



POSITION PAPERS

Infrastructure Funding

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Advancing Move Over Protections for Tire Service Vehicles

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ABOUT TIA

The Tire Industry Association (TIA) is an international non-profit association representing all segments of the tire industry, including those that manufacture, repair, recycle, sell, service or use new or retreaded tires, and also those suppliers or individuals who furnish equipment, material or services to the industry. The mission of TIA is to promote tire safety through training and education, to act as the principal advocate in government affairs, and to enhance the image and professionalism of the industry so that our member businesses may be more successful. TIA has over 13,000 members from all 50 states and around the globe.



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INFRASTRUCTURE FUNDING TIA POSITION PAPER

TIA supports long-term infrastructure funding.

TIA opposes taxes that would have a negative impact on the tire industry.

TIA was gratified with the passage of the \$1.2 trillion dollar “Infrastructure Investment and Jobs Act (IIJA) in 2021. TIA views the IIJA as a major legislative victory. In particular, the IIJA is welcome news for the OTR tire industry and construction prospects.

TIA is very thankful to the members of Congress who supported the legislation and engaged in dialog with our members on the impact of the legislation.

The law provides federal money for several categories of infrastructure including (a) roads, bridges and tunnels; (b) power infrastructure and clean energy transmission; (c) electric vehicle (EV) charging stations and electrification of vehicles; (d) rail, freight, ports, public transit, and airports; (e) expansion of broadband; (f) clean drinking water and wastewater facilities; and (g) other U.S. infrastructure and economic development programs. States are now better able to plan and implement much needed projects.

TIA is also pleased that enactment of the Infrastructure Investment and Jobs Act, includes several provisions that would advance scrap tire markets and improve the resiliency and sustainability of our nation’s infrastructure. **TIA supports** the allocation of funds to help advance scrap tire markets. This will benefit TIA members who handle recycling.

Included in the infrastructure package were provisions of the RECYCLE Act, which will help provide grants via the U.S. Environmental Protection Agency (EPA) to help educate households and consumers about their residential and community recycling programs to improve participation and reduce contamination. The infrastructure package sets aside \$350 million for recycling purposes. **TIA advocates** for responsible use of rubber modified asphalt (RMA) and tire derived aggregate (TDA).

Challenges remain for IIJA, including but not limited to the appropriate sourcing of necessary funding. **TIA’s actions** include advocating for sufficient infrastructure package funding to increase tire recycling and strengthening the circular economy.

TIA remains concerned with how the bill will be funded beyond 2026. Paying for the recently passed infrastructure bill remains a top priority for TIA.

TIA supports Congress funding the IIJA to the fullest extent of the intended legislation.

TIA supports the 119th Congress extending or increasing the IIJA funding levels.



TIA will take the following positions with infrastructure funding proposals:

1. Support a 5+ year bill
2. Stay neutral to small gas tax increases
3. Oppose the privatization of highways
4. Oppose a weight distance tax
5. Oppose Vehicle Miles Traveled
6. Oppose FET on tread rubber
7. Oppose FET on passenger tires
8. Oppose an increase on FET on truck tires
9. Support the highway formula of 80% federal funding and 20% state funding
10. Oppose diversion of funds to non-highway purposes

TIA is actively contacting members of the House Ways and Means Committee, the House Committee on Appropriations, the Senate Finance Committee, and the Senate Committee on Appropriations urging them to tap other unused and available Federal funds to fill in the void rather than looking to the tire related industry to raise, reinstate past Federal excise taxes, or to impose new Federal Excise taxes. Since 2020, over 40 bills have been introduced to collect more from our industry through taxes.

TIA strongly believes that all users of infrastructure must pay their fair share, not just the highway users. **TIA believes** there are a variety of other funding options available that would not be harmful to the tire industry, including but not limited to repatriation of overseas money.

For FY 2026, **TIA advocates** that the appropriations process funds and protects highway investments in the Infrastructure Investment and Jobs Act.

TIA will remain actively involved in monitoring and considering all transportation proposals brought forth in the 119th Congress.



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RUBBER MODIFIED ASPHALT & TIRE DERIVED AGGREGATE TIA POSITION PAPER

The Tire Industry Association (TIA) fully supports the use of rubber modified asphalt (RMA) and tire derived aggregate (TDA) in infrastructure projects.

TIA members support sustainable uses for recycled tires.

