

HOUSE BILL 608

M3

71r1861

By: **Delegates Cardin, Morhaim, and Schuler**

Introduced and read first time: February 8, 2007

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Energy–Efficient Replacement Tires**

3 FOR the purpose of requiring the Department of the Environment to establish a
4 program for energy–efficient replacement tires; requiring the Department to
5 develop certain procedures and a certain rating system and maintain a certain
6 database regarding energy–efficient replacement tires; requiring the
7 Department to adopt regulations regarding certain reporting requirements;
8 requiring the Department to adopt and implement regulations by certain dates;
9 requiring that the energy efficiency replacement tire program include certain
10 energy standards and consumer information; authorizing the Department to use
11 certain testing by tire manufacturers for the purpose of establishing certain
12 energy standards; providing for an operator of emergency vehicles to purchase
13 replacement tires that do not meet certain standards under certain
14 circumstances; requiring the Department to review and revise the program
15 within a certain time frame; prohibiting the Department from revising the
16 program in a way that reduces the average energy efficiency of replacement
17 tires; defining certain terms; and generally relating to the establishment of a
18 program for energy–efficient replacement tires.

19 BY adding to

20 Article – Environment

21 Section 2–1101 through 2–1103 to be under the new subtitle “Subtitle 11.
22 Energy–Efficient Replacement Tires”

23 Annotated Code of Maryland

24 (1996 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Environment**

4 **SUBTITLE 11. ENERGY-EFFICIENT REPLACEMENT TIRES.**

5 **2-1101.**

6 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) (1) “CONSUMER INFORMATION REQUIREMENT” MEANS
9 INFORMATION THAT IS REQUIRED AT THE POINT OF SALE.

10 (2) “CONSUMER INFORMATION REQUIREMENT” DOES NOT
11 INCLUDE MANDATORY LABELING, IMPRINTING, OR OTHER MARKING ON AN
12 INDIVIDUAL TIRE BY THE TIRE MANUFACTURER OR THE TIRE RETAILER.

13 (C) “COST EFFECTIVE” MEANS THE COST SAVINGS TO THE CONSUMER
14 THAT EQUAL OR EXCEED THE ADDITIONAL COST OF PURCHASING AN
15 ENERGY-EFFICIENT REPLACEMENT TIRE, TAKING INTO ACCOUNT THE
16 EXPECTED FUEL SAVINGS OVER THE EXPECTED LIFE OF THE REPLACEMENT
17 TIRE.

18 (D) (1) “REPLACEMENT TIRE” MEANS A TIRE SOLD IN THE STATE
19 THAT IS DESIGNED TO REPLACE A TIRE SOLD WITH A NEW PASSENGER CAR OR
20 LIGHT DUTY TRUCK.

21 (2) “REPLACEMENT TIRE” DOES NOT INCLUDE:

22 (I) A TIRE OR GROUP OF TIRES WITH THE SAME STOCK
23 KEEPING UNIT, PLANT, AND YEAR FOR WHICH THE VOLUME OF TIRES
24 PRODUCED OR IMPORTED IS LESS THAN 15,000 ANNUALLY;

25 (II) A DEEP TREAD SNOW TIRE;

26 (III) A SPACE-SAVER TIRE;

27 (IV) A TEMPORARY-USE SPARE TIRE;

1 (V) A TIRE WITH A NOMINAL RIM DIAMETER OF 12 INCHES
2 OR LESS;

3 (VI) A MOTORCYCLE TIRE; OR

4 (VII) A TIRE MANUFACTURED SPECIFICALLY FOR USE IN AN
5 OFF-ROAD RECREATIONAL VEHICLE.

6 **2-1102.**

7 (A) ON OR BEFORE JULY 1, 2009, THE DEPARTMENT SHALL DEVELOP
8 THE FOLLOWING:

9 (1) A PROCEDURE TO TEST THE ENERGY EFFICIENCY OF
10 REPLACEMENT TIRES;

11 (2) A DATABASE OF THE ENERGY EFFICIENCY OF A
12 REPRESENTATIVE SAMPLE OF REPLACEMENT TIRES SOLD IN THE STATE BASED
13 ON THE TEST DEVELOPED UNDER ITEM (1) OF THIS SUBSECTION; AND

14 (3) A RATING SYSTEM DESCRIBING THE ENERGY EFFICIENCY OF
15 REPLACEMENT TIRES THAT WILL PROVIDE CONSUMERS WITH A MEANS OF
16 MAKING INFORMED DECISIONS WHEN PURCHASING TIRES.

17 (B) THE DEPARTMENT SHALL ADOPT REGULATIONS REQUIRING A TIRE
18 MANUFACTURER THAT SELLS TIRES IN THE STATE TO REPORT ON THE NUMBER
19 OF ENERGY-EFFICIENT TIRES SOLD ANNUALLY, BASED ON THE RATING SYSTEM
20 DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION.

