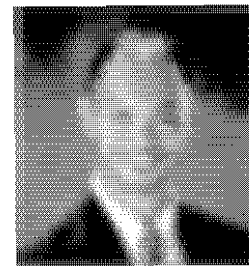




Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



DEC 15 2014

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos na Liheslaturan Guåhan
155 Hesler Place
Hagatna, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairman
Committee on Rules, Federal, Foreign & Micronesian Affairs,
Human & Natural Resources, and Election Reform

RE: Committee Report on Bill No. 399-32 (COR), as substituted by the Committee

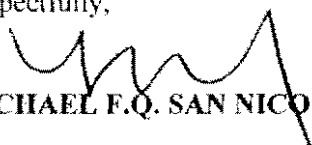
Dear Speaker Won Pat,

Håfa adai! Transmitted herewith is the Committee Report on Bill No. 399-32 (COR), as substituted by the Committee –
“AN ACT TO AMEND § 3219(A), CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO
UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.”

Committee votes are as follows:

- 3 TO DO PASS
- TO NOT PASS
- 3 TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Respectfully,

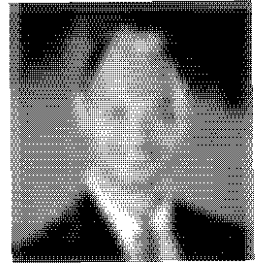

MICHAEL F.Q. SAN NICOLAS

2014 DEC 15 AM 11:03 -4



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE REPORT

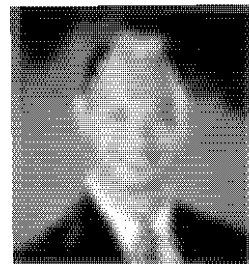
Bill No. 399-32 (COR) As Substituted by the Committee Introduced by Rory J. Respicio

**“AN ACT TO AMEND § 3219(A), CHAPTER 3,
ARTICLE 2, TITLE 16 OF THE GUAM CODE
ANNOTATED TO UPDATE THE CURRENT
STANDARDS ON THE SALE OF OLD TIRES.”**



Senator Michael F.Q. San Nicolas

Chairman – Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



December 11, 2014

MEMORANDUM

TO: All Members
Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations

RE: **Committee Report on Bill No. 399-32 (COR), as substituted by the Committee**

Håfa adai! Transmitted herewith is the Committee Report on Bill No. 399-32 (COR), as substituted by the Committee --
“AN ACT TO AMEND § 3219(A), CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO
UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.”

This report includes the following:

- Committee Voting Sheet
- Report Digest
- Copy of Bill No. 399-32 (COR), as introduced
- Copy of Bill No. 399-32 (COR), as substituted
- Public Hearing Sign-in Sheet
- Copy of COR Referral of Bill No. 399-32 (COR)
- Notices of Public Hearing
- Public Testimony
- Fiscal Note Waiver
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

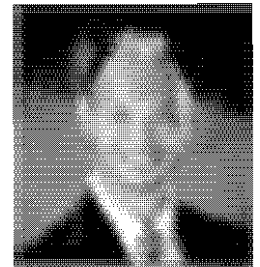
Respectfully,


MICHAEL F.Q. SAN NICOLAS



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE VOTING SHEET

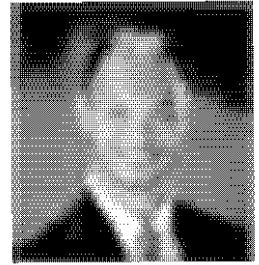
Bill No. 399-32 (COR), As Substituted by the Committee – “AN ACT TO AMEND § 3219(A), CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Michael F.Q. San Nicolas Chairman	12/12/14 	✓				
Senator Thomas C. Ada Vice Chairman		✓				
Speaker Judith T. Won Pat, Ed.D. Member						
Vice Speaker Benjamin J.F. Cruz Member				✓		
Senator Tina Rose Muña Barnes Member						
Senator Rory J. Respicio Member		12-15-14				
Senator V. Anthony Ada Member				12/15 ✓		
Senator Aline A. Yamashita, Ph.D. Member				12/15		



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Nu Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 399-32 (COR) was introduced on September 17, 2014 by Senator Rory J. Respicio. The bill was subsequently referred by the Committee on Rules to the Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations on September 18, 2014.

The Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations convened a public hearing on November 18, 2014 at 9:33 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the hearing agenda was Bill 399-32 (COR). The hearing was adjourned at 11:50 a.m.

Public Notice Requirements

Public Hearing notices were disseminated via electronic mail to all senators and all main media broadcasting outlets on November 10, 2014, and again on November 14, 2014. Notice was also posted on *I Liheslatura's* website beginning on November 10, 2014.

Senators Present

Senator Michael F.Q. San Nicolas, Chairman
Senator Thomas C. Ada, Vice Chairman
Senator V. Anthony Ada, Committee Member
Senator Aline A. Yamashita, Ph.D., Committee Member
Senator Brant T. McCreadie
Senator Tommy Morrison
Senator Michael T. Lintiaco

Oral Testimony

Carl Dominguez, Department of Public Works
Vincent F. Cabrera
Jeff Jones
Mike McCarley

Written Testimony

Carl Dominguez, Department of Public Works
Vincent F. Cabrera
Jeff Jones
Mike McCarley
Jonathan Hsu

II. TESTIMONY & DISCUSSION

Chairman Michael San Nicolas convened a hearing on Bill 399-32. He stated that the bill's main sponsor, Senator Rory Respicio, was off island but read a sponsor's statement that was provided. (*see attached*)

Carl Dominguez read from a prepared statement in support of the bill (*see attached*).

Vincent Cabrera provided a written statement in support of the bill (*see attached*). He stated that he felt that Public Law 29-20 should have never been introduced because it has created a burden for tire dealerships with regards to mounting tires for customers.

Jeff Jones provided written testimony in support of the bill (*see attached*). He also provided a U.S. Department of Transportation, National Highway Traffic Safety Administration report on tire aging. He stated that the additional four years for tire aging, which is proposed in the bill, would benefit not only the tire businesses but the customers as well.

Mike McCarley read a prepared statement in support of the bill (*see attached*). He stated that he believes that Public Law 29-120 should be repealed altogether.

Chairman San Nicolas asked for clarification as to whether the passage of time alone has any direct correlation to the need of replacing a tire.

Mr. McCarley stated that the NHTSA has opined that there is no correlation that tire aging is resulting in vehicle accidents or injuries to vehicle occupants.

Mr. Jones stated that the vehicle owner will always decide when to replace their tires because vehicle usage varies.

Chairman San Nicolas asked if there is a way to determine if a tire has already been used, or that it is of a certain age, to the point that it presents a potential road hazard.

Mr. Jones explained that the primary concern for aging tires is aimed at tires which have not been sold and just sit in a store or warehouse. He stated that some tires don't get sold for several years and, when they are finally purchased, the life expectancy is much shorter than would be expected.

Chairman San Nicolas expressed concern by comments made that the law should not mandate an age maximum for tires.

Mr. Jones stated that, in speaking with the bill's author, they agreed that eliminating the age restriction for tires might be more problematic than just extending the tire age to ten years.

Mr. McCarley explained that tires deteriorate faster on Guam because of the road conditions.

Senator Tom Ada expressed concern that the law would affect consumers who choose to use their tires for as long as they possible can before replacing.

Chairman San Nicolas read testimony submitted with regards to verbiage in the bill relative to tires for trucks and buses.

Mr. Dominguez stated that he received clarification from Senator Respicio's office that the intent was to exempt tires for trucks and buses from the tire aging date length requirement.

Mr. McCarley stated that it is common practice in the mainland that trucking companies and trucking tire manufacturers have a different standard for building tires, and that Guam trucking and busing companies use the same tires. He stated that because of this and other reasons, and to his knowledge, studies on tires for trucks and buses have not been done.

Mr. Jones stated that truck and bus tires are often retreaded and replaced than regular passenger vehicle tires.

Senator Limtiaco asked if any tires for trucks and buses are being retreaded on island and being resold.

Mr. Jones stated that those tires have to be sent off island for retreading and can only be sold as used.

Senator Tom Ada questioned if the criminal penalties in current law were being enforced or have proven to have any effect.

Chairman San Nicolas thanked the panel for their participation and adjourned the hearing.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations hereby reports out Bill No. 399-32 (COR), as substituted by the Committee, with the recommendation

TO REPORT OUT ONLY .

I MINA TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) REGULAR SESSION

Bill No. ~~399~~-32 (COR)

Introduced by:

R.J. RESPICIO 

AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2,
TITLE 16 OF THE GUAM CODE ANNOTATED TO
UPDATE THE CURRENT STANDARDS ON
THE SALE OF OLD TIRES.

2014 SEP 17 PM 4:04

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings. The Legislature finds that Public 29-120 which
3 established restrictions on the sale of old tires in 2008 should be updated to
4 reflect standards established by the US Department of Transportation and to better
5 meet the requirements of consumers while maintaining adherence to a reasonable
6 standard of safety for the use of these tires on public roads.

7 Section 2. § 3218, Chapter 3, Article 2, Title 16, Guam Code Annotated is
8 amended to read as follows:

9 "(a) The sale of tires older than [6 (six)] 10 (ten) years, for use on vehicles
10 operated on the highways and roadways of Guam, is prohibited except for TBR
11 tires except for Trucks & Buses Radial (TBR) Tires."

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2014 (SECOND) REGULAR SESSION

Bill No. 399-32 (COR)

As Substituted by the Committee on
Aviation, Ground Transportation,
Regulatory Concerns, and Future
Generations

Introduced by:

R.J. RESPICIO

**AN ACT TO AMEND § 3219(A), CHAPTER 3, ARTICLE
2, TITLE 16 OF THE GUAM CODE ANNOTATED TO
UPDATE THE CURRENT STANDARDS ON
THE SALE OF OLD TIRES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings.** The Legislature finds that Public 29-120
3 which established restrictions on the sale of old tires in 2008 should be updated to
4 reflect standards established by the US Department of Transportation and to better
5 meet the requirements of consumers while maintaining adherence to a reasonable
6 standard of safety for the use of these tires on public roads.

7 **Section 2.** § 3219(a), Chapter 3, Article 2, Title 16, Guam Code Annotated
8 is amended to read as follows:

9 "(a) The sale of tires older than ~~6 (six)~~ 10 (ten) years, for use on vehicles
10 operated on the highways and roadways of Guam, is prohibited except for
11 Trucks & Buses Radial (TBR) tires, which shall not be older than 6 (six)
12 years when for sale."



I Mina'Trentai Dos na Liheslaturan Guåhan

Committee on Aviation, Ground Transportation,
Regulatory Concerns, and Future Generations

SENATOR MICHAEL F.Q. SAN NICOLAS

November 18, 2014

Bill No. 399-32 (COR) – R.J. Respicio; AN ACT TO AMEND §3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.

NAME (Please print)	AGENCY/ ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
CARL DOMINGUEZ	DPW	646-3131	✓	✓	✓	
VINCENT F. CABRENA	MGT CORP.	646-5528		✓	✓	
JEFF JONES	TRIPLE J/TIRE DEalers	648-6001	✓	✓	✓	
MIKE MCCARLEY	TRIPLE J TIRE	787-6499	✓	✓	✓	

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES, FEDERAL, FOREIGN & MICRONESIAN AFFAIRS;
HUMAN & NATURAL RESOURCES AND ELECTION REFORM



I Mina'trentai Dos na Libeslaturan Guahan
THIRTY-SECOND GUAM LEGISLATURE

November 18, 2014

Via E-Mail

senatorsanmicolas@gmail.com

Senator Michael F.Q. San Nicolas
Chairman
Committee on Aviation, Ground Transportation,
Regulatory Concerns, and Future Generations
155 Hesler St.
Hagatna, Guam 96910

Sponsor Statement for Bill No. 399-32 (COR):

"AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES."

In March of 2014, the U.S. Department of Transportation published the summary of the results of National Highway Traffic Safety Administration's tire aging tests that include testing on new light vehicle radial tires. In this study, new tires were submitted to over-aging in order to simulate the effects of aging on the elements and structure of tires over time. This process was designed to damage the test tires in the same way that they would be damaged when operated on US mainland highways, where tires are subjected to long distance and high speed operating conditions far more severe than what can be achieved here on Guam.

Based on this data, the NHTSA concluded, "At this time, the agency does not believe it necessary for motor vehicle safety to add a tire aging requirement to its light vehicle standard".

While tire aging can affect the life and performance of light vehicle tires, technological improvements to manufacturing tires allows us to now extend tire aging limits.

Tire manufacturers follow the NHTSA Uniform Quality grade Standards that were originated to provide consumers with useful information to help them when purchasing tires. Tests are conducted to grade tires, and because of these ratings, manufacturers have increased the overall level and quality standards of tire lines. Additionally, all new light motor vehicles released must be equipped with TPMS (Tire Pressure Monitoring System) sensors, due to the influence tire pressure has on vehicle safety and efficiency. By increasing the standard to 10 years, consumers will be able to maximize the usage of their tires while maintaining an adequate safety standard.

Those most affected by Guam's current law are consumers that can least afford to buy new tires, but are forced to by law. Flat tires are a fact of life for everyone. It is unfortunate that tire dealers on Guam must refuse service, and force vehicle owners to purchase new tires, even when their current tires are in well-cared condition.

Thank you for this opportunity to comment. I respectfully request that this statement be included with your committee report on Bill No. 399-32 (COR).

Very truly yours,

Handwritten signature of Rory J. Respicio in cursive.

Rory J. Respicio



The Honorable
Eddie Baza Calvo
Governor

The Honorable
Ray Tenorio
Lieutenant Governor



Carl V. Dominguez
Director
Jessie B. Palican
Deputy Director

November 18, 2014

Senator Michael F.Q San Nicolas
Chairman ~ Committee on Aviation, Ground Transportation, Regulatory Concerns
and Future Generations
I Mina'trentai Dos Na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

Dear Mr. Chairman and Members of the Committee:

The National Highway Traffic Safety Administration (NHTSA), a division of the U.S. Department of Transportation, in its March, 2014 report on tire aging, states in part "At this time, the agency does not believe it is necessary for motor vehicle safety to add a tire aging requirement to its light vehicle tire standard" NHTSA does take the position that "In the warmer parts of the United States where we have data, including Arizona, Florida, Texas and Southern California, there appears to be a relationship between the age of the tire and the propensity of the tire to fail. Tire aging failures tend to appear in the high heat states, in the summer months, during the day, while the vehicle is being driven at highway speeds. All these factors make it more difficult for the tire to dissipate heat, and heat build up is the main factor in these types of failures."

Although Guam's tropical climate is year round, the top speed limit is currently 35 MPH, so our situation does not completely mirror the conditions mentioned above. Consequently, the Department of Public Works and its Office of Highway Safety are in support of Bill 399-32 (COR) with the following recommendation: Section 3219 (c) be amended so that the six (6) years in the warning statement be revised to ten (10) years and that it apply to light vehicles only.

Finally, I have tasked our Office of Highway Safety to take the lead in ensuring that sellers of tires comply with all provisions of 16 GCA, Chapter 3, Section 3219, to improve the safety of the motorists of Guam.

Thank you for the opportunity to testify in support of Bill 399-32 (COR).

Sincerely,

Carl Dominguez

Attachment

16 GCA VEHICLES
CH. 3 GENERAL PROVISIONS

attachments thereto afford adequate protection to effectively minimize the spray or splash of water or mud to the rear of the vehicle and all such equipment or such body or attachments thereto shall be at least as wide as the tire tread. This Section does not apply to those vehicles exempt from registration, trailer and semi-trailers having an unladen weight of under one thousand five hundred (1,500) pounds, or any vehicles manufactured and first registered prior to January 1, 1974, having an unladen weight of under one thousand five hundred (1,500) pounds.

SOURCE: GC § 23113.2, enacted by P.L. 12-087.

§ 3217. Vehicles Transporting Explosives.

Any person operating any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this Section.

(a) Said vehicle shall be marked or placarded on each side and the rear with word "Explosives" in letters not less than three (3) inches high.

(b) Every said vehicle shall be equipped with at least one (1) fire extinguisher, filled and ready for immediate use, and placed at a convenient point on the vehicle so used.

(c) The Chief of Police is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highways as he shall deem advisable for the protection of the public.

SOURCE: GC § 23114, enacted by P.L. 1-088, repealed and reenacted by P.L. 6-111.

§ 3218. Applicability of Article for Government of Guam Owned Vehicles.

All provisions of this Article apply to vehicles owned by the government of Guam.

SOURCE: Added by P.L. 29-099:1 (July 22, 2008).

