Public Citizen * Center for Auto Safety * Consumer Federation of America * Safe Climate Campaign

August 21, 2009

Mr. Ron Medford
Acting Assistant Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Department of Transportation, West Building
Washington, DC 20590

Comments on Tire Efficiency Consumer Information, Notice of Proposed Rulemaking, 74 FR 29542, June 22, 2009, Docket No. NHTSA-2008-0121

Dear Acting Administrator Medford:

Public Citizen, Consumer Federation of America, Center for Auto Safety, and the Safe Climate Campaign are pleased to submit comments on the Notice of Proposed Rulemaking (NPRM) regarding tire efficiency consumer information. This action was mandated by the 2007 Energy Independence and Security Act (EISA) to provide consumers with information about the relationship between tires and fuel consumption. The proposal also requires that labels providing efficiency information include ratings for safety and durability, which will be derived from the existing test procedures for the Uniform Tire Quality Grading Standards (UTQGS). We support providing information about relative tire characteristics and believe that this program has the potential to improve consumer information and awareness about tire performance regarding fuel consumption as well as other tire characteristics. We also support expanding the visibility of the new tire ratings by requiring their inclusion in advertisements for replacement tires.

Tires simultaneously perform numerous important functions, including steering, stopping, accelerating, and cushioning. Tires do not last the full useful life of the vehicle, and they have a limited a specific mileage and service period. Consumers therefore must choose replacement tires, often multiple times over the useful life of a vehicle. Because these purchases can have a significant impact on the operation of a vehicle, consumers need useful information when they make purchase decisions about replacement tires. Original equipment manufacturers typically fit cars with lower rolling resistance tires to maximize fuel economy performance. When consumers purchase replacement tires with different rolling resistance characteristics, they may observe a reduction in fuel economy.[1]

In addition to discussing tire labeling below, we also discuss the role of proper tire inflation in maintaining tire performance, because tire inflation is related to overall tire performance. In 2005, NHTSA issued a final regulation requiring that tire pressure monitoring

---

[1] *See* Goodyear. *2003 Environmental Health and Safety Report*, available at http://www.goodyear.com/corporate/about/environment/03-ehs/hottopics.html; Transportation Research Board. *Tires and Passenger Vehicle Fuel Economy: Informing Consumers, Improving Performance* (2006).

systems (TPMSs) to be installed in all vehicles after September 1, 2007.[2] These systems will assist consumers in maintaining proper tire inflation, which is related to rolling resistance and can have an impact on durability. Underinflated tires have higher rolling resistance than properly inflated tires, and can cause a greater amount of tire bending, which can lead to excess heat in tires. In some cases, that excess heat can cause tires to fail.

I. Interaction of New Labeling Scheme with Existing Tire Information and Labeling Programs

NHTSA already provides consumers with some information about the performance of their tires. The UTQGS ratings implemented in 1978 have been largely unchanged in 30 years and account for three elements of tire performance: wet traction, treadwear and temperature resistance.[3] Ratings must be molded on the tire's sidewall, which is both convenient and inconvenient for consumers. These ratings provide valuable information about expected tire performance; however, research by NHTSA suggests that consumers are not familiar with these ratings, and may not be making the best of use of them in making decisions about which replacement tires to purchase.[4]

The Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act of 2000 was spurred by consumers' difficulty in determining whether their tires were subject to recall following the Ford-Firestone debacle, in which 7.9 million defective tires were recalled.[5] The TREAD Act mandated improvements to consumer information about tires, including improving the visibility of the Tire Identification Number (TIN). Many of the problems related to locating and understanding TINs hold for other UTQGS information as well. The TIN, like UTQGS ratings, is molded on the tire's sidewall, and is not required to be a contrasting color, which makes it difficult for consumers to read the information.[6] Also, consumers may not be sufficiently familiar with the meanings of UTQGS ratings.

NHTSA's proposal would create a new rating system for tires, including a paper label that would be affixed to the tire. However, some information about relative tire quality and performance is already provided to consumers through the UTQGS information molded onto tire sidewalls. It is useful to contemplate the overlap of this information, as this is an opportunity to improve communication to consumers about the relative performance of various replacement tires by reconciling the differences between the two labeling schemes. We urge that NHTSA contemplate the effectiveness of its previous consumer information programs to provide the most useful possible ratings.

---

[2] 70 Fed. Reg. 18,136 (April 8, 2005).

