

HOUSE No. 725

By Mr. Brownsberger of Belmont, petition of William N. Brownsberger and others relative to the implementation of an energy efficiency program for the replacement of tires in the Commonwealth. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

William N. Brownsberger J. James Marzilli, Jr.
Matthew C. Patrick Barbara A. L’Italien
Ruth B. Balsler Theodore C. Speliotis
Frank I. Smizik

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING A GAS SAVING TIRES PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 CHAPTER 21L.

2 Section 1: Definitions.

3 For the purposes of this chapter, the following terms have the
4 following meanings:

5 (a) “Department” means the department of environmental protec-
6 tion

7 (b) “Consumer information requirement” means point-of-sale
8 information or signs that are conspicuously displayed, readily acces-
9 sible, and written in a manner that can be easily understood by the
10 consumer. “Consumer information requirement” does not include
11 mandatory labeling, imprinting, or other marking, on an individual
12 tire by the tire manufacturer or the tire retailer.

13 (c) “Cost effective” means the cost savings to the consumer
14 resulting from a replacement tire subject to an energy efficiency
15 standard that equals or exceeds the additional cost to the consumer
16 resulting from the standard, taking into account the expected fuel
17 cost savings over the expected life of the replacement tire.

18 (d) “Replacement tire” means a tire sold in the state that is
19 designed to replace a tire sold with a new passenger car or light-duty
20 truck. “Replacement tire” does not include any of the following
21 tires:

22 (1) A tire or group of tires with the same SKU, plant, and year, for
23 which the volume of tires produced or imported is less than 15,000
24 annually.

25 (2) A deep tread, winter-type snow tire, a space-saver tire, or a
26 temporary use spare tire.

27 (3) A tire with a nominal rim diameter of 12 inches or less.

28 (4) A motorcycle tire.

29 (5) A tire manufactured specifically for use in an off-road motor-
30 ized recreational vehicle.

31 Section 2:

32 Rating Energy Efficiency of Replacement Tires.

33 On or before July 1, 2008, the department shall develop and adopt
34 all of the following:

35 (a) A database of the energy efficiency of a representative sample
36 of replacement tires sold in the state, based on test procedures
37 adopted by the department.

38 (b) Based on the data collected pursuant to subdivision (a), a
39 rating system for the energy efficiency of replacement tires sold in
40 the state that will enable consumers to make more informed deci-
41 sions when purchasing tires for their vehicles.

42 (c) Based on the test procedures adopted pursuant to subdivision
43 (a) and the rating system established pursuant to subdivision (b),
44 requirements for tire manufacturers to report to the department the
45 energy efficiency of replacement tires sold in the state.

46 (d) If another state has created identical programs, the department
47 may work with that state to adopt those programs for Massachusetts.

48 Section 3:

49 Replacement Tires Energy Efficiency Program.

50 On or before July 1, 2010, the department shall, after appropriate
51 notice and workshops, adopt and, on or before July 1, 2011, imple-
52 ment, a tire energy efficiency program of statewide applicability for
53 replacement tires, designed to ensure that all replacement tires sold
54 in the state are at least as energy efficient as tires sold in the state as
55 original equipment on new passenger cars and light-duty trucks.

56 Section 4:

57 Replacement Tires Energy Efficiency Parameters and Review.

58 (a) The program described in Section 3 shall include all of the
59 following:

60 (1) The development and adoption of minimum energy efficiency
61 standards for replacement tires, except to the extent that the depart-
62 ment determines that it is unable to do so in a manner that complies
63 with subparagraphs (A) to (D), inclusive. Energy efficiency stan-
64 dards adopted pursuant to this paragraph shall meet all of the
65 following conditions:

66 (A) Be technically feasible and cost effective.

67 (B) Not adversely affect tire safety.

68 (C) Not adversely affect the average tire life of replacement tires.

69 (D) Not adversely affect the management of scrap tires in the
70 Commonwealth.

71 (2) The development and adoption of consumer information
72 requirements for replacement tires for which standards have been
73 adopted pursuant to paragraph (1).

74 (b) The energy efficiency standards established pursuant to para-
75 graph (1) of subdivision (a) shall be based on the results of labora-
76 tory testing and, to the extent it is available and deemed appropriate
77 by the department, an on road fleet testing program developed by
78 tire manufacturers in consultation with the department, conducted by
79 tire manufacturers, and submitted to the department on or before
80 January 1, 2009.

81 (c) If the department finds that tires used to equip an authorized
82 emergency vehicle, are unable to meet the standards established pur-
83 suant to paragraph (1) of subdivision (a), the department shall autho-
84 rize an operator of an authorized emergency vehicle fleet to purchase
85 for those vehicles tires that do not meet those standards.

86 (d) The department shall review and revise the program, including
87 any standards adopted pursuant to the program, as necessary, but not
88 less than once every three years. The department may not revise the
89 program or standards in a way that reduces the average efficiency of
90 replacement tires.