§ 3219. Tire Safety.

(a) The sale of tires older than 6 (six) years, for use on vehicles operated on the highways and roadways of Guam, is prohibited.

(b) All sellers, vendors, distributors of tires shall provide a written

16 GCA VEHICLES
CH. 3 GENERAL PROVISIONS

statement of the date of manufacture of the tires being sold.

(c) Each retailer, wholesaler and distributor of tires on Guam shall, at the place of sale, post in a conspicuous location, in letters at least two (2) inches tall, a statement that indicates the dangers of aged tires. The statement shall be printed as follows:

"WARNING - AGED TIRES CAN FAIL IN USE, CAUSING
LOSS OF VEHICLE CONTROL, AND PERSONAL INJURY.
TIRES DETERIORATE WITH AGE, EVEN WITH LITTLE OR
NO USE. TIRES OLDER THAN SIX (6) YEARS MAY NOT
BE SOLD OR MOUNTED FOR USE ON VEHICLES
OPERATED ON THE HIGHWAYS AND ROADWAYS OF
GUAM."

SOURCE: Added as § 3218 by P.L. 19-120 2 (Dec. 7, 2008). Renumbered by
Compiler since § 3218 is already occupied.

§ 3220. Penalties.

Any person who knowingly sells a tire(s) or mounts a tire(s) on a vehicle in violation of § 3219 of this Chapter commits a third degree felony.

SOURCE: Added as § 3219 by P.L. 19-120 3 (Dec. 2, 2008). Renumbered by
Compiler since § 3219 is already occupied.

**ARTICLE 3
RULES OF THE ROAD**

- § 3301. Speed Limits.
- § 3301.1. Eluding a Police Officer.
- § 3301.2. Definitions.
- § 3301.3. Totality of the Circumstances Described.
- § 3302. Obstructing Driver's View or Interfering With Control of Mechanism.
- § 3303. Passengers on Motorcycles.
- § 3304. Operating Motorcycles on Beaches.
- § 3305. Mandatory Safety Helmets.
- § 3305.1. Sale of Safety Helmets.
- § 3306. Riding on Bicycles; Penalty.
- § 3307. Riding on Roadways and Bicycle Paths.



MGT CORPORATION
P.O. Box 7840
Tamuning, Guam 96931 U.S.A
Tel: 646-8600 • Fax: (671) 649-0058

TESTIMONY
before the
Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations

Guam Legislature, Hagåtña, Guam, Public Hearing Room, November 18, 2014

Bill 399-32

Mr. Chairman and Members of the Committee:

My name is Vincent Flores Cabrera, I am the General Manager of MGT Corporation. I have been in the Tire Industry for over 27 years. I have been factory trained by Michelin Asia (S) Pte Ltd. I am providing this testimony on behalf of MGT Corporation and a member of Guam Tire Dealers and Distributors.

I come to you in support of Bill 399-32. I feel Bill 331, Public Law 29-120 should have never been passed, because of our unique road conditions on Guam. The Uniform Tire Quality Grade (UTQG) which provides the Tread wear, Temperature and Traction ratings on a tire are results of tests required by US DOT NHTSA under controlled circumstances. The key word is "controlled". Here on Guam, there are no controlled circumstances, and from experience, the tires that come in for replacement are those that are damaged due to road hazards, such as pot holes, unlevelled man holes, foreign material such as rebar that puncture the tire making them unserviceable.

PL 29-120 "§3219. Penalties. Any person who knowingly sells a tire(s) or mounts a tire(s) on a vehicle in violation of §3218 of this Chapter commits a third degree felony." What was the intent of Bill 331, PL 29-120? The very same people you thought you were helping will be hurting them.

First and foremost, look around Guam and see how many small businesses install used tires. You may have seen the ones near the side of the road. They will be placed out of business because they can no longer mount tires. I believe they are already breaking the law mounting the tires they currently have in their stock pile.

Another point to consider is the point of entry, does this mean then that since we can't mount them but we can bring them into the port? What if a consumer purchased tires online and ships them to Guam, will Guam Customs and Quarantine check on these tires. What if a consumer knowingly purchases used or dated tires? Is he also in violation? What about the Government vehicles? Are they excluded?

What about Spare tires that haven't been in use, the consumer needs a tire but wants to change out the spare tire to one of the wheels that had the damaged tire, just to make it match. If the tire is 6 or even 10 years old; we have to turn them away because we can't mount it.

Tan Maria, who is on a fixed income, needs to repair her tire because of a nail she picked up on the road; we would have to turn her away, because we can't mount it.

The car enthusiast on Guam who only drives a 1959 Chevy Corvette Classic on special occasions needs to replace a white wall tire. The tire he had in storage for that "Just in case I need to change moment"; we can't mount it.

The Veteran that rides his 2007 Harley Davidson Fatboy 6 times a year needs to get his wheel replaced due to a pot hole dented the wheel; we can't mount it.



MGT CORPORATION
P.O. Box 7840
Tamuning, Guam 96931 U.S.A
Tel: 646-8600 • Fax: (671) 649-0058

These are just but a few situations, there are many more. WE are at the forefront of all these situations. Can you image all the complaints of OUR customers who are your constituents? You will be forcing them to purchase tires that don't need to be changed; these are the same people that are really trying to stretch that dollar.

Instead of an age law, we should focus more on making are roads more safe and better. Public works and the Mayors have made efforts to fill the unlevelled man holes and fill the pot holes but more has to be done to make the roads better for all Guam's drivers.

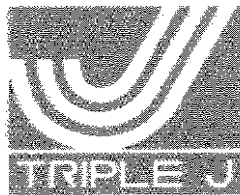
In closing, I personally don't feel that there should be any type of tire age law on Guam. Guam is unique. In any situation dealing with tire mounting or dealing with used tires in general, the only ones that will be hurting the most is the pocket book of Tan Maria. I would like to thank the committee for giving us the opportunity to give written testimony on Bill 399.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Flores Cabrera".

Vincent Flores Cabrera
General Manager
MGT Corporation

Customers First



Senator Michael San Nicolas
Chairperson, Committee on Aviation,
Ground Transportation, Regulatory
Concerns, and Future Generations
I Mina Trentai Dos na Liheslaturan Guahan
1555 Hesler Place, Ste. 302
Hagatna, Guam 96910

November 17, 2014

Ref: Bill 399 AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF
THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON
THE SALE OF OLD TIRES.

Dear Senator San Nicolas;

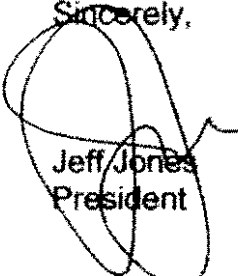
I am writing on behalf of Triple J Enterprises and the other major Tire Dealers of
Guam in support of Bill 399.

I have attached our letter to Senator Respicio of August 6, 2014 wherein we
requested a revision of Public Law 29-120 (prohibition of the sale of tires 6 years
of older) and outlined the justification for the changes.

We feel that Bill 399 strikes the right balance between safety and practicality. It
protects the consumers and at the same time is not overly burdensome on both
them and the businesses engaged in the sale of tires on Guam.

Thank you for your time and we look forward to a positive action on this bill.

Sincerely,



Jeff Jones
President

TRIPLE J ENTERPRISES, INC.
P.O. BOX 6066 TAMUNING, GUAM 96931 TEL (671) 646-9126 • FAX: (671) 646-9487

Guam Tire Dealers and Distributors

Majority Leader Rory J. Respicio
Chairperson, Committee on Rules;
Federal, Foreign & Micronesian Affairs;
Human & Natural Resources; and Election Reform
I Mina'Trentai Dos na Liheslaturan Guåhan
155 Hesler Place, Ste. 302
Hagåtña, Guam 96910

August 6, 2014

Dear Senator Respicio;

I am writing you as the only remaining senator who sponsored Bill 331 now Public Law 29-120 (Prohibition of the sale of tires 6 years or older). The Guam Tire Dealers feel the current law is too restrictive and is a burden on consumers as well as businesses.

Based on our research, new US DOT NHTSA data dated March 2014 (attached) and Guam's unique driving conditions render this law unnecessary and as such should be eliminated.

We have highlighted the important text in the attached US DOT NHTSA summary from March 2014.

The points for changing the current over age law are:

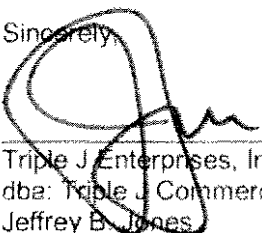
- The US DOT does not believe that a tire aging law is needed because of new standards that went into effect in 2007. (attached)
- The high speed and long distance tire operating conditions that the testing lab duplicated to make their determinations cannot be reached on Guam. (see notes on the report)
- The people of Guam most affected by the 6 year tire age limit are also the poorest who change their tires less frequently or purchase used tires. Under the current law tire dealers can't dismount, repair and remount tires that are 6 years or older.

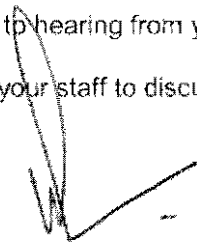
If the Legislature feels we must keep a tire over-age law they should modify it to exclude TBR tires that are built to withstand much more abuse than passenger tires and the PCR/LTR tire limit should go from 6 years to 10 years.

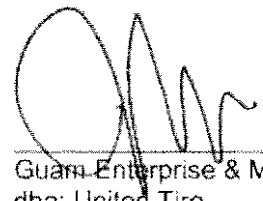
Thank you for your time and we look forward to hearing from you soon.

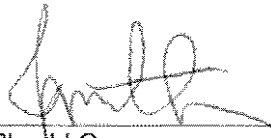
We would be happy to meet with you and/or your staff to discuss this matter in more detail.


Sincerely,

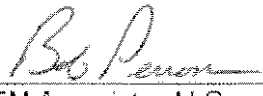

Triple J Enterprises, Inc.
dba: Triple J Commercial Tire Center
Jeffrey B. Jones
President.


MGT Corporation
dba: GoodYear Tire Center
Vince Cabrera
General Manager


Guam Enterprise & Marketing Corp.
dba: United Tire
~~John Hsu~~ Jonathan Hsu
Manager


Cars Plus LLC
dba: Cars Plus Tire Center
Joey Crisostomo
President


Commercial Tire Depot
Craig Wade
President/CFO


REM Associates LLC
dba: Pacific Tyre
Bob Perron
Managing Member

TIRE AGING:
A Summary of NHTSA's Work

U.S. Department of Transportation
National Highway Traffic Safety Administration

March 2014

TABLE OF CONTENT

I. EXECUTIVE SUMMARY.....	3
II. INTRODUCTION	7
III. BACKGROUND	10
IV. SAFETY PROBLEM.....	13
A. Agency's tire-related crash data.....	13
B. Agency's tire aging-related crash data.....	14
C. Weather effect on tire performance	16
V. AGENCY'S RESEARCH.....	19
A. Research before FMVSS No.139.....	19
Field Study.....	19
Aging methods evaluation	21
Tire aging method refinement.....	22
Validation testing.....	23
B. Research after FMVSS No.139.....	25
VI. OBSERVATIONS	27
VII. CONCLUSIONS.....	29
Appendix A.....	31
Appendix B.....	32
Appendix C.....	33
Appendix D.....	34
Appendix E.....	36
Appendix F.....	38

I. EXECUTIVE SUMMARY

Tire aging is a phenomenon involving the degradation of the material properties of a tire which overtime can compromise its structural integrity and jeopardize its performance. Tire aging takes place whether a tire is driven or not and for this reason is a concern for spare tires and tires that are not regularly driven. The effect of aging may not be visibly detectable on these tires and their integrity may be compromised even though they could be showing a great deal of remaining tread.

The current light vehicle tire standard, Federal Motor Vehicle Safety Standard (FMVSS) No.139; "*New pneumatic radial tires for light vehicles*" does not include a test to evaluate the risk of tire failure due to aging during a tire's service life.¹

Before FMVSS No.139 became effective, the agency conducted several phases of research leading the development of the agency's tire aging protocol², including a field study, aging methods evaluation, tire aging method refinement and validation testing on pre-FMVSS No. 139 tires. FMVSS No. 139-compliant tires were evaluated in the last phase of research to the tire aging test protocol developed in the previous phases.

The last phase of research showed that the group of FMVSS No.139-complaint tires even-aged following our current aging protocol presented an improved performance in the roadwheel durability test when compared with the group of pre-FMVSS No. 139 tires that were previously tested following the same protocol. Pre-FMVSS No. 139 tires developed more severe failure

¹ The National Highway Traffic Safety Administration (NHTSA) was asked by members of Congress to consider the feasibility of requiring a tire aging test during the hearings that preceded the enactment of the Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (H.R. 5164, Pub. L. No. 106-414, Nov. 1, 2000). Congress suggested this test to evaluate the risk of failure at a period later in the life of a tire than the current regulation, which only evaluates new tires.

² <http://www.regulations.gov/#!documentDetail;D=NHTSA-2005-21276-0029>

modes³ when subjected to the endurance and low pressure test than FMVSS No.139-compliant tires did, with the latter developing mostly cracks.

NHTSA research also found that especially in the warmer parts of the United States, including Arizona, Florida, Texas and Southern California, there appears to be a relationship between the age of the tire and the propensity of the tire to fail.

Our most recent analysis on NASS-CDS⁴ tire-related crash⁵ data from 2007 through 2010 shows a 35 percent reduction in tire crashes (17,019 to 11,047), a 50 percent reduction in fatalities (386 to 195) and a 42 percent reduction in injuries (11,005 to 6,361) when compared with annual averages from 1995 through 2006. The overall fatalities decreased by 20 percent between 2007 and 2010 (dropping from 41,059 to 32,885 fatalities), and overall police reported crashes decreased by 10 percent between 2007 and 2010 (dropping from 6,024,000 to 5,419,000).

The agency believes that the more stringent FMVSS No. 139 has helped create better-quality and safer tires. This change in light vehicle tire performance may be one of the reasons the percentage of tire-related crashes, injuries and fatalities, has decreased in the 2007-2010 time frame, since FMVSS No. 139 became effective on September 1, 2007. Another reason may be that the number of vehicle crashes due to tire failures from under-inflation has decreased since

³ Failure modes that will result in non-compliance under FMVSS No.139 (visual evidence of tread, sidewall, ply, cord, inner liner, or bead separation, chunking, broken cords, cracking, or open splices, and the tire pressure is less than the initial test pressure). The agency has not provided pass/fail criteria for the oven aging protocol.

⁴ The National Automotive Sampling System - Crashworthiness Data System

⁵ The NASS-CDS contains on its General Vehicle Form the following information: a critical pre-crash event, vehicle loss of control due to a blowout or flat tire. In 2009, NHTSA changed its selection of crashes involving vehicles more than 10 years old. Adjustments were made in this analysis for older vehicles in 2009 and 2010 data so that we had comparable data from 2007 to 2010.

all new light vehicles were required to have tire pressure monitoring system (TPMS) starting September 1, 2007 (FMVSS No.138).

An improved roadwheel performance of oven-aged FMVSS No. 139-compliant tires when compared to oven-aged pre-FMVSS No. 139 tires and an overall reduction of tire-related crashes have lessened the tire aging concerns since the TREAD Act was enacted.

At this time, the agency does not believe it is necessary for motor vehicle safety to add a tire aging requirement to its light vehicle tire standard due to the following reasons: First, FMVSS No. 139 has contributed to an increased robustness of oven-aged light vehicle tires. Our research has shown that oven-aged FMVSS No. 139-compliant tires are more resistant to degradation than oven-aged pre-FMVSS No. 139 tires. Second, light vehicle tires are performing better on the road as reflected in our most recent crash data. Third, a mandatory TPMS on light vehicle tires since 2007 has helped alert consumers to under-inflation that is also known to degrade tires faster.

Tire aging is still a concern in the more southern parts of the Sun Belt states⁶, during the summer months when heat build-up can cause a failure. Spare tires remain a concern as well, since they are not replaced regularly and may still show enough tread, even though the structural integrity of the tire may be compromised by aging. Adding to this concern, spare tires are often rotated into use and are sold as used tires.

For the reasons stated above, the agency is coordinating a promotional and educational initiative to raise consumer awareness about tire aging issues and how to prevent these types of failures. Campaign initiatives and outreach efforts to consumers, partners and the automotive

⁶ Southern California, Arizona, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, and Florida

service industry will include social media messages, fact sheets, infographics, and other web content.



