tires may not meet the wet grip standard. While we understand the rationale for exempting these tires today, we are concerned that this exemption could undermine overall savings over time. All-season winter performance tires represent a rapidly

growing market segment; these tires leverage advanced rubber compounds and tread designs to achieve strong snow traction without sacrificing year-round performance, and they avoid the severe rolling resistance trade-offs typical of dedicated winter tires. Failing to cover this expanding market segment risks leaving significant energy savings unrealized. The Commission should commit now to evaluating and adopting standards for all-season winter performance tires in a future rulemaking, informed by the rolling resistance and wet grip data that will be collected on these tires under Phase 1.

Limited Production Run Loophole
The Commission should closely monitor the 15,000 unit limited-production exemption to prevent loopholes. While the limited-production exemption is intended to provide flexibility for niche or specialty tire lines, we are concerned that this exemption provides a potential compliance loophole. We encourage the CEC to monitor for cases where a manufacturer's total production of a functionally equivalent tire line—across plants, brand names, or minor SKU variations—substantially exceeds the 15,000-unit threshold intended for genuinely limited-production tires. Strong, ongoing enforcement oversight will help ensure manufacturers cannot bypass the standards by fragmenting higher-volume products, safeguarding the expected benefits of the program.

Finally, I would be remiss if I did not take the opportunity to acknowledge on the record, the capability and professionalism of CEC career staff in researching, revising, and promulgating the regulations that will govern this program. They thoughtfully developed and considered the feedback of a broad constellation of interest groups, prioritized the interests of Californians and developed a compromise proposal that while it does not contain our preferred implementation timeline, it still establishes a reasonable baseline for future improvements.

Additionally, Consumer Reports is supportive of this rulemaking. They cannot testify today, but wished to have their support known. Founded in 1936, CR has a mission to create a fair and just marketplace for all. Widely known their rigorous research and testing of products and services, CR also surveys millions of consumers each year, report extensively on marketplace issues, and advocates for consumer rights and protections around safety as well as digital rights, financial fairness, and sustainability. Like the Consumer Federation of America CR is independent and nonprofit.