[3] *See* 43 Fed. Reg. 30,549 (July 17, 1978).

[4] NHTSA Rolling Resistance Focus Group Report, Docket No. NHTSA-2008-0121 at 18.

[5] *See* Public Citizen, *Chronology of Firestone/Ford Knowledge of Safety Defect*, available at http://www.citizen.org/autosafety/articles.cfm?ID=5336.

[6] *See* Advocates for Highway and Auto Safety, Comments to Tire Identification and Recordkeeping Advance Notice of Proposed Rulemaking, Docket No. NHTSA-00-8296 at 7 (January 30, 2001).

Purchasers of replacement tires often do not browse tires on shelves or on a showroom floor like one might compare refrigerators or cars. The tire dealer provides the purchaser with options based on the vehicle characteristics, and the purchaser must make a decision without even seeing the tires or their labels. NHTSA proposes to provide tire efficiency and other ratings on a paper label affixed to the tire; however, the paper label may not provide consumers information at a useful time in influencing purchasing decisions.

We support a requirement that the tire efficiency ratings be molded onto original equipment and replacement tires. Consumers' first frame of reference for tire quality will be the tires currently or previously installed on their vehicle. This is the first point of comparison, and provides consumers with a practical reference point when choosing their next tires. Paper labels are unlikely to be retained for further reference, and would not be provided for original equipment tires, which are likely to produce the most desirable performance, since original equipment tires are often designed for specific vehicles.[7]

Temperature Resistance Ratings and Rolling Resistance Ratings

NHTSA discusses in the NPRM issues related to the parallel systems of having UTQGS information provided in parallel with the new tire efficiency labels it is proposing.

> [T]he agency considered the need and appropriateness of continuing the current UTQGS requirements. For the reasons discussed below, we have tentatively concluded that the current UTQGS requirements should either be removed, once tires meet the new EISA requirements, or amended to conform to the approach in today's EISA proposal.[8]

We support providing the tire efficiency labeling ratings be provided for wet traction, treadwear and rolling resistance on the 0-100 scale proposed in this notice, and that those ratings be provided on a paper label as well as molded on the tire sidewall. This provides consumers with consistent information about tire performance, which is provided both at the point of sale, as well as on the tire, so that consumers may refer to this information after the tire has been purchased and installed.

We also support NHTSA continuing to provide the temperature resistance rating along with the other UTQGS ratings, and believe temperature resistance should be incorporated into the new tire labeling scheme. NHTSA has been blocked from making the proposed changes to the UTQGS final by a condition contained in Department of Transportation appropriations each year since 1996.[9] This has forestalled more detailed study into the consequences of discontinuing the temperature resistance rating. However, NHTSA now requests comment as to whether it should discontinue the temperature resistance rating. NHTSA visited the issue of replacing the temperature resistance rating under UTQGS with rolling resistance ratings in 1995:

---

[7] Transportation Research Board, *Tires and Passenger Vehicle Fuel Economy: Informing Consumers, Improving Performance*, (2006).

[8] 74 Fed. Reg. 29,574.

[9] 74 Fed. Reg. 29,574.

> The temperature resistance grade under the UTQGS represents a tire's ability to dissipate and withstand heat buildup that can cause the tire to degenerate and result in a reduction of tire life or even tire failure. . . . The temperature resistance grade is not widely understood . . . NHTSA's data indicate that of consumers purchasing tires for their own use, 38 percent have heard of the temperature resistance grade, while only 12 percent consider it in making tire selections. The comparable figures for the other types of ratings are 74 percent and 29 percent for the treadwear ratings and 65 and 27 percent for the traction ratings. . . . NHTSA believes that the safety purposes of the temperature resistance grade can be essentially met by other existing measures. The high speed performance test specified in section S5.5 of Standard No. 109 assures the minimum temperature resistance performance for all passenger car tires.[10]

In addition, Federal Motor Vehicle Safety Standard No. 109 was improved in 2003, when NHTSA upgraded it under the TREAD Act. The new standard raised the test speeds from 75, 80 and 85 miles per hour to 87, 93, and 99 miles per hour.[11] This reduces concern that discontinuing the temperature rating diminishes information about tire performance at higher speeds than previously recorded. However, temperature resistance ratings provide information about tire safety and durability that is substantially different from the rolling resistance and treadwear ratings. Temperature resistance ratings would continue to provide useful information not provided by other ratings.