167D E.T. Calvo Memorial Parkway
Tamuning, Guam 96913
(671) 649-8473

November 18, 2014

Honorable Michael San Nicolas
Senator
Guam Legislature
Hatatna, Guam 96910

Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations

Dear Sir:

My career in the tire industry began in 1968 as a tire technician while I was still in school. My advanced training in the tire industry began with the Goodyear Tire and Rubber Company after college in 1974. I have, over the years, completed many courses in tire application, maintenance and design offered by both Goodyear and Michelin. I have over twenty years of field engineering experience working directly with global corporations in North America, South America, Central America, Australia and Africa. One of my primary functions as tire field engineer was to evaluate tires that had been removed from service and to determine causes for tire failure. I have examined and evaluated thousands of tires that have been removed from service to determine the cause of tire failure.

There are many things that can cause a tire to fail.

- The number one reason is that the tire is worn out; obviously you do not need an expert to determine that a tire failed from being worn out.
- After tire wear out, the second most common cause is road hazard. Road hazard damage can come from debris in the roadway or the condition of the road itself; everything from nails to pot holes. When tires are damaged by road hazards they can sometimes fail (blow out) immediately, however, often times the tire's structure is damaged by the hazard but does not fail immediately. Many times the damage is internal and cannot be seen on the outside of the tire.
- The next most common cause of tire failure in a tire that is not worn out is improper tire maintenance. Over time tires lose their air pressure. Once the tire pressure drops below the correct pressure by 8% to 12% damage to the tire structure will occur due to excessive heat buildup caused by over flexing. The same over flexing occurs when a vehicle is overloaded. Tires with structural damage caused by either of these circumstances will usually fail before they are completely worn out, depending on the extent of the damage and the tread life remaining.
- The third most common cause of tire failure is manufacture defects. It is estimated that the percentage of tires that fail in the US for material or workmanship reasons is approximately 2.5%.

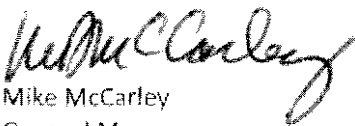
Since I became the general manager of Triple J Commercial Tire on Guam in April of 2012, our company has sold over 50,600 passenger car tires on Guam. During that time we have had to replace 22 tires for workmanship and material defects. That brings the percentage of defective tires to much less than 1%, the actual number is .00043%, which is 1 defective tire for every 2,300 tires sold.

Guam has a much lower pre-worn out tire failure rate than what I have witnessed in North America. The main reason tire failure rates are lower on Guam than the US national average is because the conditions that tires operate under on Guam are much more favorable than mainland US. Tire operating conditions have as much to do with tire performance and durability as the design of the tire itself. The three main factors that determine how well a tire will hold up over time is the loads, speeds and distances that it must operate under. All tires imported to Guam are built to US Department of Transportation Standards. In the US highway speeds of over 65 MPH for hours at time degrade the structural integrity at an exponentially faster rate than could ever be done here on Guam. It is for this reason that tires that are manufactured to meet the demands of US highways very rarely fail on Guam.

The US National transportation and Safety Administration published, in March 2014, a summary of their extensive study of tire aging (copy attached) that concluded that, "the agency does not believe it is necessary for motor vehicle safety to add a tire aging requirement". I agree with their finding. As of this writing I have not seen a single tire failure here on Guam that was caused by excessive aging. On the other hand, I have had to inform hundreds of Guam residents that we cannot install or repair their tire because of Guam's tire age law and that they must replace their fully serviceable tire with a new one. Often, I give them a copy of the Law (Bill No. 331 (LS), copy attached) as proof that Triple J would be in violation of Guam law if we installed their six year old tire.

Tire age is a factor in structural integrity, however, considering the short distances and low speeds that drivers on Guam operate their vehicles under, along with operating tires that are designed and built to withstand speeds and distances far greater than can be attained on Guam, I believe that the current law should be repealed.

Sincerely,



Mike McCarley
General Manager
Triple J Commercial Tire
Tamuning, Guam

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2014 (SECOND) REGULAR SESSION

Bill No. ~~399~~-32 (COR)

Introduced by:

R.J. RESPICIO

AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2,
TITLE 16 OF THE GUAM CODE ANNOTATED TO
UPDATE THE CURRENT STANDARDS ON
THE SALE OF OLD TIRES.

2014 SEP 17 PM 4:04

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings. The Legislature finds that Public 29-120 which
3 established restrictions on the sale of old tires in 2008 should be updated to
4 reflect standards established by the US Department of Transportation and to better
5 meet the requirements of consumers while maintaining adherence to a reasonable
6 standard of safety for the use of these tires on public roads.

7 Section 2. § 3218, Chapter 3, Article 2, Title 16, Guam Code Annotated is
8 amended to read as follows:

9 "(a) The sale of tires older than [6 (six)] 10 (ten) years, for use on vehicles
10 operated on the highways and roadways of Guam, is prohibited except for TBR
11 tires except for Trucks & Buses Radial (TBR) Tires."

I MINA'BENTE NUEBI NA LIHESLATURAN GUÁHAN
2008 (SECOND) Regular Session

Bill No. 331 (LS)

As substituted by the Committee on
Public Safety, Criminal Justice and
Youth, and amended.

Introduced by:

Frank T. Ishizaki
R. J. Respicio
A. B. Palacios, Sr.
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
J. A. Lujan
Tina Rose Muña Barnes
v. c. pangelinan
Dr. David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed.D.

**AN ACT TO *ADD* NEW §§3218 AND 3219 TO CHAPTER 3,
ARTICLE 2, TITLE 16, GUAM CODE ANNOTATED,
RELATIVE TO THE PROHIBITION OF THE SALE OF TIRES
AGED OVER SIX (6) YEARS, THE STATING OF THE DATE
OF MANUFACTURE, AND THE MANDATORY POSTING OF
THE DANGERS OF AGED TIRES AT THE POINT OF SALE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guáhan* finds
that a study conducted by Safety Research and Strategies Inc., shows that tires, like

1 (a) The sale of tires older than 6 (six) years, for use on vehicles
2 operated on the highways and roadways of Guam, is prohibited.

3 (b) All sellers, vendors, distributors of tires *shall* provide a written
4 statement of the date of manufacture of the tires being sold.

5 (c) Each retailer, wholesaler and distributor of tires on Guam *shall*,
6 at the place of sale, post in a conspicuous location, in letters at least two (2)
7 inches tall, a statement that indicates the dangers of aged tires. The
8 statement *shall* be printed as follows:

9 **"WARNING – AGED TIRES CAN FAIL IN USE, CAUSING**
10 **LOSS OF VEHICLE CONTROL, AND PERSONAL INJURY. TIRES**
11 **DETERIORATE WITH AGE, EVEN WITH LITTLE *OR* NO USE. TIRES**
12 **OLDER THAN SIX (6) YEARS MAY *NOT* BE SOLD OR MOUNTED FOR**
13 **USE ON VEHICLES OPERATED ON THE HIGHWAYS AND**
14 **ROADWAYS OF GUAM."**

15 **Section 3.** A new §3219 is hereby *added* to Chapter 3, Article 2, Title 16,
16 Guam Code Annotated, to read as follows:

17 **"§3219. Penalties.** Any person who knowingly sells a tire(s) *or*
18 mounts a tire(s) on a vehicle in violation of §3218 of this Chapter commits a
19 third degree felony."

20 **Section 4. Severability.** *If* any of the provisions of this Act or the
21 application thereof to any person or circumstance is held invalid, such invalidity
22 shall *not* affect any other provision or application of this Act which can be given
23 effect without the invalid provision or application, and to this end the provisions of
24 this Act are severable.

I MINA BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 331 (LS), "AN ACT TO ADD NEW §§3218 AND 3219 TO CHAPTER 3, ARTICLE 2, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF THE SALE OF TIRES AGED OVER SIX (6) YEARS, THE STATING OF THE DATE OF MANUFACTURE, AND THE MANDATORY POSTING OF THE DANGERS OF AGED TIRES AT THE POINT OF SALE," was on the 21st day of November, 2008, duly and regularly passed.



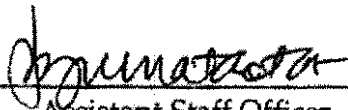
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 25 day of Nov., 2008, at
9:41 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date:

12/2/08

Public Law No. 29-120



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

15 DEC 2008

2008 DEC 19 PM 3:47

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Bente Nuebi Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 331 (LS), "AN ACT TO ADD NEW §§ 3218 AND 3219 TO CHAPTER 3, ARTICLE 2, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF THE SALE OF TIRES AGED OVER SIX (6) YEARS, THE STATING OF THE DATE OF MANUFACTURE, AND THE MANDATORY POSTING OF THE DANGERS OF AGED TIRES AT THE POINT OF SALE" which was signed into law on December 2, 2008 as Public Law No. 29-120.

Please note a technical error with Bill No. 331. Bill No. 331 seeks to add a new Section 3218 to Chapter 3, Article 2, Title 16 of the Guam Code Annotated, however, this section already exists as "Applicability of Article for Government of Guam Owned Vehicles".

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam
Attachment: copy of Bill

cc: The Honorable Tina Rose Muña Barnes,
Senator and Legislative Secretary

29-08-0962

12/15/08
5:05pm

**TIRE AGING:
A Summary of NHTSA's Work**

**U.S. Department of Transportation
National Highway Traffic Safety Administration**

March 2014

TABLE OF CONTENT

I. EXECUTIVE SUMMARY.....	3
II. INTRODUCTION	7
III. BACKGROUND	10
IV. SAFETY PROBLEM.....	13
A. Agency's tire-related crash data.....	13
B. Agency's tire aging-related crash data.....	14
C. Weather effect on tire performance	16
V. AGENCY'S RESEARCH.....	19
A. Research before FMVSS No.139.....	19
Field Study.....	19
Aging methods evaluation	21
Tire aging method refinement.....	22
Validation testing	23
B. Research after FMVSS No.139.....	25
VI. OBSERVATIONS	27
VII. CONCLUSIONS.....	29
Appendix A.....	31
Appendix B.....	32
Appendix C.....	33
Appendix D.....	34
Appendix E.....	36
Appendix F.....	38

I. EXECUTIVE SUMMARY

Tire aging is a phenomenon involving the degradation of the material properties of a tire which overtime can compromise its structural integrity and jeopardize its performance. Tire aging takes place whether a tire is driven or not and for this reason is a concern for spare tires and tires that are not regularly driven. The effect of aging may not be visibly detectable on these tires and their integrity may be compromised even though they could be showing a great deal of remaining tread.

The current light vehicle tire standard, Federal Motor Vehicle Safety Standard (FMVSS) No.139: "*New pneumatic radial tires for light vehicles*" does not include a test to evaluate the risk of tire failure due to aging during a tire's service life.¹

Before FMVSS No.139 became effective, the agency conducted several phases of research leading the development of the agency's tire aging protocol², including a field study, aging methods evaluation, tire aging method refinement and validation testing on pre-FMVSS No. 139 tires. FMVSS No. 139-compliant tires were evaluated in the last phase of research to the tire aging test protocol developed in the previous phases.

The last phase of research showed that the group of FMVSS No.139-complaint tires oven-aged following our current aging protocol presented an improved performance in the roadwheel durability test when compared with the group of pre-FMVSS No. 139 tires that were previously tested following the same protocol. Pre-FMVSS No. 139 tires developed more severe failure

¹ The National Highway Traffic Safety Administration (NHTSA) was asked by members of Congress to consider the feasibility of requiring a tire aging test during the hearings that preceded the enactment of the Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (H.R. 5164, Pub. L. No. 106-414, Nov. 1, 2000). Congress suggested this test to evaluate the risk of failure at a period later in the life of a tire than the current regulation, which only evaluates new tires.

² <http://www.regulations.gov/#documentDetail;D=NHTSA-2005-21276-0029>

modes³ when subjected to the endurance and low pressure test than FMVSS No.139-compliant tires did, with the latter developing mostly cracks.

NHTSA research also found that especially in the warmer parts of the United States, including Arizona, Florida, Texas and Southern California, there appears to be a relationship between the age of the tire and the propensity of the tire to fail.

Our most recent analysis on NASS-CDS⁴ tire-related crash⁵ data from 2007 through 2010 shows a 35 percent reduction in tire crashes (17,019 to 11,047), a 50 percent reduction in fatalities (386 to 195) and a 42 percent reduction in injuries (11,005 to 6,361) when compared with annual averages from 1995 through 2006. The overall fatalities decreased by 20 percent between 2007 and 2010 (dropping from 41,059 to 32,885 fatalities), and overall police reported crashes decreased by 10 percent between 2007 and 2010 (dropping from 6,024,000 to 5,419,000).

The agency believes that the more stringent FMVSS No. 139 has helped create better-quality and safer tires. This change in light vehicle tire performance may be one of the reasons the percentage of tire-related crashes, injuries and fatalities, has decreased in the 2007-2010 time frame, since FMVSS No. 139 became effective on September 1, 2007. Another reason may be that the number of vehicle crashes due to tire failures from under-inflation has decreased since

³ Failure modes that will result in non-compliance under FMVSS No.139 (visual evidence of tread, sidewall, ply, cord, inner liner, or bead separation, chunking, broken cords, cracking, or open splices, and the tire pressure is less than the initial test pressure). The agency has not provided pass/fail criteria for the oven aging protocol.

⁴ The National Automotive Sampling System - Crashworthiness Data System

⁵ The NASS-CDS contains on its General Vehicle Form the following information: a critical pre-crash event, vehicle loss of control due to a blowout or flat tire. In 2009, NHTSA changed its selection of crashes involving vehicles more than 10 years old. Adjustments were made in this analysis for older vehicles in 2009 and 2010 data so that we had comparable data from 2007 to 2010.

all new light vehicles were required to have tire pressure monitoring system (TPMS) starting September 1, 2007 (FMVSS No. 138).

An improved roadwheel performance of oven-aged FMVSS No. 139-compliant tires when compared to oven-aged pre-FMVSS No. 139 tires and an overall reduction of tire-related crashes have lessened the tire aging concerns since the TREAD Act was enacted.

At this time, the agency does not believe it is necessary for motor vehicle safety to add a tire aging requirement to its light vehicle tire standard due to the following reasons: First, FMVSS No. 139 has contributed to an increased robustness of oven-aged light vehicle tires. Our research has shown that oven-aged FMVSS No. 139-compliant tires are more resistant to degradation than oven-aged pre-FMVSS No. 139 tires. Second, light vehicle tires are performing better on the road as reflected in our most recent crash data. Third, a mandatory TPMS on light vehicle tires since 2007 has helped alert consumers to under-inflation that is also known to degrade tires faster.

Tire aging is still a concern in the more southern parts of the Sun Belt states⁶, during the summer months when heat build-up can cause a failure. Spare tires remain a concern as well, since they are not replaced regularly and may still show enough tread, even though the structural integrity of the tire may be compromised by aging. Adding to this concern, spare tires are often rotated into use and are sold as used tires.

For the reasons stated above, the agency is coordinating a promotional and educational initiative to raise consumer awareness about tire aging issues and how to prevent these types of failures. Campaign initiatives and outreach efforts to consumers, partners and the automotive

⁶ Southern California, Arizona, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, and Florida

service industry will include social media messages, fact sheets, infographics, and other web content.

II. INTRODUCTION

Tire aging is a phenomenon involving the degradation of the material properties of a tire which overtime can compromise its structural integrity and jeopardize its performance. When aging occurs, tires are more prone to failure, which could, at best cause an inconvenience, or at worst lead to a motor vehicle crash.

The effect of aging may not be visibly detectable. Tire aging takes place whether a tire is driven or not and its structural integrity may be compromised even though they could be showing a great deal of remaining tread. Traditionally, the consumer judges the end of service life of a tire to be independent of tire age and defined as the point when the tread wears down to the 2/32" tread wear indicator bar molded in the tread. Therefore, spare tires, and other tires that are not regularly used, seldom get replaced and their structural integrity may be weakened even though the tires show a great deal of remaining tread.

The aging mechanisms that are most likely to affect the relative safety of a tire are chemical and mechanical in nature. Chemical aging occurs due to the combined effect of heat and oxygen on the rubber compound and mechanical aging results from the stresses and strains that a tire incurs during its normal use.

Environmental conditions like heat and oxygen are known to deteriorate the material properties of the tires and affect their durability in service. NHTSA research shows that especially in the warmer parts of the United States, including Arizona, Florida, Texas and Southern California, there appears to be a relationship between the age of the tire and the

propensity of the tire to fail⁷. These tire failures can result in motor vehicle crashes. From 1995 to 2006, NHTSA estimates that about 386 fatalities annually may be attributed to tire failures of all types⁸. Tire aging failures tend to appear in the high heat states, in the summer months, during the day, while the vehicle is being driven at highway speeds. All of these factors make it more difficult for the tire to dissipate heat, and heat build-up is the main factor in these types of failures.

