

Davis, Suzanne@DTSC

From: Jack Molodanof <jack@mgrco.org>
Sent: Monday, August 18, 2014 11:14 AM
To: brakepad@DTSC
Cc: Rodriguez, Evelia@DTSC; Davis, Suzanne@DTSC; Gloria Peterson; Craig Johnson; Ted Walters; David McClune; Jack Molodanof
Subject: Comments on Draft Informal Regulations for Brake Friction Material Law

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for the opportunity to comment on the draft informal regulations for brake friction material law. The Automotive Service Councils of California and the California Autobody Association have been working with DTSC staff to obtain clarification regarding the implementation and enforcement of the new brake pad law. Both organizations have also worked closely with DTSC to develop FAQ's to educate and assist the automotive industry to achieve compliance. The FAQ's are on the DTSC website. We have also participated in the recent draft regulation workshops held by DTSC and provided both written and verbal comments. We appreciate the opportunity to provide further comments on these draft regulations.

We believe that Section 66275.7 (Marked proof of Certification) needs to be amended to include language similar to the State of Washington which requires brake friction material manufacturers to mark packages to include a "three leaf logo" which indicates whether the brake friction material complies with the law. This would provide consistency among the states and more importantly, would allow a repair shop or consumer to easily ascertain and verify that the product is California compliant. Otherwise, shops will continue to have to remove the brake pads from the box package, remove plastic coverings, search for numbers/letters on the brake pad, then go on the NSF website (which is difficult to navigate) to determine whether brake pads are compliant. This administrative process is unnecessarily burdensome and frustrating for small business.

It was recently brought to our attention that a distributor in southern California provided brake pads to a shop with the three leaf logo, which means that some manufactures are already starting to use the three leaf marking because of the Washington requirement, but not all manufacturer's are doing so. We need to make sure that California has the same requirement. Obviously, there will need to be an educational period so all repair facilities & consumers understand the three leaf markings, but having clear and easily visible markings on the package is a very important first step.

We are respectfully requesting that DTSC amend section 66275.7 to include the Washington three leaf logo marking requirement so all manufacturers comply. This will make it easier for shops to simply look at the brake friction material package/box (see the three leaf logo) and verify whether the product is California compliant.

If you have any questions please free to contact me. Thank you for your consideration.

Jack Molodanof
Molodanof Government Relations

Attorney at Law
2200 L Street
Sacramento, CA 95816
916-447-0313