RMA and TDA are both innovative and sustainable solutions that have been proven to enhance the performance and longevity of pavement surfaces, while also reducing waste and environmental impact. Both RMA and TDA technology reduces the amount of waste going into landfills, which contributes to a circular economy and sustainability efforts.

RMA is a technology that uses recycled tire rubber as a component of asphalt pavement. This process results in a more flexible and durable pavement that is better able to withstand heavy traffic and extreme temperatures.

The addition of tire rubber to the asphalt mix improves the durability and resistance of the pavement to weather and traffic wear, resulting in less frequent maintenance and repair.

TDA is another innovative technology that utilizes recycled tire rubber as a replacement for traditional aggregate materials in concrete and other construction projects. TDA is created by shredding used tires into small pieces and using them as a lightweight aggregate in construction materials such as concrete and asphalt.

The use of TDA can result in a reduction in project costs, as well as provide enhanced performance benefits such as improved shock absorption and sound insulation. TDA offers many benefits, including improved drainage, reduced settlement, and improved insulation.

TIA recognizes the importance of promoting sustainable practices and supporting the use of recycled materials in infrastructure projects. TIA strongly advocates for the widespread adoption of RMA and TDA and is committed to supporting initiatives and policies that promote the use of these sustainable technologies.

TIA believes that the use of RMA and TDA should be encouraged and supported by the federal and state governments, the construction industry, and the public.

Included in the infrastructure package were provisions of the RECYCLE Act, which will help provide grants via the U.S. Environmental Protection Agency (EPA) to help educate households and consumers about their residential and community recycling programs to improve participation and reduce contamination. The infrastructure package sets aside \$350 million for recycling purposes.

TIA supports the increased use of RMA and TDA.



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SUPPORTING THE RETREAD TIRE JOBS, SUPPLY CHAIN SECURITY, AND SUSTAINABILITY ACT TIA POSITION PAPER

Supporting the U.S. retread industry is a top priority for TIA.

TIA strongly supports the Retreaded Tire Jobs, Supply Chain Security, and Sustainability Act (S.2790 & H.R.3401).

TIA's membership includes retreaders who stand ready to supply the country with increased production.

This bipartisan legislation **strengthens domestic manufacturing, promotes sustainability, and reinforces the nation's supply chain resilience.** TIA is actively working to build additional support for this critical bill.

Retreading extends the life of existing tires and is the highest form of recycling. **Each retreaded tire saves approximately 15 gallons of oil,** conserves natural resources, and reduces landfill waste. Retreads have long been relied upon by major fleet operators and federal agencies, including the U.S. Postal Service and Department of Defense, due to their proven reliability, cost-effectiveness, and environmental benefits.

The **U.S. retread tire industry provides thousands of skilled manufacturing jobs** and plays an essential role in reducing America's dependence on imported, mostly non-retreadable tires—many of which are low-cost, subsidized imports from Asia that contribute to rising scrap tire volumes and undermine domestic production.

S.2790 and H.R.3401 would strengthen federal and private-sector procurement by directing agencies to consider retreaded tires when appropriate and creating a tax credit of up to \$30 per retread—or 30% of the purchase price—for eligible purchasers.

This incentive will expand retread adoption, lower costs for federal, state, and local fleets, and support U.S. manufacturers, small businesses, and workers.

This legislation reflects best practices already adopted by many private fleets and represents a common-sense approach to promoting American-made products, improving procurement efficiency, and advancing environmental sustainability.

TIA urges all Members of Congress to co-sponsor and advance S.2790 and H.R.3401. TIA will continue advocating for policies that strengthen domestic manufacturing, support American jobs, and expand the use of retreaded tires across public and private fleets to deliver long-term economic, environmental, and supply chain benefits for the nation.

TIA supports the Retreaded Tire Jobs, Supply Chain Security, and Sustainability Act (S.2790 & H.R.3401) in the 119th Congress.



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Last-In First-Out (LIFO) Inventory Valuation TIA POSITION PAPER

TIA supports continuing LIFO and opposes proposals that eliminate the Last In First Out (LIFO) accounting method for inventory valuation.

TIA has members who rely on LIFO for their business operations.

Repeal of LIFO would hurt TIA members and other American businesses. It would significantly hinder the competitiveness of U.S. businesses in the worldwide marketplace by placing a significantly increased tax liability on those companies that use LIFO by triggering a one-time significant tax on the inventory of those companies.