NHTSA additionally proposes to discontinue temperature resistance ratings because consumers are unfamiliar with them.[12] We are skeptical of the logic that temperature resistance information is not useful simply because consumers are unfamiliar with it, particularly in the context of the UTQGS program as a whole. A goal in establishing these new tire information labels must be to provide the information in a format that is useful to consumers.

Providing tire information using a consistent rating scheme will improve the ability of the program to inform consumers. The current UTQGS ratings use three different rating scales, meaning consumers must understand what the ratings are and the different scales. The 0-100 ratings are easier to understand, and providing all the ratings using the same scale makes it easier for consumers to weigh the relative performance of different attributes. This will help consumers make purchase decisions based on the balance of performance among the attributes, which is desirable. We also support molding the ratings on all tires, both original equipment tires and replacement tires. If ratings were molded on original equipment as well as replacement tires, then consumers would be able to compare the ratings on their original equipment tires with ratings of replacement tires. Thus, consumers who are satisfied with the performance of their original equipment tires will have a sense of what attributes produce that result.

[10] 60 Fed. Reg. 27,479 (May 24, 1995).

[11] *See* 68 Fed. Reg. 38,117 (June 26, 2003); Pub. L. 106-414 (November 1, 2000). The new tire standard became fully effective June 1, 2007.

[12] 74 Fed. Reg. 29,574.

II. NHTSA's Management of Consumer Information Programs.

NHTSA has been slow to adopt point-of-sale consumer information programs. A Point-of-sale information for vehicle crashworthiness had been contemplated since 1981, and a 1996 National Academy of Sciences (NAS) study contemplated the development of point-of-sale crashworthiness information.[13] However, NHTSA only recently improved visibility of consumer information about vehicle crash safety with its 2006 "Stars on Cars" rule, which requires manufacturers to provide New Car Assessment Program (NCAP) star ratings on the window sticker at the time of purchase.[14] Yet this program was finally only implemented after Congress mandated that NHTSA do so in the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. This final rule is a significant improvement in consumer information, substantially improving visibility of NHTSA's crashworthiness ratings, and providing information to consumers at the time of making a decision about which vehicle to purchase.

We are skeptical that paper labels affixed to the tires are accessible to consumers at a time in the decision-making process that is useful to consumers. The focus group report NHTSA prepared in connection with the proposal identifies a general outline of how consumers make decisions about tire purchases. The outline does not include any comparison shopping that involves browsing tires.[15] If consumers do not browse through tires when shopping, it is unclear how their purchasing decisions would benefit from information affixed to tires.

It is still unclear from the proposal how the new tire efficiency labels will be sufficiently visible to sway consumer purchasing decisions. As we have explained above, we are skeptical that paper labels affixed to the tires are accessible to consumers at a time in the decision-making process that is useful to consumers. While we do not object to providing tire efficiency labeling through a paper label affixed to the tire, we suggest that NHTSA contemplate means of making these ratings more visible. Specifically, we urge that NHTSA use its authority under the Motor Vehicle Information and Cost Savings Act to require that tire efficiency, safety, and durability information be provided in tire advertisements. NHTSA's focus groups on the tire efficiency information program concluded that additional advertising would be useful to consumers.[16] We agree that additional effort and consideration should be given to publicizing these ratings and increasing their visibility.

NHTSA provides information about tire ratings on its website www.safercar.gov; however, while consumers can look up the UTQGS ratings for a specific tire, or compare tires with similar ratings from a specific manufacturer, there is no way to do a side-by-side

---

[13] *See* 46 Fed. Reg. 7,025 (January 22, 1981) & 62 Fed. Reg. 27,648-9 (May 20, 1997).

[14] 71 Fed. Reg. 53,572 (September 12, 2006). Final Rule became effective for vehicles manufactured on or after September 1, 2007.

[15] *See* NHTSA Rolling Resistance Focus Group Report, Docket No. NHTSA-2008-0121 at 18. The outline references "read materials in store" as a part of the process, but it does not specify whether these materials are NHTSA's materials about the UTQGS ratings and tire purchasing in general, or they are manufacturer or retailer produced materials.

[16] NHTSA Rolling Resistance Focus Group Report, Docket No. NHTSA-2008-0121 at 18.

comparison between tires of different brands. The Environmental Protection Agency provides a side-by-side comparison feature for fuel economy for up to four different vehicles at a time at its website www.fueleconomy.gov. The agency should include a side-by-side comparison to improve consumers' ability to shop among similar tires.