21 **2-1103.**

22 (A) ON OR BEFORE JULY 1, 2010, THE DEPARTMENT SHALL ADOPT
23 REGULATIONS TO IMPLEMENT A PROGRAM FOR ENERGY-EFFICIENT
24 REPLACEMENT TIRES.

25 (B) BEFORE ADOPTING REGULATIONS UNDER SUBSECTION (A) OF THIS
26 SECTION, THE DEPARTMENT SHALL CONDUCT A SERIES OF PUBLIC WORKSHOPS

1 TO PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT ON THE TIRE
2 REPLACEMENT PROGRAM.

3 (C) THE REGULATIONS FOR AN ENERGY-EFFICIENT REPLACEMENT
4 TIRE PROGRAM ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

5 (1) BE EFFECTIVE BEGINNING ON JANUARY 1, 2011; AND

6 (2) BE DESIGNED TO ENSURE THAT REPLACEMENT TIRES SOLD IN
7 THE STATE ARE AT LEAST AS ENERGY EFFICIENT, ON AVERAGE, AS THE
8 ORIGINAL TIRES PROVIDED BY THE AUTOMOBILE MANUFACTURER.

9 (D) THE ENERGY-EFFICIENT REPLACEMENT TIRE PROGRAM
10 DEVELOPED UNDER THIS SECTION SHALL INCLUDE:

11 (1) DEVELOPING MINIMUM ENERGY EFFICIENCY STANDARDS FOR
12 REPLACEMENT TIRES THAT:

13 (I) ARE TECHNICALLY FEASIBLE AND COST EFFECTIVE;

14 (II) DO NOT ADVERSELY AFFECT TIRE SAFETY;

15 (III) DO NOT ADVERSELY AFFECT THE AVERAGE TIRE LIFE
16 OF REPLACEMENT TIRES; AND

17 (IV) DO NOT ADVERSELY AFFECT THE STATE'S EFFORTS TO
18 MANAGE SCRAP TIRES UNDER § 9-228 OF THIS ARTICLE; AND

19 (2) DEVELOPING CONSUMER INFORMATION REQUIREMENTS
20 INCLUDING REQUIRING CONSPICUOUS SIGNS THAT INFORM CONSUMERS OF
21 HOW THE ENERGY EFFICIENCY STANDARDS FOR REPLACEMENT TIRES WORK
22 AND THE BENEFITS EXPECTED FROM THE ENERGY-EFFICIENT TIRE
23 REPLACEMENT PROGRAM.

24 (E) (1) ENERGY EFFICIENCY STANDARDS FOR REPLACEMENT TIRES
25 ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION SHALL BE BASED ON
26 RESULTS FROM LABORATORY TESTING.

1 **(2) (I) THE DEPARTMENT MAY USE ON-ROAD FLEET TESTING**
2 **TO DEVELOP ENERGY EFFICIENCY STANDARDS.**

3 **(II) ON-ROAD FLEET TESTING UNDER SUBPARAGRAPH (I)**
4 **OF THIS PARAGRAPH SHALL BE CONDUCTED BY TIRE MANUFACTURERS, AS**
5 **DETERMINED NECESSARY BY THE DEPARTMENT.**

6 **(III) TESTING PERFORMED FOR THE PURPOSE OF**
7 **DEVELOPING ENERGY EFFICIENCY STANDARDS UNDER THIS SUBTITLE SHALL**
8 **BE COMPLETED BY OR BEFORE JANUARY 1, 2008.**

9 **(F) IF THE DEPARTMENT DETERMINES THAT TIRES USED TO EQUIP AN**
10 **EMERGENCY VEHICLE, AS DEFINED UNDER § 11-118 OF THE TRANSPORTATION**
11 **ARTICLE, ARE UNABLE TO MEET THE ENERGY EFFICIENCY STANDARDS**
12 **ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT**
13 **SHALL AUTHORIZE AN OPERATOR OF AN EMERGENCY VEHICLE FLEET TO**
14 **PURCHASE REPLACEMENT TIRES THAT DO NOT MEET THE ENERGY EFFICIENCY**
15 **STANDARDS.**

16 **(G) (1) THE DEPARTMENT SHALL REVIEW AND REVISE THE**
17 **ENERGY-EFFICIENT REPLACEMENT TIRE PROGRAM AS DETERMINED**
18 **NECESSARY BUT NOT LESS THAN EVERY 3 YEARS.**

19 **(2) THE DEPARTMENT MAY NOT REVISE THE PROGRAM OR**
20 **STANDARDS UNDER THIS SUBTITLE IN A WAY THAT REDUCES THE AVERAGE**
21 **ENERGY EFFICIENCY OF REPLACEMENT TIRES.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2007.