Most of the businesses using the LIFO inventory method are organized in the form of pass-through entities, such as partnerships or S corporations. The real owners of these entities are taxed at individual tax rates. Any reduction in corporate income tax rates that might accompany the repeal of LIFO would not provide any offsetting relief for pass-through entities. Should this proposal be enacted, the consequences for LIFO taxpayers would be more devastating than most any other past, present, or proposed change to the tax rules.

The “new revenue” that often highlighted by supporters of LIFO repeal comes by means of retroactive taxes. Unlike ANY other tax expenditures that have been discussed for elimination, repealing LIFO is the only proposal that would require a business owner to pay taxes retroactively. Businesses using LIFO would have to pay retroactive income taxes on deferrals they took while using LIFO in the past.

TIA members value that LIFO was preserved as a legitimate accounting method in the tax reform package passed in 2017 and no changes were made to the accounting system. However, as budget discussions continue and infrastructure funding options continue to be examined, it is important to remind our elected officials how important this issue is for many businesses in the tire industry.

Any proposed tax rate reductions would not likely compensate LIFO taxpayers for the damaging effects to their businesses. Taking LIFO reserves and turning them into taxable income, even spaced out over time, would wreak havoc on cash flows, capital reserves, expansion opportunities and job creation for American businesses using this method of accounting.

TIA continues to actively lobby Congressional members to save LIFO. TIA is regularly active in the Save LIFO coalition and have been conducting visits on the Hill to express to members the importance of keeping this accounting system alive for tax purposes.

Saving LIFO remains a top priority for TIA.



ESTATE TAX TIA POSITION PAPER

TIA supports full repeal of the Estate Tax.

Many TIA members have family-owned businesses that could be negatively impacted by the estate tax.

TIA opposes legislative actions that propose substantial increases to the death and estate taxes on small businesses.

TIA supports efforts to fully repeal the Estate Tax in the 119th Congress by supporting the Death Tax Repeal Act of 2025 (S.587 & H.R. 1301).

TIA is a member of the Family Business Estate Tax Coalition (FBETC). This Coalition is dedicated to the full and permanent repeal of the estate tax.

TIA opposes proposals that increase death and estate taxes on both equitable grounds and to promote the economic success of our nation's small businesses. Subjecting these businesses to double taxation at the owners' deaths will destroy many of these local businesses.

The elimination of the step-up in basis is generally ignored in the debate on the estate tax. It is sometimes erroneously referred to as a major "tax loophole for the rich" and mistakenly viewed as a significant revenue generator. This tax would be imposed at the death of the small business owner unless the business was going to be continued by the family. In that event, the triggering event for the capital gains tax would still be at such a later time as the heirs sold the business. Imposing this tax at the death of the owner could influence rapid fire sales of these businesses because in many cases there will be no other sources of funds available to pay this unexpected tax.

The estate tax exemption created by the 2017 tax law was originally scheduled to expire at the end of 2025. However, Congress and President Trump enacted legislation in 2025 that permanently set the exemption at \$15 million per person and \$30 million per couple, indexed to inflation, preventing the previously expected reduction to roughly \$7 million per person and \$14 million per couple.

TIA supports efforts to fully repeal the Estate Tax in the 119th Congress by supporting the Death Tax Repeal Act.

TIA will continue to find co-sponsors for the Death Tax Repeal Act in the 119th Congress as TIA works towards advancing the legislation.

TIA supports S.587 and H.R. 1301 for full Estate Tax repeal.



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WORK OPPORTUNITY TAX CREDIT TIA POSITION PAPER

TIA supports reinstatement and a permanent extension of the Work Opportunity Tax Credit (WOTC).

TIA is a member of the Work Opportunity Tax Credit Coalition. This Coalition seeks legislative action to increase the effectiveness of the Work Opportunity Tax Credit. WOTC provides business owners with an opportunity to earn tax credits up to \$9,600 per employee for hiring veterans and other qualified workers. Employers can earn a tax credit for each qualifying worker that ranges from \$1,200 (for qualifying young people hired to work during the summer) to as much as \$9,600 (for certain military veteran employees).

WOTC is adaptable to new labor market challenges. WOTC spurs investment and recovery in disaster areas, high-poverty urban neighborhoods, and hundreds of rural counties with depressed economies. One particularly notable success of WOTC was evidenced by the explosion of veterans' hires after enactment of the VOW to Hire Heroes Act. WOTC incentivizes the active consideration, outreach, and employment of applicants from traditionally disadvantaged and underrepresented areas.

