H-2487.1

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**HOUSE BILL 2262**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Street, Fitzgibbon, Slatter, Kloba, Ortiz-Self, Ramel, Peterson, Doglio, Thai, Ryu, Cortes, Pollet, Morgan, Simmons, and Macri

AN ACT Relating to reducing rolling resistance of motor vehicle replacement tires; adding a new section to chapter 46.37 RCW; adding a new chapter to Title 19 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that:

(1) Rolling resistance of tires has a significant effect on the fuel efficiency of motor vehicles, and the sales of high rolling resistance replacement tires when low rolling resistance tire technology is in use by new vehicles costs the average gasoline vehicle driver the equivalent of approximately two-thirds the state gas tax;

(2) Independent testing of available tires has demonstrated no statistically significant adverse effect of low rolling resistance tires on safety or tire longevity;

(3) Analysis conducted by the department's energy policy office shows adoption of reasonable replacement tire energy efficiency standards could result in an approximate cumulative reduction of 600,000,000 gallons of gasoline and 1,500 gigawatt hours of electricity, equating to a savings of $3,000,000,000 in transportation costs for Washington drivers and 5,000,000 metric tons of carbon dioxide from 2026 to 2035, assuming a 10 percent reduction in rolling resistance improves gasoline fuel efficiency by three percent and electricity fuel efficiency by eight percent;

(4) Providing authority to the department to adopt energy efficiency standards for replacement tires sold in the state could therefore lower gasoline and electricity costs for drivers, reduce greenhouse gas emissions to reach the state limit in RCW 70A.45.020, and improve public health especially for overburdened communities near highways through reduced transportation-related air pollution.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of commerce.

(2) "Light duty truck" means any motor vehicle other than a passenger car with a gross vehicle weight rating not exceeding 10,000 pounds.

(3) "Passenger car" means any motor vehicle designed primarily for transportation of persons, having a design capacity of 12 persons or less, with a gross vehicle weight rating not exceeding 10,000 pounds.

(4) "Replacement tire" means a tire sold or offered for sale in the state, except a tire sold:

(a) At wholesale for final retail sale outside the state; or

(b) With a new passenger car or light duty truck.

(5) "Rolling resistance coefficient" means the ratio of the rolling resistance force, in newtons, to the load on the tire in kilonewtons.

(6) "Tire brand name owner" means a person, other than a tire manufacturer, who owns or has the right to control the brand name of a tire or a person who licenses another to purchase tires from a tire manufacturer bearing the licensor's brand name.

(7) "Tire manufacturer" means a person, parent corporation, subsidiary, affiliate, or any other entity manufacturing or assembling replacement tires, or importing or distributing replacement tires in or into Washington for sale or use in Washington.

NEW SECTION. **Sec.**  (1) This section applies to either passenger car replacement tires or light duty truck replacement tires, or both, for sale or offered for sale in Washington.

(2) The department, to establish and enforce energy efficiency standards for replacement tires, may adopt and implement any combination of the following:

(a) A database of replacement tires in production offered for sale or distribution in the state;

(b) Requirements for any tire brand name owners and manufacturers with replacement tires in production offered for sale or distribution in the state to report information necessary to implement this section;

(c) A rating system for the energy efficiency of replacement tires based on their rolling resistance coefficient;

(d) Testing procedures in alignment with enacted regulations by the national highway transportation safety administration as they existed as of the effective date of this section; and

(e) Minimum energy efficiency standards for replacement tires based on their rolling resistance.

(3)(a) The department may prohibit the sale or offer for sale of replacement tires that do not meet the minimum energy efficiency standards set in subsection (2) of this section.

(b) Any rules adopted by the department prohibiting the sale or offer for sale of replacement tires based on their rolling resistance:

(i) May not adversely affect tire safety or tire longevity as demonstrated by the independent testing of wet grip or traction and treadwear by an analyst prepared for the department or another state energy office and verified by the department; and

(ii) Must provide exemptions for snow tires, spare use tires, tires manufactured specifically for use in vehicles with three or fewer wheels, or tires manufactured specifically for use in an off-road recreational or agricultural motor vehicle.

(4) The department may require energy efficiency ratings determined under the rating system in subsection (2) of this section be displayed to consumers at the physical or online point of sale.

NEW SECTION. **Sec.**  (1) The department may adopt and amend rules as necessary to implement, administer, and enforce this chapter.

(a) Any person or entity who violates rules adopted to implement this chapter may be issued a warning by the department, or another state agency as designated by the department, for any first violation. Repeat violations are subject to a civil penalty ranging from $100 to $10,000 per occurrence.

(b) The department, or another state agency as designated by the department, may carry out inspections of replacement tires sold or offered for sale.

(2) Rules adopted to implement this chapter, except for emergency rules consistent with RCW 34.05.350, must go into effect no sooner than one year following final rule adoption.

NEW SECTION. **Sec.**  A new section is added to chapter 46.37 RCW to read as follows:

The chief of the Washington state patrol may update rules authorized in this chapter to reference rules adopted by the department of commerce as authorized by section 4 of this act to ensure better clarity and compliance.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec.**  Sections 1 through 4 of this act constitute a new chapter in Title 19 RCW.

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