Additionally, we are concerned that NHTSA studied consumer uses of information in tire purchases only by observing focus groups. The National Academy of Sciences observed in 2002:

> The committee identified three areas of concern in NHTSA's approach: (1) the use of a single research strategy—namely, focus groups—rather than a range of techniques, including one-on-one interviews, open-ended group interviews, and written questionnaires; (2) failure to use an iterative design process to test, refine, and retest the proposed consumer information; and (3) the lack of large scale formal testing before dissemination to determine whether consumers are able to apply the information appropriately.[17]

The UTQGS ratings have not been widely used by consumers, and a large number of consumers are unaware of them. The impact of this new labeling system will only be as successful as NHTSA's ability to make these ratings public. The "principles" NHTSA proposes for point of sale retailers to display on posters include information that we believe would help consumers familiarize themselves with the tire efficiency ratings. However, there is no standard requirement for what components of this information are required to be included on the actual posters. At a minimum the posters must include explanations of what each of the ratings categories mean, as well as direction to NHTSA's safercar.gov website and a statement about the importance of proper tire inflation.

The National Research Council recommended a "hierarchy" of consumer information to accommodate consumers who want an overview as well as those who seek more detail.[18] This would increase the likelihood that consumers are provided the broadest communication of information in the manner to which they are most responsive. Essential safety and performance information would be molded on the tire, but an increasing amount of detail would be readily available to interested consumers. Of course, this information is most useful before consumers make a decision about which tire to purchase.

Test labels included a statement that said "Compare This Tire With Others Before You Buy," however, the proposed label does not include this statement. This reinforcement of the idea that consumers should compare multiple tires before purchasing one is even more powerful when the relative ratings information is included in advertisements of replacement tires. NHTSA should also direct consumers to compare tires before they go to the tire dealer. A consumer education effort surrounding the launch of the new ratings is appropriate, and as part of this, NHTSA could encourage consumers to identify tires that meet their needs before they go to purchase the tires.

---

[17] National Research Council, *An Assessment of the National Highway Traffic Safety Administration's Rating System for Rollover Resistance – Special Report 265*, at 92 (2002).

[18] Transportation Research Board, *Shopping for Safety* (1996).

III. Presentation of Tire Efficiency Label

The proposed format of the label itself is generally positive. Providing the ratings on a comparative scale provides consumers with information in context, improving understanding of relative performance of a tire within the available tires on the market. We acknowledge that this tire labeling program was developed as part of EISA, and that the goal of the program was to improve consumers' ability to select tires for fuel efficiency; however, we support clear explanations of safety and durability information as well. We offer the following comments on the presentation of the label:

1. NHTSA should provide a designation for best performing tires, similar to the Energy Star designation.
2. The sample label should reflect an example of a best performing tire and not reflect a bias regarding the potential for a tradeoff of traction in exchange for lower rolling resistance.
3. The disclaimer about inflation should be strengthened to reinforce the importance of proper tire inflation.
4. The label should direct consumers to NHTSA's safercar.gov website, instead of nhtsa.gov.
5. The TIN should be printed on the paper label.

One goal of this program is to increase consumer awareness of the elements of tire performance and encourage them to make choices that maximize the consumer value of replacement tire purchases. Another is to drive the market toward providing a greater number of low rolling resistance tires that meet safety and durability needs of consumers. Providing a simple indication of overall performance can serve that goal by providing consumers readily digestible information.

To that end, NHTSA has requested comments on whether it would be useful for the tire label to include a combined rating. Consistent with other consumer information programs, we contend that providing a combined rating in addition to separate ratings may help consumers, but we do not support a combined rating *instead of* individual ratings. We acknowledge that NHTSA must balance providing complete information with providing so much information that it is confusing or ceases to be useful to consumers. However, consistent with NCAP ratings, it is important for consumers to make determinations based on the best picture possible, and combined ratings can obscure shortcomings in a specific area of safety or performance. This may undermine one of the major goals of a consumer information program, which is to push manufacturers to provide products that perform better in the ratings than their competitors, by pulling all tires closer to conformity with each other. Moreover, consistent with the National Research Council's recommendation to provide a "hierarchy" of information, although there is value in providing a simple designation to consumers who want it, other consumers will value more detailed ratings. The latter should not be omitted.