Governors have designated thousands of low-income neighborhoods as Opportunity Zones, in both urban and rural areas, to deal with persistent poverty and decline through location-based solutions. By lowering the cost of a job to employers and boosting demand for labor, WOTC can complement investors' capital and catalyze area renewal. WOTC's ability to increase employment in the zone helps attract capital. The constructive collaboration between capital and labor can also boost productivity and purchasing power, helping to restore a community's economic vitality.

In contrast to direct Federal spending, a targeted tax credit for employers can be a powerful policy instrument to improve labor market efficiency and outcomes in workforce training, mobility, and adjustment to economic change.

WOTC expired at the end of 2025 following the conclusion of its most recent extension. **TIA continues to support efforts in Congress to reinstate and extend the program**, which has long provided employers in the tire and automotive service industries with an important incentive to hire and train workers from targeted groups facing barriers to employment.

TIA continues to collaborate with Congressional members and staff to look for avenues to add a permanent WOTC extension to other legislation being considered.

TIA members are employers offering essential, quality jobs, and finding and attracting talent is and remains a top priority.



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LAWSUIT ABUSE TIA POSITION PAPER

TIA supports legislative efforts to reduce abuse of legal processes, including but not limited to the Lawsuit Abuse Reduction Act (LARA), and **TIA advocates** for renewed introduction and passage of LARA. Some TIA members have been impacted by lawsuit abuse.

In recent congressional terms, TIA supported efforts led by Representative Lamar Smith (R-TX) for H.R. 720, Lawsuit Abuse Reduction Act (LARA), which in the last Congress passed the House on a 241-185 vote, and Senator Charles Grassley (R-IA) introduced the companion bill S. 237. Although a bill has not yet been introduced yet in the 119th Congress, TIA continues to talk with Congressional members about this topic and will support legislation when it is formally introduced.

To understand LARA, it is important to be familiar with Rule 11 of the Federal Rules of Civil Procedure. From 1983 until 1993, Rule 11 said in part:

*If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, **shall** impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee."*

In 1993 some key changes were made, and Rule 11 currently says:

An attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- (1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;*
- (2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;*
- (3) the factual contentions have evidentiary support or, if specifically, so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and*
- (4) the denials of factual contentions are warranted on the evidence or, if specifically, so identified, are reasonably based on belief or lack of information.*

*Sanctions. If, after notice and a reasonable opportunity to respond, the court determines that Rule 11 (b) has been violated, the court **may** impose an appropriate sanction on an attorney, law firm, or party that violated the rule or is responsible for the violation.*



LARA is all about the difference between “shall” and “may.”

Proponents of civil justice reform have contended the change from “shall” to “may,” along with a couple of other aspects of Rule 11, helped lead to the explosion of frivolous lawsuits. Therefore, the purpose of LARA is to strengthen Rule 11.

LARA reverses the 1993 amendments to Rule 11 that made sanctions discretionary rather than mandatory.

In addition, LARA requires that judges impose monetary sanctions against lawyers who file frivolous lawsuits. Those monetary sanctions will include the attorney’s fees and costs incurred by the victim of the frivolous lawsuit.

LARA reverses another 1993 amendment to Rule 11 that allows parties and their attorneys to avoid sanctions for making frivolous claims by withdrawing them within 21 days after a motion for sanctions has been served.

LARA would only amend Rule 11 of the Federal Rules of Civil Procedure. It does not attempt to force the states to use Rule 11. The hope is that states would amend their rules for governing frivolous lawsuits to reflect the changes implemented by LARA, just as they did when Rule 11 was last changed in 1993.

The last general data generated by the U.S. Chamber’ Institute for Legal Reform in a study of the tort liability costs of small businesses from NERA Economic Consulting (NERA) found that:

- *the tort liability price tag for small businesses in America in 2008 was \$105.4 billion.
- *Small businesses bore 81% of business torn liability costs but took in only 22% of revenue.
- *Small businesses paid \$35.6 billion of their tort costs out of pocket as opposed to though insurance.

Lawsuit abuse remains a top concern for TIA. Concerns continue to be raised among TIA members. **TIA continues to engage** with Congressional members on this topic and **TIA will support** legislation if or when it is formally introduced in the 119th Congress.



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RIGHT TO REPAIR TIA POSITION PAPER

TIA supports the Right to Equitable and Professional Auto Industry Repair (REPAIR) Act (S.1379 & H.R. 1566) to protect the right to repair nationwide.

