

Introduced by Senator EmmersonFebruary 14, 2012

An act to add and repeal Section 38568 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1076, as introduced, Emmerson. California Global Warming Solutions Act of 2006: tire inflation regulation.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. A violation of a regulation adopted by the state board pursuant to the act is subject to specified civil and criminal penalties. Pursuant to the act, the state board adopted a regulation requiring automobile service providers, by September 1, 2010, among other things, to check and inflate vehicle tires to the recommended pressure rating when performing automobile maintenance or repair services.

This bill, until January 1, 2018, would require a tire pressure gauge used to meet the requirements of this regulation to be accurate within a range of plus or minus 2 pounds per square inch of pressure (2 psi). The bill, until January 1, 2018, would authorize automotive service providers to meet the requirements of the regulation without checking and inflating a vehicle's tire if that tire is determined to be an unsafe tire, as defined, or that tire has tire age, as specified. The bill would

require the state board to adopt regulations on tire age if the National Highway Traffic Safety Administration publishes findings establishing a correlation between tire age and safety.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 38568 is added to the Health and Safety
2 Code, to read:

3 38568. (a) Tire pressure gauges used to meet the requirements
4 of Section 95550 of Title 17 of the California Code of Regulations
5 shall be accurate within a range of plus or minus two pounds per
6 square inch of pressure (2 psi).

7 (b) For purposes of Section 95550 of Title 17 of the California
8 Code of Regulations, automotive service providers are not required
9 to check and inflate a vehicle’s tire if any of the following applies:

10 (1) That tire is determined to be an unsafe tire. As used in this
11 subdivision, “unsafe tire” means any tire considered unsafe in
12 accordance with standard industry practices due to tire tread wear,
13 tread irregularity, or damage. Examples include any tire with an
14 exposed ply or cord, a sidewall crack, a bulge, a knot, or a ply
15 separation.

16 (2) (A) That tire has tire age. As used in this subdivision “tire
17 age” means any findings published by the National Highway
18 Traffic Safety Administration that establish a correlation between
19 tire age and safety.

20 (B) If the National Highway Traffic Safety Administration does
21 make findings establishing a correlation between tire age and
22 safety, the state board shall adopt regulations consistent with those
23 findings for purposes of Section 95550 of Title 17 of the California
24 Code of Regulations.

25 (c) This section shall remain in effect only until January 1, 2018,
26 and as of that date is repealed, unless a later enacted statute, that
27 is enacted before January 1, 2018, deletes or extends that date.