Tire failures can be caused by a number of factors such as under- or over- inflation of the tire, overloading of vehicles, road hazards, improper maintenance, structural defects, improper installation and tire aging. One common belief is that tire failures are caused by poor maintenance. Proper tire maintenance is important for good wear and the safety performance of a tire, but tire aging is a degradation phenomenon that can occur due to the chemical reaction within the rubber components with oxygen and heat. This is different from inadequate inflation and maintenance problems. Some vehicle manufacturers recommend that tires be replaced every six years regardless of use and a number of tire manufacturers recommend 10 years as the maximum service life for a tire because aging can affect the performance of the tires even if they have adequate tread and proper inflation.

It is difficult to estimate how many crashes are caused specifically by tire aging. Based on analysis of data from 2005 to 2006, NHTSA estimates that with pre-FMVSS 139 tires, 90 fatalities and over 3,200 injuries occurred annually as the results of crashes that were probably caused by tire aging or where tire aging was possibly a significant factor⁹.

⁷ <http://www.regulations.gov/#!document!Detail!D:NHTSA-2005-21276-0055> Data has been collected in these four specific states, but we see no reason that other more southern sun belts states wouldn't have similar issues.

⁸ NHTSA's NASS-CDS database

⁹ Estimates are based on analysis of three different databases (NMVCCS, NASS-GES and NASS-CDS).

The current standard for light vehicle tires, FMVSS No.139, does not include a test that could evaluate the risk of tire failure at a period later in a tire's service life. NHTSA has developed an oven-aging test for light vehicle tires which simulates age-related tire degradation. The agency tested tires before FMVSS No. 139 was effective and after to this new protocol. The testing of FMVSS No.139-complaint tires showed an improvement in roadwheel performance after oven-aging.

This report summarizes the work and research the agency has done to address the safety problem of tire degradation due to age and the agency's plan to follow to bring awareness to consumers and the general public about this safety issue.

III. BACKGROUND

The U.S. House of Representatives' Committee on Energy and Commerce conducted hearings in late 2000, regarding the fatalities and injuries resulting from the tread separation failures of Firestone Radial ATX, Radial ATX II, and Wilderness AT tires on specific models of Ford, Mercury, and Mazda light trucks and SUVs. At the time, members of Congress expressed concern that the then-current light vehicle tire standard only tested new tires and did not evaluate how well tires perform at a period later in their life and asked the agency to consider the feasibility of including an aging test. It was believed at the time that if such an aging method was successful, then the light vehicle tires could eventually be required to meet a standard that would make them more resistant to operational degradation and possibly reduce their failure rate during normal highway service.

The TREAD Act¹⁰ was enacted on November 1, 2000, as a consequence of the Committee's actions and Congress instituted two major tire related initiatives at NHTSA with the Act. One was an upgrade of the two Federal Motor Vehicle Safety Standards for light passenger vehicle tires to require increased performance requirements for new tires. The second was a requirement for a tire pressure monitoring system (TPMS) on all new light vehicles. These two initiatives strived to improve two somewhat related tire problems (in-service structural failures and under-inflation).

The first initiative required NHTSA to revise and update the passenger and light truck tire standards, FMVSS No. 109; *New pneumatic and certain specialty tires* and No.119; *New pneumatic tires for motor vehicles with GVWR of more than 4,536 kilograms (10,000 pounds)*

¹⁰ H.R. 5164, Pub. L. No. 106-414

and motorcycles. The second initiative resulted in FMVSS No. 138; *Tire pressure monitoring systems.* The FMVSS No. 138 addresses under-inflation and became effective September 1, 2007.

To address Congress' tire aging concerns, the agency introduced three alternative tests for evaluating passenger vehicle tires' long term durability or aging tests on the March 5, 2002 NPRM for the new light vehicle tire standard. These alternatives included a peel strength test, an extended duration roadwheel endurance test, and an oven-aging test followed by a roadwheel endurance test.

Based on the agency's initial evaluation, as well as comments and data received from industry after the NPRM was published, the agency decided to defer action on the proposal of adding an aging test to the new standard. The FMVSS No. 139, the current and more stringent passenger vehicle tire standard was published on June 26, 2003 and does not include a tire aging test requirement. This new standard unifies regulation for passenger and light truck tires that were previously regulated under FMVSS No. 109 and FMVSS No. 119, respectively.

The lack of industry uniform approach to tire aging and the need to develop a laboratory-based accelerated service life test as well as having a better understanding of service-related tire degradation prompted the agency to start its own tire aging research.

On August 10, 2005, the president signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The SAFETEA-LU directed the Secretary of Transportation to submit a report to Congress by August 2007 on research conducted to address tire aging, and a summary of findings and recommendations.

The Report to Congress¹¹ defined the safety problem, included a summary of the tire aging research and a list of items the agency needed to complete before deciding whether to pursue rulemaking. The agency reported that three aging protocols submitted by industry were considered. Two of the accelerated tire aging methods subjected new tires to an indoor roadwheel for long durations to accelerate the tire aging process, structurally degrade the tires, and evaluate the tires' performance. The third tire aging method was oven-aging, which subjected new tires, inflated with an oxygen-enriched gas, to elevated temperatures in an oven for an extended period of time. The oven-aged tires were then subjected to roadwheel tests. The report also stated that NHTSA research found that artificially aging a tire in a laboratory oven is a scientifically valid method to accelerate the tire aging process and to simulate a naturally aged tire in service on a vehicle.

The agency continued its research after the Report to Congress was released, finalizing an oven-aging test procedure¹² and publishing a report that summarizes the performance of FMVSS No. 139-compliant tires to the agency's oven-aging test protocol¹³.

¹¹ <http://www.regulations.gov#!documentDetail;D=NHTSA-2005-21276-0042>

¹² <http://www.regulations.gov#!documentDetail;D=NHTSA-2005-21276-0029>

¹³ <http://www.regulations.gov#!documentDetail;D=NHTSA-2005-21276-0070>

IV. SAFETY PROBLEM

A. Agency's tire-related crash data

The agency examined its crash data files to gather available information on tire-related problems causing passenger vehicle crashes. The National Automotive Sampling System - Crashworthiness Data System (NASS-CDS) uses trained investigators to collect data on a sample of tow-away light vehicle crashes around the country. These data can be extrapolated to national estimates. NASS-CDS data from 1995 through 2006 (see table below) shows an estimated 17,019 tow away crashes caused per year by "blowouts or flat tires", 386 fatalities and 11,005 non-fatal injuries were found in these tow-away crashes.

Table 1: Light Vehicle Tire-related Crashes, Fatalities and Injuries
(Annual Averages)

NASS-CDS	1995-2006	2007-2010
Crashes	17,019	11,047
Fatalities	386	195
Injuries	11,005	6,361

NHTSA's most recent study on tire-related crash data since the Report to Congress was issued was an analysis on NASS-CDS data from 2007 through 2010. This analysis shows a 35 percent reduction in tire crashes (17,019 to 11,047), a 50 percent reduction in fatalities (386 to 195) and a 42 percent reduction in injuries (11,005 to 6,361). The overall fatalities decreased by 20 percent between 2007 and 2010 (dropping from 41,059 to 32,885 fatalities), and overall

police reported crashes decreased by 10 percent between 2007 and 2010 (dropping from 6,024,000 to 5,419,000). It is important to note that the new, more stringent, tire standard for light vehicles tires FMVSS No. 139 became fully effective on September 1, 2007 and also all new light vehicles were required to have TPMS starting September 1, 2007.

B. Agency's tire aging-related crash data

NHTSA turned to its National Motor Vehicle Crash Causation Study (NMVCCS) database to determine the number of tire aging cases occurring annually. These are crashes examined by our trained crash investigators that were collected from July 2005 to July 2007. Our investigators learned about these crashes when emergency medical services (EMS) were dispatched. They arrived on the scene and tried to determine the causal factors leading up to the crash. During this process they took pictures of the tires, measured tread depth, took inflation pressures, made a scene diagram, and noted those cases in which the tires were considered the critical reason for the crash and the last causal factor leading up to the crash.

From these NMVCCS cases, all tread separations and sidewall separations (the way that tires might potentially fail due to factors related to tire aging) were examined. A total of 50 cases in NMVCCS were found with tread separations or sidewall separations. These 50 cases were examined by a team of NHTSA tire and crash causation experts trying to determine whether tire aging was not a factor at all in the case, an unlikely cause of the crash, possible cause of the crash, or probable cause of the crash. The factors we examined, included the age of the tire (when a TIN was available), the age of the vehicle, what the tire looked like in the crash scene photographs (to determine how it failed), tire pressure (could be too high or too low) in that tire or other tires of the vehicle (in some cases of tread separation, the tire retained pressure), whether

all the tires on the vehicle were the same, or different brand / size, the mileage of the vehicle, the tread depth, whether the tire appeared to have been properly maintained, if, in the driver interview, the tire had recently been a spare tire, and was the tire recalled for a defect, etc. The team found that 16 cases could potentially be tire aging related. From these analyses the team determined that tire aging was the “probable” cause of 3 crashes, tire aging was a possible cause of 12 crashes and in 1 case the team could not determine if it was “possible or probable”.

In determining the possibility that tire aging was a factor in the crash, we did not use the area of the country the crash occurred in or the area of the country the vehicle was from. However, in the 16 cases we decided were potentially or possibly related to tire aging, there were 5 from the southwestern Arizona area (which included some vehicles registered in California), 5 from Florida, 4 from Southern California, 1 from Texas and 1 from North Carolina. So, 15 out of 16 were from high heat states. NMVCCS did not collect data in all 50 states, but from a representative sample of locations. Appendix D provides the NMVCCS cases examined.

The agency also looked at the available 2005 and 2006 data in NASS-CDS and NASS-GES¹⁴ databases where blowout/flat tires was a causal factor (all three data sources have the same definition for blowout/flat tires and causal factors) and applied the same percentage found in weighted NMVCCS (23.2%) to be tire aging related to the NASS counts to estimate national figures for tow-away crashes and police reported crashes. Using this method, we can estimate how many possible or probable tire aging cases would have occurred if we had the same reporting in those NASS files as in NMVCCS.

¹⁴ National Automotive Sampling System – General Estimated System

Based on analyses of data from 2005-2006 (all of these tires were manufacturer before FMVSS 139 took effect), the agency estimates that 90 fatalities and over 3,200 injuries occurred annually as the result of crashes that were probably caused by tire aging or where tire aging was possibly a significant factor¹⁵.

Table 2: Light Vehicle Tire-related Crashes, Fatalities and Injuries Possibly Caused by Tire Aging – Pre-FMVSS 139 Tires (Annual Averages)

NMVCCS – NASS	2005-2006
Fatalities	90
Injuries	3,200

C. Weather effect on tire performance

Average ambient air temperature also plays an important role in the likelihood of tire failures. The agency determined from field reports that in Ford Explorer crashes involving Firestone tires prior to February 2001, about 85 percent of the injuries and about 90 percent of the fatalities occurred in the Sun Belt states, with 68 percent of the fatalities occurring in California, Arizona, Texas, and Florida.

This trend was also observed in NHTSA’s analysis of data provided by a large insurance company that shared its insured tire claims reported to its hotline from 2002 through 2006 with NHTSA¹⁶. It reported that 27 percent of its policy holders are from Texas, California, Louisiana, Florida, and Arizona, but 77 percent of the tire claims came from these states and 84 percent of

¹⁵ This method resulted in an estimated 90 fatalities and 2,550 injuries on average in 2005 and 2006. In addition we considered unreported crashes, which added 660 injuries.

¹⁶ Report to Congress: <http://www.regulations.gov/#|documentDetail;D=NHTSA-2005-21276-0042>

these involved tires over six years old. While tire insurance claims are not necessarily an absolute measure of the failures¹⁷ due to aging, it is reasonable to assume that a considerable number of insurance claims for tire adjustments in the four states listed combined with NHTSA's fatality data and NMVCCS data given above is an indication that a large number of tire failures are likely occurring because of the effect of sustained high temperature on tires.

The trend was observed again in a study by the Rubber Manufacturers Association (RMA)¹⁸, in which scrap tires in Arizona, California, Florida, Pennsylvania, Massachusetts, Oregon, and Illinois were examined. The results of the RMA study were somewhat obscured in that structural failures of the tires and road hazard damage were not separately coded. For instance, a tire with a full tread separation and a tire with a nail in the tread were both coded as having "tread damage". Therefore, trends for tire structural failures, which are infrequent events, are lost in the vast numbers of road hazard incidents. Additionally, vehicles involved in a tire-related traffic crash serious enough to cause injury or death were not likely to be taken to a tire retailer post-crash for new tires. The failed tire(s) usually are retained by the insurance company or legal counsel rather than returning to the retailer for an adjustment or replacement. Therefore it is very unlikely that tires causing serious crashes would be found in the scrap tire stream examined by the RMA. Nonetheless, the study showed that after four years, the rate of "tire damage" was significantly greater in Arizona, than in the other states and that in almost every case, tires from those states with higher average ambient temperatures had higher rates than states with lower average ambient temperatures.

¹⁷ With a sufficiently high applied stress or strain, every material is subject to failure. In use, tire materials are subjected to the effects of fatigue, wear, heat, corrosion, and other external damage. The magnitude and frequency of externally applied forces and moments can ultimately cause rubber to fatigue and tear or cause steel and polyester cords to rupture. The process of tire structural failure can progress slowly, or be essentially immediate; it depends upon the structure itself, the magnitude and rate of imparted energy, and external conditions such as temperature. Taken from http://www.nhtsa.gov/staticfiles/safecar/pdf/PneumaticTire_HS-810-561.pdf

¹⁸ <http://www.regulations.gov#!documentDetail;D=NHTSA-2005-21276-0015>

Thus, the research findings suggest that tires age faster in regions with higher ambient temperatures, and that low tire pressure was not the only failure mechanism at work. This is supported by the fact that NHTSA's tire pressure surveys of over 11,500 vehicles¹⁹ did not show increased numbers of underinflated tires in Texas, Oklahoma, Louisiana, and Florida, relative to the rest of the country. Nor is the agency aware of any evidence that these states possess harsher roads, or have more road debris than other states.

¹⁹ <http://www-nrd.nhtsa.dot.gov/Pubs/811086.pdf>

V. AGENCY'S RESEARCH

NHTSA started its tire aging research in 2002 when the agency decided to defer action on the proposed addition of an aging test to the new FMVSS No.139²⁰. The main goals of the research were to develop an accelerated, laboratory-based tire aging test for new tires suitable for regulatory purposes and to evaluate tire safety performance after aging. Before FMVSS No.139 became effective, several phases of research were conducted, including a field study, aging methods evaluation, tire aging method refinement and validation testing on pre-139 tires. After FMVSS No.139 became effective, 139-compliant tires were evaluated to the tire aging test protocol developed in the previous phases.

A. Research before FMVSS No.139

Field Study²¹

The first objective of the research was to develop a better understanding of service-related tire degradation over time. In order to do so, the agency studied how tires change during actual service as measured by changes in their roadwheel performance levels and quantitative material properties when compared to new versions of each tire. Since the rate of degradation of tire rubber components increases with temperature, NHTSA expected that the “worst case” tires in service in the United States would be found in the relatively hotter Sun Belt States. It was thought that designing a tire aging test to simulate service in a severe environment that has high relative tire failure rates would offer the best margin of safety nationwide. Per this approach, Phoenix, Arizona, was selected as the location for the collection of tires for analysis and six different tire models were collected from service on privately owned vehicles. Within the set of

²⁰ 49 CFR 56166, (October 30, 2009)

²¹ <http://www.regulations.gov/#!documentDetail;D=NHTSA-2005-21276-0055>

six tire models, a total of 172 in-service tires and nine full-size spare tires of varied ages and mileages were compared to 82 new, unused tires of the same makes and models to determine overall rates of degradation in whole-tire performance and component material properties. Both the new and Phoenix-retrieved tires were subjected to stepped-up speed (SUS)²² and stepped-up load (SUL)²³ tests until tire failure²⁴, both of which were performed on a 1.7-m (67-inch) diameter indoor laboratory roadwheel (See Figure 1).



Figure 1: Roadwheel test

The results of this research indicated that there are two mechanisms operating to produce changes in tire properties. First is degradation of the rubber compound and material interfaces due to the effects of heat and reaction with oxygen (thermo-oxidative aging). The second is the effect of cyclic fatigue during tire deformation, which can initiate and propagate cracks and separations.