Modern cars and trucks contain advanced technology that monitors or controls virtually every function of the vehicle including brakes, steering, air bags, fuel delivery, ignition, lubrication, theft prevention, emission controls, and tire pressure. Car and truck owners, as well as the facilities that repair these vehicles, need full access to the information, parts, and tools necessary to accurately diagnose, repair or re-program these systems.

In the 119th Congress, Senators Hawley (R-MO) and Luján (D-NM) in the Senate, along with Representative Neal Dunn (R-FL-2) in the House, introduced the REPAIR Act. This bi-partisan legislation is co-sponsored by both Democrats and Republicans evenly in the House of Representatives and currently has twenty-eight co-sponsors.

This legislation would preserve consumer access to high quality, affordable vehicle repair by ensuring that vehicle owners and independent repair shops have equal access to repair and maintenance tools and data as car companies and licensed dealerships.

The REPAIR Act will update existing outdated laws to reflect the rapidly evolving modernization of automobiles and by protecting consumer choice in auto repair. The legislation is written to foster a competitive environment for vehicle repair while still prioritizing cybersecurity and safety for vehicle systems.

Specifically, the **REPAIR Act will:**

- Preserve consumer access to high quality and affordable vehicle repair by ensuring that vehicle owners and their repairers of choice have access to necessary repair and maintenance tools and data as vehicles continue to become more advanced;
- Ensure access to critical repair tools and information. All tools and equipment, wireless transmission of repair and diagnostic data, and access to on-board diagnostic and telematic systems needed to repair a vehicle must be made available to the independent repair industry;
- Ensure cybersecurity by allowing vehicle manufacturers to secure vehicle-generated data and requiring the National Highway Traffic Safety Administration (NHTSA) to develop standards for how vehicle generated data necessary for repair can be accessed securely;
- Provide transparency for consumers by requiring vehicle owners be informed that they can choose where and how to get their vehicle repaired;
- Create a stakeholder advisory committee and provide them with the statutory authority to provide recommendations to the Federal Trade Commission (FTC) on how to address emerging barriers to vehicle repair and maintenance; and,
- Provide ongoing enforcement by establishing a process for consumers and independent repair facilities to file complaints with the FTC regarding alleged violations of the requirements in the bill and a requirement that the FTC act within five months of a claim.

TIA is part of a diverse coalition of stakeholders in the motor vehicle repair and maintenance sector who share a common interest in right to repair. This coalition shares similar beliefs on efforts to pass



the REPAIR act, addressing telematics, and enacting the Right to Repair law.

TIA welcomes the opportunity to work with NHTSA and other agencies to demonstrate to Congress, the FTC, and other stakeholders that the independent aftermarket can access vehicle data safely and securely. Technology that ensures cybersecure access to data for owners and their authorized repair shops already exists, and the independent aftermarket continues to lead and innovate on this front.

In May 2021, the FTC released a report highlighting the barriers auto manufacturers have instituted to block consumers' Right to Repair. In the report, the FTC supported expanding consumer repair options and found "scant evidence" for the repair restrictions imposed by original equipment manufacturers. In a subsequent policy statement on the report, the FTC noted that these repair restrictions create hardships for families and businesses and that the Commission was "concerned that this this burden is borne more heavily by underserved communities, including communities of color and lower-income Americans."

TIA urges the authorizing committees within Congress to consider the REPAIR Act.

TIA is calling for action on a vote in the 119th Congress.

TIA will support the REPAIR Act (S.1379 & H.R. 1566).

Right to repair remains a top priority for TIA members and national law would provide for much needed clarity and direction in vehicle repair.

Although Congress moved forward with a larger transportation package, several core REPAIR Act provisions were removed during the committee process, and **TIA is calling on lawmakers to restore those provisions** as the legislation advances to preserve consumer choice and fair competition in the automotive repair marketplace.



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MAGNUSON-MOSS WARRANTY ACT TIA POSITION PAPER

TIA supports strong enforcement of the Magnuson-Moss Warranty Act.

TIA members rely on the Magnuson-Moss Warranty Act for protections in their businesses.