Moreover, we recommend in lieu of a combined rating that NHTSA establish a designation for "best performing tires" that score in the top quartile in each of the three

categories. This provides a similar kind of shorthand to consumers, who may choose to only shop among best performing tires, as consumers may shop for appliances only among those with an Energy Star designation. This also sends a signal to manufacturers that achieving "best performing" status will provide a marketplace advantage, which could lead towards an expansion of available tire models which meet these criteria.

The hypothetical tire depicted in NHTSA's proposed sample label scores well for rolling resistance, poorly for wet traction and moderately for tread wear. We acknowledge that there is an interrelationship between tire characteristics and that often tires that are optimized for one of these characteristics perform poorly in another area – e.g. a tire with low rolling resistance and poor wet traction. However, the sample label that NHTSA ultimately chooses in the final rule will become the most visible version of the tire information label. The proposal would require tire dealers to post this example label as a large poster in stores. Consumers will set their expectations of what the labels will look like based on this sample label, which reinforces the message that it is not possible to purchase a tire that has low rolling resistance and good wet traction characteristics. At worst, NHTSA's choice to present the sample label showing a tradeoff between fuel economy and safety could communicate a bias that one must choose between a tire that is fuel efficient and one that is safe.

With respect to the two goals of the program (to increase consumer awareness of these characteristics and to move the market towards the best performing tires) the message that the sample label sends is a powerful message about NHTSA's expectations about tires that perform well in all three areas. NHTSA explains about the relationship between characteristics:

> Technical literature extensively indicates that the tradeoff between fuel economy and safety performance can be significantly reduced or eliminated with advanced compounding technologies, which are usually more expensive and proprietary. However, many aspects of the tire's construction and manufacture affect how much tradeoff remains, and the results of implementing silica tread technology will vary between manufacturers. . . .[19]

In providing consumers with information about the different performance characteristics of a tire, NHTSA is allowing consumers to assign value to individual tire characteristics (e.g. fuel economy), or to tires that best balance among rolling fuel economy, safety and durability. Presumably, some consumers will be motivated to pay more for a tire that is perceived to be a better value. A savvy consumer may even make use of the calculator NHTSA plans to provide to estimate fuel savings, and assess whether the increased cost of the tire is balanced by money saved in improved fuel economy.

The proposed label explains, "Ratings range from 0 to 100 with 100 being best, where the tire is properly inflated." We recommend that this explanation be expanded to reinforce the importance of proper tire inflation. Specifically, we suggest that the text be changed to read: "Ratings range from 0 to 100 with 100 being best, with tires properly inflated. Proper inflation is important for safety, fuel economy, tire performance, and tire life." We also recommend that the

[19] 74 Fed. Reg. 29,560 (June 22, 2009).

label contain the suggestion "Compare this tire with others before you buy." This statement was included on all of the sample labels that NHTSA tested.

We also suggest that the label and tire dealer posters direct consumers to NHTSA's website safercar.gov instead of nhtsa.gov. Since the presumed purpose of directing consumers to a website would be for them to obtain more detailed or additional information about the tire ratings, it is logical that the website choice be based on ease of navigation to the information a consumer would presumably want. Therefore, we recommend that NHTSA direct consumers to safercar.gov. From the main page of safercar.gov, there is a single, obvious sidebar link to information on tires, and then it is straightforward to find the information someone might be looking for about tires. By contrast, from nhtsa.gov, you must identify that you want the link for "Vehicles/Equipment" and click "Tires" on the right sidebar. NHTSA's page refers under "Tires" to two versions of the brochure "Tire Safety: Everything Rides on It." If the consumer wants to reach comparative tire ratings, he must click a link that takes him to the relevant page on safercar.gov.