²² The Stepped-Up Speed (SUS) roadwheel tire test is based on FMVSS No. 139 High Speed tire test and follows the procedures of that test for the first 210 minutes. Per the High Speed test conditions, the tire is subjected to a two hour break-in on the roadwheel at 80 km/h (50 mph), then run continuously and uninterrupted for 90 minutes through three 30-minute test stages at the following speeds: 140, 150, and 160 km/h (87, 93, and 99 mph).

²³ The Stepped-Up Load (SUL) roadwheel test is based on FMVSS No. 139 Endurance tire test and follows the procedures of that test for the first 34 hours. The tire is inflated, stabilized at the laboratory temperature, then run continuously and uninterrupted at 120 km/h (75 mph) for 4 hours at 85% maximum load, 6 hours at 90% maximum load, and then 24 hours at 100% maximum load.

²⁴ <http://www.regulations.gov/#!documentDetail;D=NHTSA-2005-21276-0059>

The laboratory roadwheel test results for used tires often exhibited a trend of decreasing time-to-failure with increasing mileage and/or age. The limited amount of field study results on full size spare tires support the position that the material properties and roadwheel performance of full-size spare tires degrade over time while they are in storage in the vehicle and not used on the vehicle.

Aging methods evaluation²⁵

This phase focused on developing an accelerated, laboratory-based tire test that simulates real world tire aging. The six tire models that had previously been evaluated after long-term service on vehicles in Phoenix, AZ were evaluated using three candidate methods of laboratory aging: two long term endurance tests proposed by Michelin and Continental and an oven-aging test proposed by Ford. Although the two long term endurance tests were effective in creating internal cracks and separations as observed in on-road tires, neither could consistently replicate the material properties of used tires. The most successful method at replicating the overall material properties of used tires was the one provided by Ford, who recommended that the agency use a method in which the tire is inflated using the 50% nitrogen and 50% oxygen (50 % N₂ / 50 % O₂) mixture, and heated in an oven for a period of time to accelerate the aging process by speeding up chemical reactions, and thus material property changes. Research showed that increased time in service in Phoenix or increased time of laboratory aging produced changes consistent with the mechanism of thermo-oxidative aging²⁶. The oven-aged tires were also tested using a SUL test until the tire failed, intended to compare the structural integrity of the tire after aging to that of a new tire. Oven-aging tires for six to eight weeks at 60°C to 70°C decreased the

²⁵ Phase 2 report

²⁶ Chemical aging due to the combined effect of heat and oxygen.

running time on the SUL test to that of a tire with approximately two to five years of service in Phoenix.

Tire aging method refinement²⁷

This phase of research evaluated the prototype laboratory oven-aging and roadwheel test sequence created in the first two phases on tire models previously not tested and further refined the process. The effect of a 23-hour break-in cycle on a roadwheel prior to oven-aging was also investigated. A final test procedure of approximately five weeks in the oven at 65°C with weekly maintenance of the oxygen enriched inflation gas, and a short, low severity pre-oven roadwheel break-in was selected as the final test method to best replicate four- to six- year old used tires in Phoenix.

The physical properties and the roadwheel durability of twenty additional passenger and light truck tires which had been oven aged at 60°C to 70°C, were compared to those of new tires of the same model. The properties of the rubber compound of all tires changed in a manner consistent with thermo-oxidative aging. It was also shown that aging for five to eight weeks at temperatures of 60°C to 70°C, while inflated with the 50 % N₂ / 50 % O₂ mixture, produced percentage changes within the range of the results in the previous phases of research. The tires were tested using the SUL test and the time to failure for all models decreased after oven-aging to levels that were consistent with the tire models used in the previous phases of research.

The initial 34 hours of the SUL test are identical to the endurance portion of the updated FMVSS No. 139 test for light vehicle tires. While the new tires ran significantly beyond the 34 hour portion of the SUL test, nearly one-half of the tires aged for five weeks at 65°C or seven

²⁷ Phase 3 report

weeks at 70°C presented failure modes prior to 34 hours. There was no significant correlation between initial running time and the reduction of running time due to oven-aging.

Validation testing²⁸

Validation testing was conducted to determine the test parameters that would be most appropriate for an oven-aging test protocol; the final protocol can be found in NHTSA's tire aging docket²⁹. Testing was performed on pre-FMVSS No. 139 passenger and light truck tires, including original equipment (OE) and replacement tires. The results show that OE tires maintained their material properties and roadwheel performance better than replacement tires³⁰ and passenger car tires maintained their material properties and roadwheel performance better than the light truck tires.

Twenty tire models were aged and tested to determine if the FMVSS No. 139 Endurance and Low Pressure test was an appropriate test to determine the durability of aged tires. Tires were oven aged for 3, 4, or 5 weeks at 65°C while inflated with the 50 % N₂ / 50 % O₂ mixture and then tested according to the FMVSS No. 139 Endurance and Low Pressure test. Aging three weeks at 65°C is approximately equivalent to 2.4 years of service and aging five weeks at 65°C approximates the aging experienced by a tire with 4.0 years of service in Phoenix. All new tires completed the Endurance and Low Pressure test and 46 percent (6/13) of passenger tire models and 43 percent (3/7) models of light truck tires exhibited no failures after oven-aging up to 5 weeks at 65°C.

²⁸ Phase 4 report

²⁹ <http://www.regulations.gov/#!documentDetail;D=NHTSA-2005-21276-0029>

³⁰ All OE passenger tires and 67 percent of OE light truck tires completed the test without failure.

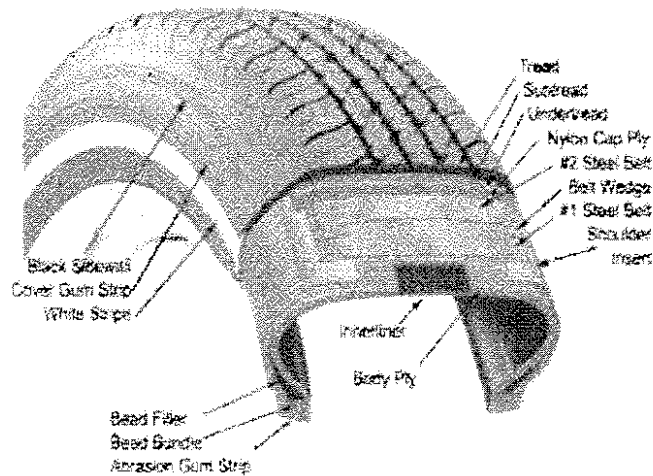


Figure 2: Components of a radial tire³¹

Approximately 70 percent of the failures³² for passenger car tires took place in the critical belt edge and shoulder region of the tire (see Figure 2 for tire components). The light truck tires failures were predominantly separations between components in the innerliner and sidewall region of the tire, including two tires that separated in the oven during aging. Inspection of the failures indicated that the separations were likely initiated by a buildup of air pressure between the components. Some of the failure modes observed were the following: belt edge separation, separation between belts, loss of tread and belt, tread element tear/chunk out, innerliner detachment, sidewall split and rupture, white sidewall separation, tread and belt separation, black sidewall separation. Appendix B contains pictures of some of the failure modes observed and Appendix E includes a list of failure modes for all tires after five weeks of oven aging.

Seven of 13 models (54 percent) of passenger tires and two of seven models (29 percent) of the light truck models completed the Endurance and Low Pressure test after all of the aging conditions. For the six models of passenger tires that failed, very few failures were observed

³¹ Taken from: http://www.nhtsa.gov/staticfiles/safecar/pdf/PneumaticTire_HS-810-561.pdf

³² Failures in this context mean failure modes that will result in no compliance under FMVSS No. 139.

prior to five weeks of oven-aging. The failure times for light truck tires were, on-average, less than those for passenger car tires.

Nine of the tire models had no failures even after being oven-aged for five weeks, tires from two models failed after three weeks of oven-aging, three additional models did not complete the test after four weeks of oven-aging and a total of 11 models did not complete the test after five weeks of oven-aging.

B. Research after FMVSS No.139³³

The purpose of the last phase of research was to evaluate the performance of selected FMVSS No. 139-compliant light vehicle tires to the oven-aging protocol developed by the agency (See Appendix A for the test sequence). Twenty models of three tires each were selected, only replacement tires were tested this time since pre-FMVSS No.139 original equipment tires performed well after oven-aging in the previous phase of research. The tires were a mix of passenger and light truck tires. Purchased tires were less than one-year old, based on the date of manufacture stamped on the tire. Tires were artificially aged for five weeks in an oven while being exposed to high concentrations of oxygen. The aged tires were then tested in accordance with FMVSS No.139 to determine the effect of aging on tire performance. The results indicate that some tires exhibit reduced performance in endurance testing after aging. The majority of tires that did not perform well in the endurance tests had cracks at the shoulder. In extreme cases, the cracks in the shoulder propagated to partial or full tread separation at the shoulder.

³³ <http://www.regulations.gov/#!documentDetail;D=NHFTA-2005-21276-0070>

After five weeks in the oven, the tires were removed and inspected for signs of oxidation damage. All three tires from one model exhibited tread shoulder cracks and exposed belt edges after oven-aging. One of these tires experienced total air loss in the oven.

A total of three tires representing two different tire models did not complete the 34-hour endurance test. Two of these tires of the same model exhibited tread separation at the shoulder. The third tire from a different model had sidewall delamination. The remaining two tires of this model completed the endurance test without failure.

All of the remaining 54 tires from the 20 tire models completed the endurance testing. Twenty-five of the tires exhibited visual evidence of failure at the completion of the tire endurance testing. Only seven models of tires completed the oven-aging and tire endurance test without failure modes noted in any tires in the set.

The most frequently occurring failure was cracking in the shoulder (55.6 percent), other failure modes observed were: cracking in tread groove (22.2 percent), cracking in base of tread at shoulder (18.5 percent), tread separation at shoulder (18.5 percent). Smaller percentages of tread shoulder blister, tread chunking, cracking in sidewall, sidewall delamination, sidewall bubbles, sidewall deformation at splice. See Appendix C for some pictures of the failure modes observed and Appendix F for a list of the failure modes for all the tires tested.

VI. OBSERVATIONS

The agency's last phase of research showed that the group of FMVSS No.139-complaint tires oven-aged following our current aging protocol presented an improved performance in the roadwheel durability test when compared with the group of pre-FMVSS No.139 tires that were previously tested following the same protocol. Pre-FMVSS No.139 tires developed more severe failure modes³⁴ when subjected to the endurance and low pressure test than FMVSS No.139-compliant tires did, with the latter developing mostly cracks.

During validation testing of pre-FMVSS No.139 tires, the passenger car tires tested maintained material properties and roadwheel performance better than light truck tires. This was due to the fact that before FMVSS No.139 became effective, passenger tires were regulated under the FMVSS No. 109 ("Passenger car tires") and light truck tires under the separate FMVSS No. 119 ("Tires for vehicles other than passenger car"). FMVSS No. 119 had less stringent endurance test conditions (lower speeds and higher inflation pressures) than FMVSS No. 109 and did not include a high speed test for tires. FMVSS No. 139 expanded the scope of the passenger car tire standard by adding light truck tires with load ranges C, D, and E, and now covers tires used on vehicles with a gross vehicle weight rating of 10,000 pounds or less.

We believe that the more stringent FMVSS No. 139 has helped create better-quality and safer tires. This change in light vehicle tire performance may be one of the reasons the percentage of tire-related crashes, injuries and fatalities, has decreased in the 2007-2010 time frame, since FMVSS No. 139 became effective on September 1, 2007. Another reason may be that the

³⁴ Per 139 performance requirements, a tire fails when there is visual evidence of tread, sidewall, ply, cord, innerliner, or bead separation, chunking, broken cords, cracking, or open splices, and the tire pressure is less than the initial test pressure.

number of vehicle crashes due to tire failures from under-inflation has decreased since all new light vehicles were required to have TPMS (FMVSS No. 138) starting September 1, 2007.

Our current aging protocol simulates the aging of tires with four years of service in Phoenix, Arizona, a metropolitan area with some of the highest average ambient temperatures in the US. Some vehicle manufacturers recommend that tires be replaced every six years regardless of use and a number of tire manufacturers recommend 10 years. Tires in service in the northern states are generally replaced before tire aging becomes an issue, but aging is still a concern in the Sun Belt states for light vehicle tires, in the summer months, during the day, when they are driven at highway speeds. For this reason, the agency encourages tire manufacturers to continue oven-aging testing and consider using the agency's oven-aging protocol to evaluate tire degradation due to heat.

In summary, NHTSA's main findings with regard to tire aging can be listed as follows:

- The aging mechanisms that are most likely to affect the relative safety of a tire are chemical and mechanical in nature. Chemical aging occurs due to the combined effect of heat and oxygen on the rubber compound and mechanical aging results from the stresses and strains that a tire incurs during its normal use.
- In the warmer parts of the United States where we have data, including Arizona, Florida, Texas and Southern California, there appears to be a relationship between the age of the tire and the propensity of the tire to fail.
- Tire aging failures tend to appear in the high heat states, in the summer months, during the day, while the vehicle is being driven at highway speeds. All of these factors make it more difficult for the tire to dissipate heat, and heat build-up is the main factor in these types of failures.

TIRE REVIEW ARTICLE

TIRE AGING

JULY 2014

[Print](#) [Print](#)

[Email](#) [Email](#)

1

“At this time, the agency does not believe it is necessary for motor vehicle safety to add a tire aging requirement to its light vehicle tire standard due to the following reasons: First, FMVSS No. 139 has contributed to an increased robustness of oven-aged light vehicle tires. Our research has shown that oven-aged FMVSS No. 139-compliant tires are more resistant to degradation than oven-aged pre-FMVSS No. 139 tires. Second, light vehicle tires are performing better on the road as reflected in our most recent crash data. Third, a mandatory TPMS on light vehicle tires since 2007 has helped alert consumers to underinflation that is also known to degrade tires faster.”

With those words, NHTSA recently quashed – at least for now – any notion that it would fully address the real-world issue of tire aging, setting off high-fives at TIA and RMA, both of which pronounced NHTSA ruling as “good.”

Perhaps they meant “good,” as in “it’s a good thing people don’t drive on oven-aged tires!” Or “Thank goodness we can reduce this argument to pre- and post-FMVSS 139 tires!” Or even, “It’s a good thing that we have TPMS to protect drivers from those 10-year-old tires they just bought last week!”

I know that seems a bit over-the-top, but I think it’s also over-the-top to accept this “report” as anything more than what it is: an attempt to explain how NHTSA decided on and executed a means to artificially age tires, and how it applied crash data to determine (or decided) that its TREAD Act-induced FMVSS 139 was actually working, and assuming that mandated TPMS was countering underinflation (a sometime contributor to tire age-related tire failures) sufficiently.

[[Click here](#) if you want to read a copy of the full report.]

For a decade, both TIA and RMA have argued that there was no “science” to support claims that aged tires had a greater propensity to fail, or that tires older than 10 years should be excluded from service.

So they chose to not address the matter or develop the actual "science." They left that to NHTSA, which turned in its science experiments this past March, as we learned just last week.

Entitled "Tire Aging: A Summary of NHTSA's Work," the 42-page rebuff (dated March 2014...they just got around to issuing this?) doesn't really address anything more than revealing how it came to the above noted conclusion.

In that report:

- NHTSA didn't challenge that age impacts both the chemical and mechanical nature of tires. "The aging mechanisms that are most likely to affect the relative safety of a tire are chemical and mechanical in nature. Chemical aging occurs due to the combined effect of heat and oxygen on the rubber compound and mechanical aging results from the stresses and strains that a tire incurs during its normal use," NHTSA said in the report.
- NHTSA didn't challenge automaker recommendations that tires be replaced "every six years regardless of use and a number of tire manufacturers recommend 10 years as the maximum service life for a tire because aging can affect the performance of the tires even if they have adequate tread and proper inflation," as it stated in its report.
- NHTSA didn't challenge that people died or were injured because of tire failures that can be directly attributed to tire age. In fact, in the report it states: "Based on analysis of data from 2005 to 2006, NHTSA estimates that with pre-FMVSS 139 tires, 90 fatalities and over 3,200 injuries occurred annually as the results of crashes that were probably caused by tire aging or where tire aging was possibly a significant factor." NHTSA cited the analysis of three different databases – NMVCCS, NASS-GES and NASS-CDS – in arriving at its estimates.
- NHTSA didn't challenge that ambient conditions are a contributing factor to age-related failures: "Tire aging is still a concern in the more southern parts of the Sun Belt states (Southern California, Arizona, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia and Florida), during the summer months when heat build-up can cause a failure.

- NHTSA didn't challenge that unused spare tires or used tires purchased by consumers posed particular age-related issues: "Spare tires remain a concern as well, since they are not replaced regularly and may still show enough tread, even though the structural integrity of the tire may be compromised by aging. Adding to this concern, spare tires are often rotated into use and are sold as used tires."

- NHTSA couldn't decide on what it is defending. The first two paragraphs of the Introduction section of the report state: "Tire aging is a phenomenon involving the degradation of the material properties of a tire which overtime can compromise its structural integrity and jeopardize its performance. When aging occurs, tires are more prone to failure, which could, at best cause an inconvenience, or at worst lead to a motor vehicle crash."

"The effect of aging may not be visibly detectable. Tire aging takes place whether a tire is driven or not and its structural integrity may be compromised even though they could be showing a great deal of remaining tread."

So, let me get this straight, tire aging exists and is a problem, according to NHTSA's own report. But it's not going to act now because tire aging appears to be less of a problem since FMVSS 139 came into effect in 2007, and because of that and TPMS and because, well, tires are just better.

It came to these conclusions even though NHTSA did not conduct tests on actual road-driven tires, has not been able to test FMVSS 139-compliant tires older than six years, and, apparently, based the entire report on its observations of tires that were artificially aged using an oven-test.

Under such, tires are inflated using a mix of 50% nitrogen and 50% oxygen, baked for six to eight weeks at 60°C to 70°C (140°F-158°F), and then wheel tested using a stepped-up load test until the tire failed. This, NHTSA said proudly, approximates a tire operated in sunny Phoenix for a period of two to five years.

Just like everyone's tires.

RMA is obviously relieved because, at least for now, its members (and other tiremakers) won't be on the hook for added testing costs. Both associations are convinced that this report should, at least for now, forestall any state-level legislative push to address tire age.

And I guess by that standard, the NHTSA report is welcome. Because otherwise, in my humble opinion, it revealed nothing of value and accomplished even less.

In NHTSA's artificial aging tests, some tires failed and some didn't, just like real life. It said that the batch of post-FMVSS 139 tires failed at a lower rate, but it did not conduct like-for-like tests; a noticeable batch of pre-FMVSS 139 tires reported on were absent from the collection of post-FMVSS 139 tires that were oven tested. Even allowing for certain tires to no longer be available, there was still a sizeable make, brand and model difference.

I'm no scientist, but I think that differential is a bit important, don't you?

Oven testing to mimic 2-5 years of use is a far cry from the thousands of new tires that are sold as new but are actually six to 12 years old. It fails to even address one of the core aged tire issues: Just ask Marcia Simmons in suburban Denver, who bought brand new tires for her Mazda Miata at a local independent tire dealer that were, in fact, 11 and 12 years old.

What did the dealer have to say to the local TV crew who inquired about Ms. Simmons pre-teen tires? He said he'd never sell a tire that he thought was unsafe. He said it's still a brand new tire if it's never been used. He said that if you store them correctly there is absolutely nothing wrong with a tire of that age.

He said that if the sale of aged tires were a problem, well, there'd be a law against that.

He said all of the things that this industry has recited by rote for the last 12 years – and all of the things that make no sense whatsoever to the vast majority of real-life common sense consumers. It doesn't take a scientist or half-baked science fair experiments to figure that out.

Perhaps in 10 years time, NHTSA's artificially created conclusion will hold water and the number of deaths and injuries directly attributable to aged tires will remain at that "acceptable level" government and industry strive for. We won't know that for a while, certainly.

We do know that Sean Kane, president of Safety Research & Strategies, is still on the case. He weighed in on NHTSA's report, but fixated on the fact NHTSA hasn't addressed his complaints about tire identification numbers.

"The real problem associated with aged tires and aged tire failures is rooted not in the lack of a new test regimen, but in the tire labeling and manufacturers unwillingness to adequately educate dealers and motorists about when tires should be removed from service," said Kane in a blog posting on SRS's website.

We're not going to argue about TINs here, but Kane reminded that regardless of NHTSA's findings, "Aged tires, with acceptable tread and no significant visible signs of wear, find their way onto vehicles in a variety of ways: little or unused spares are rotated into service, consumers purchase used tires or buy a 'new' tire that may have been sitting in inventory for 10 years, or consumers keep an old tire on a little-used vehicle."

The tire aging issue will continue to be news. Remember, the National Transportation Safety Board has launched its own investigation into tire aging and our current safety recall system. We'll see what the NTSB determines – or just how far it cares to stray from the "report" of another government agency.

There is a big difference between a book and a book report. So far all we have is a book report – and a recipe for how to cook tires.

- Artificially aging a tire in a laboratory oven is a scientifically valid method to accelerate the tire aging process and to simulate a naturally aged tire in service on a vehicle.
- Our current oven-aging protocol approximates the aging experienced by a tire with four years of service in Phoenix, Arizona.
- Oven-aged FMVSS No. 139-compliant tires developed less severe failure modes (mostly cracks) than oven-aged pre-FMVSS No. 139 tires after endurance and low pressure test.

VII. CONCLUSIONS

When Congress suggested the idea of a tire aging test requirement, passenger car tires and light truck tires were regulated under FMVSS No. 109 and FMVSS No. 119 respectively. It was believed at the time that a tire aging standard would make tires more resistant to degradation. The agency believes that an improved roadwheel performance of oven-aged FMVSS No. 139-compliant tires when compared to oven-aged pre-FMVSS No. 139 tires and an overall reduction of tire-related crashes have lessened the tire aging concerns since the TREAD Act was enacted.

At this time, the agency does not believe it is necessary for motor vehicle safety to add a tire aging requirement to its light vehicle tire standard due to the following reasons: First, FMVSS No. 139 has contributed to an increased robustness of oven-aged light vehicle tires. Our research has shown that oven-aged FMVSS No. 139-compliant tires are more resistant to degradation than oven-aged pre-FMVSS No. 139 tires. Second, light vehicle tires are performing better on the road as reflected in our most recent crash data. Third, a mandatory TPMS on light vehicle tires

since 2007 has helped alert consumers to under-inflation, which is also known to degrade tires faster.

Tire aging is still a concern for the Sun Belt states, during the summer months when heat build-up can cause a failure. Spare tires remain a concern as well, since they are not replaced regularly and may still show enough tread, even though the structural integrity of the tire may be compromised by aging. Adding to this concern, spare tires are often rotated into use and are sold as used tires.

For the reasons stated above, the agency is coordinating a promotional and educational campaign to raise consumer awareness about tire aging issues and how to prevent these types of failures. Campaign initiatives and outreach efforts to consumers, partners and the automotive service industry will include social media messages, fact sheets, infographics, and other web content.

Appendix A

The aging protocol followed in the last phase of research was as follows:

1. The tires were mounted on rims and inflated to the pressure recommended by FMVSS 139 with compressed air.
2. The tires were conditioned for three hours at $38^{\circ}\text{C} \pm 0^{\circ}/-6^{\circ}\text{C}$ at the pressure recommended by FMVSS 139.
3. The tire pressure was adjusted to the pressure recommended by FMVSS 139 and the tires ran a two-hour break-in in accordance with FMVSS-139 high speed (85 percent of rated load at 80 km/hour).
4. After break-in all tires were purged of air and re-inflated to maximum sidewall pressure with a mixture of 50% nitrogen / 50% oxygen.
5. Each tire / wheel assembly was placed in an aging oven at 65°C .
6. Tires were removed from the oven once per week for inspection and purge
 - a. Remove tire from oven.
 - b. Allow tire / wheel assembly to cool for two-hours.
 - c. Measure oxygen content and tire pressure.
 - d. Purge tire of 50/50 mix.
 - e. Re-inflate with 50/50 mix to maximum sidewall pressure.
 - f. Total time for each tire in oven was 840-hours (5 weeks).
7. At the end of five weeks, the tires were removed from the oven and inspected for signs of oxidation damage.
8. Tires were purged of 50/50 mix and re-inflated with compressed air to the pressure recommended by FMVSS 139.
9. The tires ran a 34-hour standard tire endurance cycle using the tire pressure recommended by FMVSS 139.
10. Immediately following the standard tire endurance test the pressure was reduced to the pressure recommended for the low pressure endurance test per FMVSS 139 and the 1.5-hour low pressure performance cycle was run in accordance with FMVSS-139.
11. Tires were inspected at the end of the 35.5 tire-endurance test for signs of failure modes to the sidewall or tread surfaces.

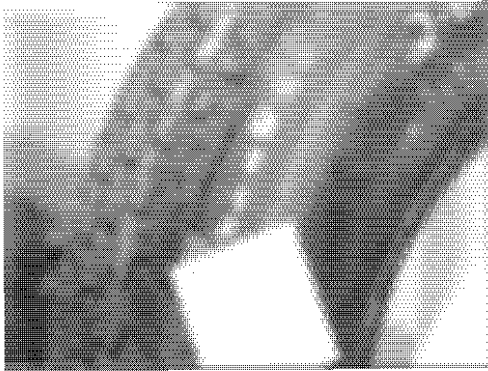


Figure B1: Belt edge separation

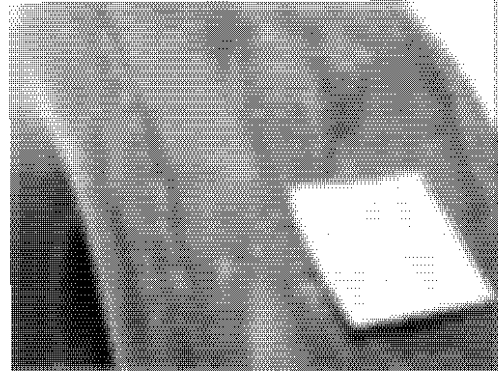


Figure B2: Loss of tread and belt

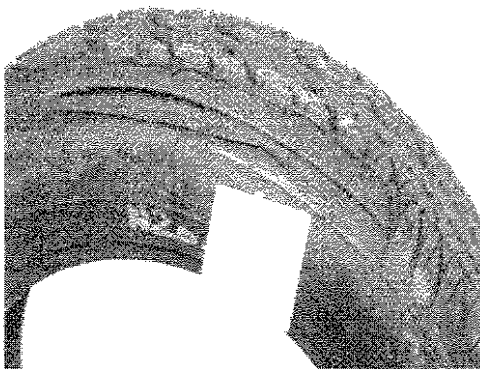


Figure B3: Tread and belt separation

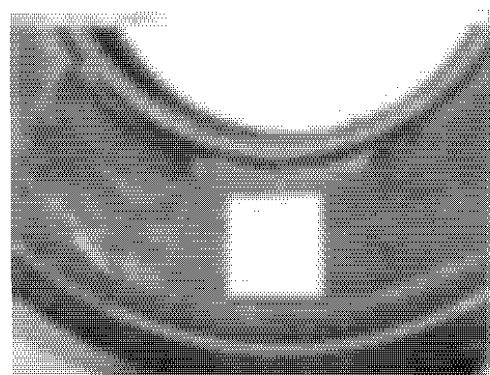


Figure B4: Black sidewall separation

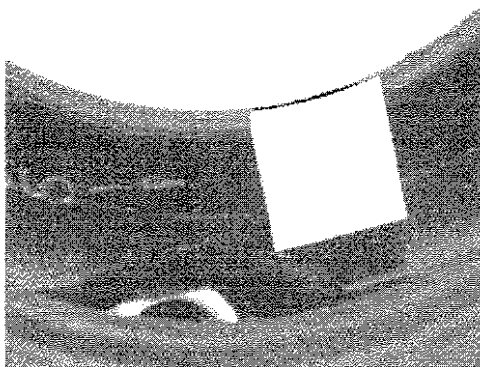


Figure B5: Innerliner detachment

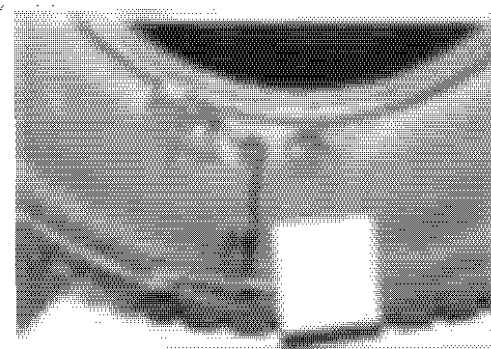


Figure B6: Sidewall split and rupture

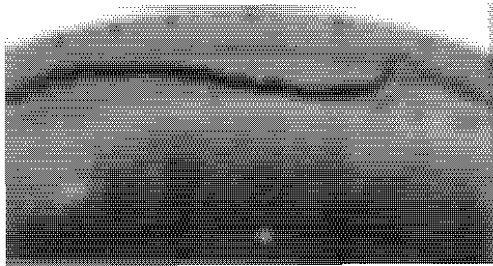


Figure C1: Tread separation at shoulder

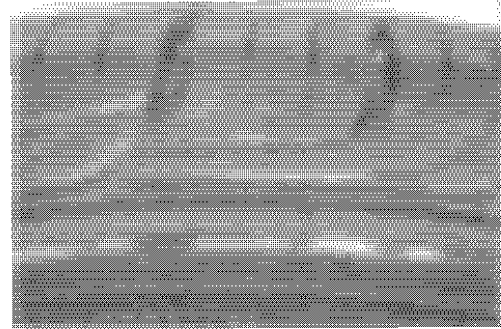


Figure C2: Cracking in shoulder

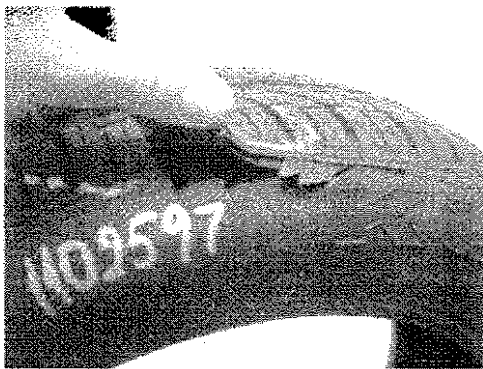


Figure C3: Tread shoulder cracking out of oven

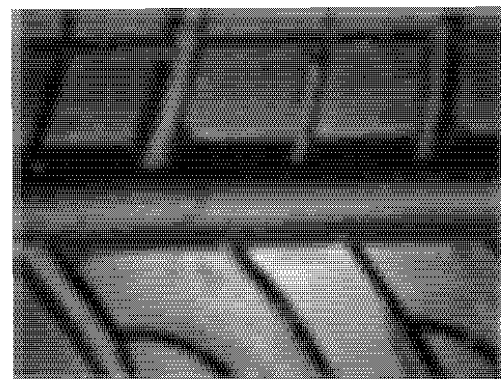


Figure C4: Cracking in tread groove



Figure C5: Cracking at base of tread shoulder

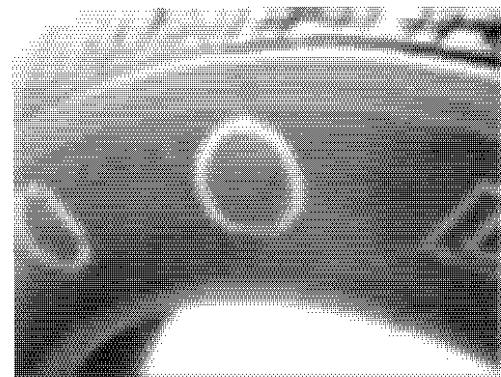


Figure C6: Sidewall bubbles

Appendix D NMVCCS cases of tire blowouts/flats that are causal factors

CASE ID	Decision – tire aging related
2005041600322	Possible
2005076597981	Possible or Probable
2005078436546	Possible
2005079624441	Possible
2006041601822	Possible
2006041600586	Possible
2006041508831	Possible
2006049137713	Possible
2006078436729	Possible
2006079625365	Possible
2007078732571	Possible
2007078598651	Possible
2007041508056	Probable
2007043731551	Possible
2007079624348	Probable
2007079624588	Probable
2005002585502	
2005002585522	
2005009276241	
2005012695842	
2005012695962	
2005012696062	
2005041601002	Unlikely
2005043602021	

2005072603441	Unlikely
2005074433782	
2005075153621	
2005075585121	
2005078436041	
2005078598203	Unlikely
2005078436684	
2006012696787	
2006012695866	
2006012695907	Unlikely
2006012695087	
2006041600921	Unlikely
2006048103147	
2006049186275	Unlikely
2006078436969	Unlikely
2006078436011	
2006078598111	Unlikely
2006079624962	
2006079624102	Unlikely
2007041600690	
2007048102151	Unlikely
2007078436391	Unlikely
2007079624747	
2007012694714	
2007076597349	
2007078732711	