The TREAD Act required improvements to the tire information and recordkeeping including the tire identification number (TIN) labeling of vehicles.[20] We recommend that the TIN be printed on the tire efficiency label. Consumers have reported difficulty reading and understanding the TIN. If it is printed on the label, an accompanying explanatory sentence could be included to help consumers decipher the information included in the TIN. We support a TIN scheme that is more straightforward and readily understood; however, we acknowledge that the TIN issues have been contemplated in a separate rulemaking.[21]

IV. Proper Tire Inflation

Proper tire inflation is important for optimizing rolling resistance, maximizing durability and protecting safety. Underinflated tires bend more than properly inflated tires, increasing rolling resistance and reducing durability by placing more stress on the sidewall, and underinflated tires do not grip the roadway as well as properly inflated tires. We concur with NHTSA's statement that "vigilant maintenance of inflation must be a central part of communicating information on the fuel efficiency performance of tires to motorists."[22]

This raises a question about proper tire inflation in general. The Ford-Firestone debacle and the TREAD Act have changed public awareness of tire inflation problems. The requirement for all new vehicles to be equipped with TPMSs will further improve consumer awareness and sensitivity to tire inflation. NHTSA's focus group results suggest that consumers have a better understanding of the relationship between tire inflation and fuel efficiency than they do of the relationship between rolling resistance and fuel efficiency.[23] NHTSA may be well served by drawing an explicit connection between tire inflation and rolling resistance, because consumers

[20] Pub. L. 106-414 (November 1, 2000).

[21] 67 Fed. Reg. 45,822 (July 10, 2002); 73 Fed. Reg. 72,358 (November 28, 2008).

[22] 74 Fed. Reg. 29,548.

[23] NHTSA Focus Group on Rolling Resistance, NHTSA-2008-0212 at 18.

seem to more strongly identify tire inflation with fuel savings. Drawing this connection would reinforce the idea that rolling resistance is related to fuel consumption, improving the meaningfulness of the rolling resistance ratings.

NHTSA cites its *What's your PSI?* campaign in the notice, and states that it began in 2005. However, the information provided at safercar.gov under the "What's your PSI" heading has not been updated to discuss TPMSs, which have been mandated to be installed on all vehicles since 2007. There is a separate section of tire information provided on TPMSs at safercar.gov, which refers consumers to "What's your PSI?" however there is no linking information discussing that while TPMSs are designed to prevent dangerous levels of underinflation, that consumers should still check their tire pressure regularly. The TPMS section answers the question "Why is proper tire inflation important?" but this information is absent from the What's your PSI? section of the website.

The messages provided about tire inflation and tire performance are not connected clearly enough. The brochure "Tire Safety: Everything Rides on It" defines all of the information provided on a tire, and includes useful explanations of proper tire inflation and maintenance, but does not connect proper inflation to inflation maintenance. ExxonChemical's 2009 presentation to NHTSA states that the rolling resistance coefficient may increase as much as 16 percent before a tire reaches 25 percent underinflation. TPMSs are only required to notify drivers of underinflation of 25 percent or more, so consumers who rely on TPMSs before they check and correct tire pressure may still be running underinflated.

While the goal is that TPMSs will reduce the number of drivers operating on dangerously underinflated tires, these systems alone do not result in an optimal level of tire maintenance. Awareness and public information about the relationship between tire inflation and fuel consumption appears to be relatively successful. In the summer of 2008, when gas prices rose above $4 per gallon, there was a large amount of press attention focused on ways to improve fuel consumption, including maintaining proper tire inflation.

V. Interaction with Other Tire Labeling Programs

The European Union has adopted a tire information program which would include ratings for wet grip, rolling resistance and noise. There is significant overlap between the European program and what NHTSA is proposing in this NPRM, however, the European system does not require a treadwear or temperature resistance rating. Also, tires in Europe are rated on a seven point (A-G) scale, which is consistent with appliance efficiency ratings.[24]

Research suggests that low rolling resistance tires may reduce road noise, which could be a positive co-benefit of switching to lower rolling resistance tires. The California analysis of tire efficiency benefits states: "the Germans found that they were able to achieve the desired reductions in road noise without limiting substantially their ability to also encourage greater sales of low rolling resistance tires."[25] Similarly, analysis by the Natural Resources Defense Council

[24] 74 Fed. Reg. 29,550.

[25] California Energy Commission, *California State Fuel-Efficient Tire Report: Volume II* (2003).

drew a similar conclusion: "[i]f innovations in LRR tire manufacturing result in lower road noise, this additional feature will help in transforming the replacement tire market."[26]

We suggest that some information about the relationship between rolling resistance and road noise be added to supplemental explanatory material provided in connection the new efficiency ratings. Reduced road noise could be a desirable quality in selecting tires; however, we are not convinced that there is sufficient need to inform consumers about reduced road noise to develop a separate rating. NHTSA's focus group results suggest that some restraint must be exercised in providing and overwhelming amount of information, since respondents said they were overwhelmed with the amount of information currently available.[27] However, consumers with particular interest or sensitivity to road noise may be enticed to choose a tire with lower rolling resistance due to reduced road noise.