Appendix E Pre-FMVSS No. 139 Tire Testing - Failure Modes

Passenger Tires

Tire Manufacturer	Tire Name	Tire Size	Failure Mode
Futura [Pep Boys]	Scrambler A/P(P-XL)	P235/75R15XL	Sidewall Cracking
Futura [Pep Boys]	Scrambler A/P(P-XL)	P235/75R15XL	Complete Tread and Belt 2 Detachment
Goodyear	Ultra Grip	P235/75R15XL	Tread Shoulder Cracking + Belt Edge
Goodyear	Ultra Grip	P235/75R15XL	Tread Chunking
Firestone	Wilderness AT I	P265/75R16	No Visible Failure
Firestone	Wilderness AT I	P265/75R16	Sidewall Cracking
Bridgestone	Blizzak DM-Z3	235/70R16	No Visible Failure
Bridgestone	Blizzak DM-Z3	235/70R16	No Visible Failure
Mohave [Discount Tire]	RS	P205/65R15	Tread Shoulder Cracking + Belt Edge
Mohave [Discount Tire]	RS	P205/65R15	No Visible Failure
Michelin	Cross Terrain SUV	P265/75R16	No Visible Failure

Michelin	Cross Terrain SUV	P265/75R16	Sidewall Rupture + Delamination
Michelin	X-Ice	205/65R15	No Visible Failure
Michelin	X-Ice	205/65R15	No Visible Failure
Sumitomo	HTR+	225/60R16	Sidewall Separation
Sumitomo	HTR+	225/60R16	Belt Edge Exposed, Belt Edge
Toyo	800 Ultra	P235/60R16	No Visible Failure
Toyo	800 Ultra	P235/60R16	No Visible Failure

Light Truck Tires

Tire Manufacturer	Tire Name	Tire Size	Failure Mode
Yokohama	Geolandar A/T+H	LT285/75R16	No Visible Failure
Yokohama	Geolandar A/T+H	LT285/75R16	No Visible Failure
Nokian	Hakkapeliitta 10LT	LT235/85R16	Complete Tread and Belt 2 Detachment
Nokian	Hakkapeliitta 10LT	LT235/85R16	Complete Tread and Belt 2 Detachment

Nokian	Hakkapehitta LT	LT265/75R16	Plycoat Delamination - Interface
Nokian	Hakkapehitta LT	LT265/75R16	Innerliner Separation
Big O [Big O Tire]	X/T BIG FOOT (356)	LT265/75R16	Failed During Oven Aging
Big O [Big O Tire]	X/T BIG FOOT (356)	LT265/75R16	Failed During Oven Aging

Appendix F FMVSS No. 139-compliant Tire Testing - Failure Modes

Passenger Tires

Tire Manufacturer	Tire Name	Tire Size	Failure Mode
Hankook	DYNAPRO AS	P265/70R17	Tread separation at shoulder (Inboard side)
Hankook	DYNAPRO AS	P265/70R17	Tread separation at shoulder
Hankook	DYNAPRO AS	P265/70R17	Tread shoulder blister; tread separation ; air loss
Goodyear	ASSURANCE	205/65R15	Cracking in tread groove, cracking in shoulder, sidewall deformation at splice
Goodyear	ASSURANCE	205/65R15	Cracking in tread groove, cracking in shoulder, sidewall deformation at splice
Goodyear	ASSURANCE	205/65R15	Cracking in tread groove, cracking in shoulder, sidewall deformation at splice

CONTINENTAL	ContiTrac TR	P265/70R17	Cracking in shoulder
CONTINENTAL	ContiTrac TR	P265/70R17	Cracking in shoulder
CONTINENTAL	ContiTrac TR	P265/70R17	Cracking in shoulder
PIRELLI	P6 FOUR SEASONS	P225/55R18	Cracking in shoulder
PIRELLI	P6 FOUR SEASONS	P225/55R18	Cracking in shoulder
PIRELLI	P6 FOUR SEASONS	P225/55R18	Cracking in shoulder
FUTURA -- Pep Boys	SCRAMBLER A/P	P235/75R15	Cracking at base of tread shoulder
FUTURA -- Pep Boys	SCRAMBLER A/P	P235/75R15	Cracking at base of tread shoulder
FUTURA -- Pep Boys	SCRAMBLER A/P	P235/75R15	Cracking at base of tread shoulder
UNIROYAL	TIGER PAW TOURING	205/60R16	Cracking at base of tread shoulder
UNIROYAL	TIGER PAW TOURING	205/60R16	Cracking at base of tread shoulder
UNIROYAL	TIGER PAW TOURING	205/60R16	Cracking in sidewall, cracking at base of tread shoulder
FUTURA	SCRAMBLER A/P	P235/75R15	No visible failure
FUTURA	SCRAMBLER A/P	P235/75R15	No visible failure
FUTURA	SCRAMBLER A/P	P235/75R15	Tread Chunking

NOKIAN	WR	205/55R16	No visible failure
NOKIAN	WR	205/55R16	No visible failure
NOKIAN	WR	205/55R16	No visible failure
KUMHO	ECSTA ASX	215/55R17	Oven Failure -- Tread shoulder cracking with belts exposed
KUMHO	ECSTA ASX	215/55R17	Oven Failure -- Tread shoulder cracking with belts exposed
KUMHO	ECSTA ASX	215/55R17	Oven Failure -- Tire failure in oven. Tread Shoulder cracking
SAILUN	ATREZZO SH402	P205/60R16	Sidewall Delamination
SAILUN	ATREZZO SH402	P205/60R16	No visible failure
SAILUN	ATREZZO SH402	P205/60R16	No visible failure
CONTINENTAL	Extreme Winter Contact 94T BW	205/55R16	No visible failure
CONTINENTAL	Extreme Winter Contact 94T BW	205/55R16	No visible failure
CONTINENTAL	Extreme Winter Contact 94T BW	205/55R16	No visible failure
Goodyear	INTEGRITY	P235/65R17	No visible failure
Goodyear	INTEGRITY	P235/65R17	No visible failure
Goodyear	INTEGRITY	P235/65R17	No visible failure

FIRESTONE	DESTINATION LE	P235/70R16	No visible failure
FIRESTONE	DESTINATION LE	P235/70R16	No visible failure
FIRESTONE	DESTINATION LE	P235/70R16	No visible failure
BRIDGESTONE	B450	P205/65R15	No visible failure
BRIDGESTONE	B450	P205/65R15	No visible failure
BRIDGESTONE	B450	P205/65R15	No visible failure

Light Truck Tires

Tire Manufacturer	Tire Name	Tire Size	Failure Mode
Hankook	DYNAPRO AS	LT245/75R16	Cracking in shoulder
Hankook	DYNAPRO AS	LT245/75R16	Cracking in shoulder
Hankook	DYNAPRO AS	LT245/75R16	Cracking in shoulder
Goodyear	WRANGLER	LT275/70R17	No visible failure
Goodyear	WRANGLER	LT275/70R17	Pre-existing cosmetic condition on tire shoulder

Goodyear	WRANGLER	LT275/70R17	Pre-existing cosmetic condition on tire shoulder
BRIDGESTONE	DURAVIS M773 II	LT265/75R16	No visible failure
BRIDGESTONE	DURAVIS M773 II	LT265/75R16	No visible failure
BRIDGESTONE	DURAVIS M773 II	LT265/75R16	No visible failure
Cooper	DISCOVERER ATR	LT275/65R18	No visible failure
Cooper	DISCOVERER ATR	LT275/65R18	Sidewall bubbles
Cooper	DISCOVERER ATR	LT275/65R18	No visible failure



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

FW: Bill 399 Tire Aging Law.

Jon Hsu <mr.jonhsu@gmail.com>
To: senatorsannicolas@gmail.com

Mon, Nov 17, 2014 at 12:10 PM

Hello Senator San Nicolas.

I spoke to John Paul earlier and was advised to forward my original email to Senator Respicio to your office.

I wanted to contribute my thoughts on the current Tire Aging Law and provide an opinion in regards to how the law may change.

Thanks.

-Jonathan Hsu

UNITED TIRE

Suite 1200 Airport Industrial Center
165 Skyline Lane
Tamuning, GU 96913

W: 1.671.649.6162
C: 1.671.988.1800
F: 1.671.649.6132
<http://www.unitedtire.us>

From: Jon Hsu [mailto:mr.jonhsu@gmail.com]
Sent: Friday, November 14, 2014 2:54 PM
To: 'roryforguam@gmail.com'
Cc: 'Joseph Hsu'
Subject: Bill 399 Tire Aging Law.

Hello Senator Rory,

I wanted to write personally to express my thoughts on the re-visit to Public Law on tire aging.

Myself, along with the other tire vendors on island are in agreement that the tire law in regards to age for Guam's roads need to be revisited.

With today's technology in pressure monitoring systems along with the procedures that goes into new tire manufacturing, reports have shown that tires do not break down as fast as previous methods of manufacturing, meaning we can indeed use our tires longer on the roads and reflect those savings to the consumer.

Jeff Jones from Triple J group has kindly provided reports to show such studies.

However, in regards to the tires for trucks and buses, commonly known as TBR tires, there have been no studies or data reported showing that these tires last longer or are more safe to use on the roads. The reports that were provided by DOT or NHTSA (National Highway Traffic Safety Administration) were solely in respect to passenger automotive tires and did not include any testing of Truck and Bus tires.

I don't see a reason to change current law in regards to TBR to make these useable longer than the 6 years they were designed for. Trucks and buses on Guam generally don't use tires for more than 2 years on the road, if even close that that length of time. Generally tires get replaced every 6 months to a year.

The regulations that are in place for these tires are strict because of the loads they carry, such as heavy materials for construction, liquids or other chemicals such as gasoline, our valuable tourists, or even our school children.

Remember that the vehicles that use these tires also operate on the same roads we use every day.

Please take this into consideration and please of course let me know your thoughts.

Thank you,

-Jonathan Hsu

UNITED TIRE

Suite 1200 Airport Industrial Center
165 Skyline Lane
Tamuning, GU 96913

W: 1.671.649.6162

C: 1.671.988.1800

F: 1.671.649.6132

<http://www.unitedtireguam.com>



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.E. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 15, 2014

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Fiscal Note and Waiver**

Hafa Adai!

Attached please find the fiscal note and waiver for the bill numbers listed below. Please note that the fiscal note and waiver are issued on the bills as introduced.

FISCAL NOTE:

Bill No. 398-32 (COR)

WAIVER:

Bill No. 399-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2014 OCT 15 PM 1:24:42

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORANTHONY C. BLAZ
DIRECTORRAY TENORIO
LIEUTENANT GOVERNORJOSE S. CALVO
ACTING DEPUTY DIRECTOR

OCT 13 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 398-32(COR) and Fiscal Note Waiver on the following Bill No.: 399-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "Anthony C. Blaz".

ANTHONY C. BLAZ
Director

Enclosures

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña, Guam 96932

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

ANTHONY C. BLAZ
DIRECTOR

JOSE S. CALVO
DEPUTY DIRECTOR

October 13, 2014

The Bureau requests that Bill No. 399-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The proposed legislation seeks to amend §3218 (a) of Chapter 3, Article 2, Title 16 of GCA relative to the age and type of tires that may be sold and used on Guam's highways and roadways.

The intent of the Bill is administrative in nature, as submitted for Legislative consideration.

A handwritten signature in black ink, appearing to read "Anthony C. Blaz", written over a horizontal line.

ANTHONY C. BLAZ
Director



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis C. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Bias Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

September 23, 2014

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill No. 397-32 (COR) through 401-32(COR)

Hafa Adai Mr. Calvo:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal note for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
397-32 (COR)	R. J. Respicio, J.T. Won Pat, Ed.D., T. C. Ada	AN ACT TO APPROPRIATE \$600,000 FOR A GYMNASIUM AND SPORTS CLASSROOMS IN NORTHERN GUAM.
398-32 (COR)	Aline A. Yamashita, Ph.D.	AN ACT TO SUPPORT GUAM'S MUSICIANS AND ENTERTAINERS BY AMENDING §3414 OF ARTICLE 4, CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PERMITTING ON-SALE LICENSEES TO SELL AND SERVE ALCOHOLIC BEVERAGES DURING EXTENDED HOURS.
399-32 (COR)	R. J. Respicio	AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.
400-32 (COR)	R. J. Respicio	AN ACT TO ADOPT THE UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT ("UEFJA") AND THE UNIFORM FOREIGN MONEY JUDGMENTS RECOGNITION ACT ("UFMJRA").
401-32 (COR)	Dennis G. Rodriguez, Jr., R. J. Respicio	AN ACT TO AMEND CHAPTER V (e)(3) OF PUBLIC LAW 32-181 RELATIVE TO THE PROTECTION OF GUAM'S NATURAL RESOURCES.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis C. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Mufia Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

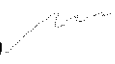
Senator
Aline Yamashita
Member

September 18, 2014

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 399-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 399-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

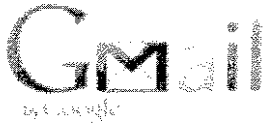
Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'dese!

Attachment

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
399-32 (COR)	R. J. Respicio	AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.	9/17/14 4:04 p.m.	09/18/14	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations			



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

First Public Notice - November 18, 2014 Legislative Hearings

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Mon, Nov 10, 2014 at 9:05 AM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Mindy Aguon <mindy@kuam.com>, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbguam.com, editor@saipantribune.com, Clynt Ridgell <clynt@spbguam.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, Troy Torres <troy.torres@guam.gov>, phnotice@guamlegislature.org, jalerta1 <alerta.jemaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, josh@spbguam.com, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Rory Respicio <rorryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Tom Ada <office@senatorada.org>, Senator Aline Yamashita <aline4families@gmail.com>, Senator Tony Ada <tony@tonyada.com>, Senator Chris Duenas <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Mike Limtiaco <mike@mikelimtiaco.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayorernestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, koner.r@gmail.com, arleen81@gmail.com, kenjoeadat@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, Dale Alvarez <daleealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, floterlaje@gmail.com, Regine Biscoe Lee <regineb.lee@gmail.com>, Chuck Ada <chuck.ada@guamairport.net>, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, "Carl V. Dominguez" <carl.dominguez@dpw.guam.gov>, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, eric.palacios@epa.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, david.camacho@galc.guam.gov, Michael Duenas <mjduenas@ghura.org>, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, Leo Casil <leo.casil@dphss.guam.gov>, joseph.verga@gmha.org, john.nos@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, john.camacho@revtax.guam.gov, marie.benito@revtax.guam.gov, benny.m.paulino@us.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jflores@gpagwa.com, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, Julian Janssen <julian.c.janssen@gmail.com>, Gerry Partido <gertypartido@gmail.com>, eddiecalvo@yahoo.com, Ray Tenorio <ray.tenorio@guam.gov>, mstaijeron <mstaijeron@investguam.com>, tsantos <tsantos@investguam.com>, manny.cruz@dol.guam.gov, frank <frank@mvguam.com>, dkaoki@guampdn.com, jpsablan@guampdn.com, T'Nelta Mori <tmori2222@gmail.com>, Joshua Tenorio <jtenorio@guamcourts.org>, Valerie Cruz <vcruz@guamcourts.org>, josh.tyquiengco@visitguam.org, Barrigada MayorsOffice <bmoadmin@teleguam.net>, Cheryl Chargualaf <cherylchargualaf1993@gmail.com>, orsini.rikki@gmail.com, ambrosio.constantino@ghs.guam.gov, Diana Sojo <yigomayorsoffice@gmail.com>, Marcel Camacho <senmarcel@gmail.com>, jstadler97@gmail.com, Bing Mejia

<bmejia@tripleb.com>

FIRST PUBLIC NOTICE

FOR IMMEDIATE RELEASE

November 10, 2014

In accordance with the Open Government Law, relative to notice for public meetings, please be advised that Senator Michael F.Q. San Nicolas, Chairman of the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, will be convening legislative hearings on **Tuesday, November 18, 2014**, in / *Liheslaturan Guåhan's* Public Hearing Room at the following times and for the following items:

9:30 a.m.

Bill No. 391-32 (LS) - V. Anthony Ada, T.A. Morrison, and Chris M. Duenas: AN ACT TO AMEND PARAGRAPH (14) OF §3101(f) OF CHAPTER 3 OF 16GCA MOTORCYCLE LICENSE ROAD EXAMS.

Bill No. 395-32 (COR) – Brant McCreadie: AN ACT TO AMEND §74108 OF CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CIVIL PENALTIES FOR SCRAP METAL BUSINESSES WHO FAIL TO PROPERLY FOLLOW REPORTING REQUIREMENTS AS PER GUAM LAW.

Bill No. 399-32 (COR) – R.J. Respicio: AN ACT TO AMEND §3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.

Bill No. 404-32 (LS) – Brant McCreadie and D.G. Rodriguez, Jr.: AN ACT TO AMEND §74103 AND §74104, AND TO ADD A NEW §74110 TO CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING MANDATORY INSPECTION AND CERTIFICATION OF ALL NONFERROUS METAL PROPERTY PRIOR TO A TRANSACTION OF SALE AT A SCRAP METAL BUSINESS.

Bill No. 413-32 (LS) – Michael T. Limtiaco: AN ACT TO EXTEND THE DEADLINE FOR REAL PROPERTY TAX (RPT) EXEMPTIONS, AUTHORIZE THE USE OF THE TAXPAYER IDENTIFICATION NUMBER FOR RPT, AND REDUCE THE STATUTE OF LIMITATIONS ON THE COLLECTION OF RPT, BY ADDING A NEW §24109, AND BY AMENDING §§24204 AND 24112, EACH OF CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED.

2:00 p.m.

Appointment of Marcel G. Camacho, Real Estate Broker Member, Real Estate Commission
Length of Term: Four (4) Years









Appointment of Joseph A. Stadler, Real Estate Broker Member, Real Estate Commission
Length of Term: Four (4) Years

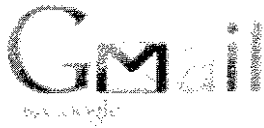
Appointment of Belinda C. Mejia, Member, Alcoholic Beverage Control Board
Length of Term: Two (2) Years

If written testimony is to be presented for the bills or nominations, copies of the testimony should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at 472-6453.

###

8 attachments

-  **Bill No. 391-32 (LS).pdf**
30K
-  **Bill No. 395-32 (COR).pdf**
58K
-  **Bill No. 399-32 (COR).pdf**
28K
-  **Bill No. 404-32 (LS).pdf**
147K
-  **Bill No. 413-32 (LS).pdf**
81K
-  **MCamacho.pdf**
411K
-  **JStadler.pdf**
132K
-  **BMejia.pdf**
252K



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Second Public Notice - November 18, 2014 Legislative Hearings

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Fri, Nov 14, 2014 at 10:41 AM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: Marcel Camacho <senmarcel@gmail.com>, jstadler97@gmail.com, Diskansa Guam <bmejia@tripleb.com>, aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Mindy Aguon <mindy@kuam.com>, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbguam.com, editor@saipantribune.com, Clynt Ridgell <clynt@spbguam.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, Troy Torres <troy.torres@guam.gov>, phnotice@guamlegislature.org, jalerta1 <alerta.jermaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, josh@spbguam.com, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Bames <senator@tinamunabames.com>, Senator Rory Respicio <rorryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Tom Ada <office@senatorada.org>, Senator Aline Yamashita <aline4families@gmail.com>, Senator Tony Ada <tony@tonyada.com>, Senator Chris Duenas <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Mike Limtiaco <mike@mikelimtiaco.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayoremestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudy inarte <rudyinarte@gmail.com>, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, koner.r@gmail.com, arleen81@gmail.com, kenjoeadat@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, Dale Alvarez <daleealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, floterlaje@gmail.com, Regine Biscoe Lee <regineb.lee@gmail.com>, Chuck Ada <chuck.ada@guamairport.net>, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, "Carl V. Dominguez" <carl.dominguez@dpw.guam.gov>, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, eric.palacios@epa.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, david.camacho@galc.guam.gov, Michael Duenas <mjduenas@ghura.org>, martin.benavente@ghc.guam.gov, alfredo.antolin@dof.guam.gov, joseph.cameron@hrra.guam.gov, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, Leo Casil <leo.casil@dphss.guam.gov>, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, john.camacho@revtax.guam.gov, marie.benito@revtax.guam.gov, benny.m.paulino@us.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jflores@gpagwa.com, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, Julian Janssen <julian.c.janssen@gmail.com>, Gerry Partido <gerrypartido@gmail.com>, eddiecalvo@yahoo.com, Ray Tenorio <ray.tenorio@guam.gov>, mstaijeron <mstaijeron@investguam.com>, tsantos <tsantos@investguam.com>, manny.cruz@dof.guam.gov, frank <frank@mvguam.com>, jpsablan@guampdn.com, T'Nelta Mori <tmori2222@gmail.com>, Joshua Tenorio <jtenorio@guamcourts.org>, Valerie Cruz <vcruz@guamcourts.org>, josh.tyquiengco@visitguam.org, Barrigada MayorsOffice <bmoadmin@teleguam.net>, Cheryl Chargualaf <cherylchargualaf1993@gmail.com>, orsini.rikki@gmail.com, ambrosio.constantino@ghs.guam.gov, Diana Sojo <yigomayorsoffice@gmail.com>

SECOND PUBLIC NOTICE

FOR IMMEDIATE RELEASE

November 14, 2014

In accordance with the Open Government Law, relative to notice for public meetings, please be advised that Senator Michael F.Q. San Nicolas, Chairman of the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, will be convening legislative hearings on **Tuesday, November 18, 2014**, in / *Liheslaturan Guåhan's* Public Hearing Room at the following times and for the following items:

9:30 a.m.

Bill No. 391-32 (LS) - V. Anthony Ada, T.A. Morrison, and Chris M. Duenas: AN ACT TO AMEND PARAGRAPH (14) OF §3101(f) OF CHAPTER 3 OF 16GCA MOTORCYCLE LICENSE ROAD EXAMS.

Bill No. 395-32 (COR) – Brant McCreadie: AN ACT TO AMEND §74108 OF CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CIVIL PENALTIES FOR SCRAP METAL BUSINESSES WHO FAIL TO PROPERLY FOLLOW REPORTING REQUIREMENTS AS PER GUAM LAW.

Bill No. 399-32 (COR) – R.J. Respicio: AN ACT TO AMEND §3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.

Bill No. 404-32 (LS) – Brant McCreadie and D.G. Rodriguez, Jr.: AN ACT TO AMEND §74103 AND §74104, AND TO ADD A NEW §74110 TO CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING MANDATORY INSPECTION AND CERTIFICATION OF ALL NONFERROUS METAL PROPERTY PRIOR TO A TRANSACTION OF SALE AT A SCRAP METAL BUSINESS.

Bill No. 413-32 (LS) – Michael T. Limtiaco: AN ACT TO EXTEND THE DEADLINE FOR REAL PROPERTY TAX (RPT) EXEMPTIONS, AUTHORIZE THE USE OF THE TAXPAYER IDENTIFICATION NUMBER FOR RPT, AND REDUCE THE STATUTE OF LIMITATIONS ON THE COLLECTION OF RPT, BY ADDING A NEW §24109, AND BY AMENDING §§24204 AND 24112, EACH OF CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED.

2:00 p.m.

Appointment of Marcel G. Camacho, Real Estate Broker Member, Real Estate Commission
Length of Term: Four (4) Years

Appointment of Joseph A. Stadler, Real Estate Broker Member, Real Estate Commission
Length of Term: Four (4) Years

Appointment of Belinda C. Mejia, Member, Alcoholic Beverage Control Board
Length of Term: Two (2) Years

If written testimony is to be presented for the bills or nominations, copies of the testimony should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hester Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at 472-6453.

###

8 attachments



Bill No. 391-32 (LS).pdf

30K



Bill No. 395-32 (COR).pdf

58K



Bill No. 399-32 (COR).pdf

28K



Bill No. 404-32 (LS).pdf

147K



Bill No. 413-32 (LS).pdf

81K



MCamacho.pdf

411K



JStadler.pdf

132K



BMejia.pdf

252K

**Listserv: phnotice@guamlegislature.org
As of October 2, 2014**

aalladi@guampdn.com
action@weareguahan.com
admin2@guamrealtors.com
admin@frankaguonjr.com
admin@guamrealtors.com
admin@leapguam.com
admin@weareguahan.com
agnes@judiwonpat.com
aguon4guam@gmail.com
ahernandez@guamlegislature.org
ajuan@kijifm104.com
alerta.jermaine@gmail.com
aline4families@gmail.com
am800guam@gmail.com
amandalee.shelton@mail.house.gov
amier@mvguam.com
ang.duenas@gmail.com
ataligba@gmail.com
av@guamlegislature.org
avillaverde@guamlegislature.org
avon.guam@gmail.com
baza.matthew@gmail.com
bbautista@spbgum.com
bdydasco@yahoo.com
bernice@tinamunabarnes.com
berthaduenas@guamlegislature.org
betsy@spbgum.com
bmkelman@guampdn.com
brantforguam@gmail.com
breanna.lai@mail.house.gov
bruce.lloyd.media@gmail.com
bshringi@moylans.net
carlsanchez@judiwonpat.com
carlsonc@pstripes.osd.mil
ccastro@guamchamber.com.gu
ccharfauros@guamag.org
ccolbert@guamlegislature.org
ccruz.duenas@gmail.com
chechsantos@gmail.com
cheerfulcatunao@yahoo.com
christine.quinata@takecareasia.com
cipo@guamlegislature.org
clerks@guamlegislature.org
clynt@spbgum.com
committee@frankaguonjr.com
communications@guam.gov
conedera@mikelimtiaco.com
cor@guamlegislature.org
coy@senatorada.org
cyrus@senatorada.org
danireyes@senatorbjcruz.com
darryl@tinamunabarnes.com
david@tinamunabarnes.com

dcrisost@guam.gannett.com
delisleduenas@judiwonpat.com
desori623@hotmail.com
divider_j.jimenez@hotmail.com
dleddy@guamchamber.com.gu
dmgeorge@guampdn.com
dtamondong@guampdn.com
duenasenator@gmail.com
ed@tonyada.com
edelynn1130@hotmail.com
editor@mvguam.com
editor@saipantribune.com
edpocaique@judiwonpat.com
emqcho@gmail.com
eo@guamrealtors.com
etajalle@guamlegislature.org
evelyn4families@gmail.com
ewinstoni@yahoo.com
fbtorres@judiwonpat.com
floterlaje@gmail.com
frank@judiwonpat.com
frank@mvguam.com
gdumat-ol@guampdn.com
gerry@mvguam.com
gerrypartido@gmail.com
gina@mvguam.com
gktv23@hotmail.com
guadalupeignacio@gmail.com
guam.avon@gmail.com
guam@pstripes.osd.mil
guamnativesun@yahoo.com
hana@guam-shinbun.com
hermina.certeza@senatorbjcruz.com
hill.bruce@abc.net.au
hottips@kuam.com
info@chinesetimesguam.com
janela@mvguam.com
jason@kuam.com
jason4families@gmail.com
jean@tinamunabarnes.com
jennifer.lj.dulla@gmail.com
jennifer@mvguam.com
jespaldonesq@gmail.com
jmesngon.senatorrodriguez@gmail.com
joan@kuam.com
joe@toduguam.com
joesa@guamlegislature.org
john.calvo@noaa.gov
john@kuam.com
jon.calvo@mail.house.gov
jontalk@gmail.com
jpmanuel@gmail.com
jtenorio@guamcourts.org

**Listserv: phnotice@guamlegislature.org
As of October 2, 2014**

jtyquiengco@spbguam.com
julian.c.janssen@gmail.com
juliette@senatorada.org
kai@spbguam.com
karenc@guamlegislature.org
kalina@tinamunabarnes.com
kcn.kelly@gmail.com
keepinginformed.671@gmail.com
kelly.foves@mail.house.gov
kenq@kuam.com
kevin@spbguam.com
khtm@hbcguam.net
koreannews@guam.net
koreatv@kuentos.guam.net
kstokish@gmail.com
kstonews@ite.net
law@guamag.org
life@guampdn.com
ljalcairo@gmail.com
lmatthews@guampdn.com
louella@mvguam.com
louise@tonyada.com
m.salaila@yahoo.com
mabuhaynews@yahoo.com
mahoquinene@guam.net
malainse@gmail.com
maria.pangelinan@gcc.guam.gov
mary@guamlegislature.org
maryfejeran@gmail.com
mbordallo.duenas@gmail.com
mcarlson@guamlegislature.org
mcpheerson.kathryn@abc.net.au
media@frankaguonjr.com
menchu@toduguam.com
mike@mikelimtiaco.com
mindy@kuam.com
mis@guamlegislature.org
miseke@mcvguam.com
mlwheeler2000@yahoo.com
mmafnas@guamlegislature.org
monty.mcdowell@amiguam.com
mspeps4873@gmail.com
mvariety@pticom.com
mwatanabe@guampdn.com
natasha@toduguam.com
news@guampdn.com
news@spbguam.com
nick@kuam.com
nicoleramos@toduguam.com
norman.aguilar@guamecc.edu
nsantos@guamlegislature.org
odngirairikl@guampdn.com
office@senatorada.org

officeassistant@frankaguonjr.com
oliviampalacios@gmail.com
onlyonguam@acubedink.com
orleen@senatorbjcruz.com
pacificjournalist@gmail.com
parrovo@k57.com
pdkprg@gmail.com
peie@tonyada.com
phillipsguam@gmail.com
policy@frankaguonjr.com
publisher@glimpsesofofguam.com
rennae@guamlegislature.org
responsibleguam@gmail.com
rftchan@yahoo.com
rgibson@k57.com
richdevera@gmail.com
ricknauta@hitradio100.com
rlimtiaco@guampdn.com
rolly@ktkb.com
rolyforguam@gmail.com
rowena@senatormorrison.com
santos.duenas@gmail.com
senator@senatorbjcruz.com
senator@tinamunabarnes.com
senatorbrantmccreadie@gmail.com
senatordrodriguez@gmail.com
sensorsannicolas@gmail.com
senatoronyada@guamlegislature.org
sgflores@tinamunabarnes.com
sgtarms@guamlegislature.org
sitarose2@yahoo.com
slimtiaco@guampdn.com
smendiola@guamlegislature.org
sonedera-salas@guamlegislature.org
speaker@judiwonpat.com
staff@frankaguonjr.com
stephaniemendiola@gmail.com
talicto@tinamunabarnes.com
tanya4families@gmail.com
tasigirl@gmail.com
tcastro@guam.net
telo.taitague@guam.gov
tessa@senatorbjcruz.com
thebigshow@guamcell.net
thebigshow@k57.com
therese.hart.writer@gmail.com
therese@judiwonpat.com
tinamunabarnes@gmail.com
tjtaitano@cs.com
tom@senatorada.org
tommy@senatormorrison.com
tony@senatorada.org
tony@tonyada.com

**Listserv: phnotice@guamlegislature.org
As of October 2, 2014**

tritten@pstripes.osd.mil
ilerlaje@guam.net
uperez@senbenp.com
vejohntorres@guamlegislature.org
vincent@tinamunabarnes.com
vleonguerrero@judiwonpat.com

xiosormd@gmail.com
xiosormd@yahoo.com
ylee2@guam.gannett.com
zita@mvguam.com
zpalomo@guamag.org



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mini'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



LEGISLATIVE HEARING

Tuesday, November 18, 2014

9:30 a.m.

Public Hearing Room

I Liheslaturan Guåhan

AGENDA

I. Call to Order

II. Opening Remarks/Announcements

III. Items for Public Consideration

Bill No. 394-32 (L.S) - V. Anthony Ada, T.A. Morrison, and Chris M. Duenas: AN ACT TO AMEND PARAGRAPH (14) OF §3101(F) OF CHAPTER 3 OF 16GCA MOTORCYCLE LICENSE ROAD EXAMS.

Bill No. 395-32 (COR) – Brant McCreadie: AN ACT TO AMEND §74108 OF CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CIVIL PENALTIES FOR SCRAP METAL BUSINESSES WHO FAIL TO PROPERLY FOLLOW REPORTING REQUIREMENTS AS PER GUAM LAW.

Bill No. 399-32 (COR) – R.I. Respicio: AN ACT TO AMEND §3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.

Bill No. 404-32 (L.S) – Brant McCreadie and D.G. Rodriguez, Jr.: AN ACT TO AMEND §74103 AND §74104, AND TO ADD A NEW §74110 TO CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING MANDATORY INSPECTION AND CERTIFICATION OF ALL NONFERROUS METAL PROPERTY PRIOR TO A TRANSACTION OF SALE AT A SCRAP METAL BUSINESS.

Bill No. 413-32 (L.S) – Michael T. Lintiacio: AN ACT TO EXTEND THE DEADLINE FOR REAL PROPERTY TAX (RPT) EXEMPTIONS, AUTHORIZE THE USE OF THE TAXPAYER IDENTIFICATION NUMBER FOR RPT, AND REDUCE THE STATUTE OF LIMITATIONS ON THE COLLECTION OF RPT, BY ADDING A NEW §24109, AND BY AMENDING §§24204 AND 24112, EACH OF CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED.

IV. Closing Remarks

V. Adjournment