The European Union has also adopted a rolling resistance standard to more strongly signal the European tire market to produce and diversify the availability of low rolling resistance tires.[28] We urge NHTSA to contemplate whether a standard for tire performance would produce better market incentives to produce vehicles that perform well in multiple tire quality attributes. This system could be relatively easily adapted from a "best performing tire" rating. Developing a standard for tire performance will improve the baseline performance of tires. Basing the standard on rating of best performing tires will ensure that these tires do not maximize one attribute (e.g. rolling resistance), at the expense of another (e.g. wet traction).

VI. Exclusion of Some Tire Types from Ratings System

NHTSA proposed that "deep tread, winter-type snow tires, [and] space-saver or temporary use spare tires" be excluded from labeling, consistent with these tire types exclusion from UTQGS. We support expansion of ratings to these tire types. In particular, deep tread tires are sometimes not intended for sustained highway use, and may create handling problems when used in normal driving.[29] We acknowledge that these tires comprise a relatively small fraction of the total tire market; however, NHTSA has not addressed whether improper operation on these specialized tire types is more dangerous. Consumers may be more interested in performance characteristics of specialized tire types, since consumers are likely to be more conscious of specific performance needs.

---

[26] Natural Resources Defense Council, *Fuel Efficient Replacement Tires: Guidelines for Transforming the Marketplace* (2004).

[27] NHTSA Focus Group on Rolling Resistance, NHTSA-2008-0212 at 18.

[28] 74 Fed. Reg. 29,550.

[29] *See* Advocates for Highway and Auto Safety, Comments to Tire Identification and Recordkeeping Advance Notice of Proposed Rulemaking. Docket No. NHTSA-00-8296 at 7 (January 30, 2001).

VII. Tire Dealers Linking to NHTSA's Tire Website

Requiring tire manufacturers to link their Web sites to NHTSA's tire Web site is a step in the right direction.[30] One of the biggest safety problems associated with tires is the low completion rate in defect recalls. In one of the most publicized tire recalls ever, 01T-005, for 14.4 million Firestone ATX and Wilderness tires, the only quarterly recall performance report on NHTSA's website shows a 36.6 percent completion rate. More typically, tire recall completion rates hover under percent. For example, Kumho recall 06T-013 cover 78,321 tires. The final recall completion report filed by Kumho showed only 7,485 tires had been replaced for just under 10 percent and another 4,567 had not been sold before the recall leaving 66,269 defective tires on the road. This provision should be amended to require the tire manufacturers Web site to not only link to NHTSA's Web site but also to have information on their tire recalls available in the portal from their Web site to NHTSA's Web site which include models, sizes and TINs for each tire recall.

VIII. Conclusion

We are generally supportive of the effort to provide consumers with additional information about replacement tire performance. NHTSA's proposed label is a substantial improvement in consumer information over the existing UTQGS ratings. This labeling program would give consumers new information about relative fuel economy performance related to rolling resistance, which will help consumers select replacement tires that improve fuel consumption. This new rating system is an opportunity to improve the visibility of existing tire performance ratings developed under UTQGS, a program which has not fulfilled its potential to assist consumers in making informed choices about replacement tires.

In general, NHTSA's effort to make this information public and accessible could be improved. There should be better connections between point of sale information and additional information provided in brochures and on NHTSA's safercar.gov website. Also, NHTSA should require tire manufacturers to disclose these ratings in their advertisements. This will help improve consumer familiarity with the ratings, and will also provide consumers with the information they need when they are initially shopping for tires. The relationship between rolling resistance and tire inflation should be made more explicit, to capitalize on the fact that consumers have already absorbed the message that tire inflation is related to fuel economy.

NHTSA should consider converting this consumer information system into a system of tire performance standards. The first step in developing a standard would be to establish a rating for "best performing" tires, which could, for example require a tire to be in the top 25 percent in each of the rating categories. Setting such a standard would be more effective in pushing manufacturers to build tires that perform well in all three of the rating categories, vastly improving consumer value, while improving the safety performance, durability and fuel efficiency of replacement tires.

---

[30] *See* Preliminary Regulatory Impact Analysis, Notice of Proposed Rulemaking, Replacement Tire Consumer Information Program (June 2009) at 10.