TIA believes that the FTC must:

- Conduct greater oversight and enforcement on vehicle manufacturers who do not comply with the Magnuson-Moss Warranty Act and who seek to discredit aftermarket products;
- Aggressively enforce requirements that vehicle manufacturers must substantiate all claims that use of non-original equipment parts could jeopardize a vehicle warranty; and,
- Require better consumer disclosure by car companies regarding their rights under the warranty by, for example, compelling the car companies to include in their warranty booklets a prominently placed statement that, as a motor vehicle manufacturer, they are prohibited from conditioning the warranty on the use of any non-original equipment part or service; or alternatively, informing consumers of their rights with a written statement of reasons when a warranty is denied due to the use of a non-original equipment service or part.

Car companies and their franchised dealers have been increasingly monopolizing their parts and repair services, taking away the ability of consumers to use an independent repair facility. Aftermarket parts are of a similar or even greater quality than the original equipment parts that they replace. In fact, many of these parts are made by the same company but may come in different packaging. Furthermore, aftermarket companies have the benefit of observing a part's performance and can then correct problems that are discovered only after the part has been in-use for some time.

Despite calls by TIA and other aftermarket trade groups, the Federal Trade Commission (FTC) has taken little action to ensure consumers receive accurate information regarding their rights under new car warranties.

The Magnuson-Moss Warranty Act, which was enacted by Congress in 1975, prohibits the conditioning of consumer warranties by product manufacturers on the use of any original equipment part or service. Under the statute, a manufacturer can only deny warranty coverage if the manufacturer, not the consumer, can demonstrate that it was the use of a non-original equipment part or service that created the warranty related defect.

While the FTC has failed to take formal action against car manufacturers, the FTC issued a 2019 "Consumer Alert" informing consumers of their right to have their vehicle serviced or maintained at a repair shop of their own choosing or perform the service themselves without any concern that their warranty would be voided by their vehicle manufacturer. That alert can be viewed at the FTC web site at: <http://ftc.gov/bcp/edu/pubs/consumer/alerts/alt192.shtm>

TIA urges legislators to call on the FTC to protect consumers and the aftermarket providers by aggressively enforcing its rules governing unfair marketing practices and new car warranties as specified in the Magnuson-Moss Warranty Act.



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UNIONIZATION OF BUSINESSES OVERREACH TIA POSITION PAPER

TIA advocates fair unionization efforts. TIA does not oppose unions, but efforts must be made to ensure attempts to unionize are fair and not disruptive. **TIA opposes** legislation that would make hasty and ill-conceived changes to well-established labor.

TIA is an active member of the Coalition for a Democratic Workplace (CDW), which is coordinating responses to the NLRB's efforts.

In 2025, legislation was introduced in the 119th Congress known as the Richard L. Trumka Protecting the Right to Organize Act of 2025 (PRO Act) (H.R. 20 & S.852). This legislation mirrors previous versions of the PRO Act.

TIA opposes the PRO Act.

The legislation provides policy proposals that would benefit unions at the expense of workers, employers, and the economy.

The policies of the PRO Act were rejected by the judicial system, opposed on a bipartisan basis in Congress, and withdrawn by the agencies that the prior administration tried to use to implement the policies unilaterally. All these entities realized the policies violated the law, exceeded the authority granted to the implementing agencies, or would cause considerable damage to the American workplace.

TIA urges legislators to oppose the actions of the NLRB because they would:

- Deny employees the time and information necessary to make fair and informed decisions;
- Make it more difficult for businesses to get advice on critical aspects of labor relations; and,
- Severely limit the ability of companies to make business decisions that could create needed jobs in communities around the country.

TIA continues to oppose “card check” legislation that would have made it far easier for workers belonging to any business to unionize. In addition, TIA has focused on regulatory overreach by the NLRB, which tried to enact its goals through its decisions and regulations. The Board repeatedly tried to upend labor relations to increase the number of dues-paying union members without regard to the negative consequences of doing so for employees, employers, and the economy. **TIA advocates** checking the NLRB's expansive overreach and ensuring federal labor laws remain balanced and protect the rights of employees and employers alike.

Likely due to the failure of the card check legislation, both the NLRB and the Department of Labor (DOL) are considering a series of initiatives. These initiatives could include the following:

- A Final Rule that requires all employers subject to the National Labor Relations Act (NLRA), which is almost every private employer, to post a notice in the workplace about the right to organize a union under the National Labor Relations Act.
- The NLRB published a Rulemaking setting forth new procedures for “conducting a secret



ballot election to determine if employees wish to be represented for purposes of collective bargaining.” According to most interpretations, these new procedures could result in union representation elections held within 10-21 days of a union petition.

- The Department of Labor’s (DOL) Office of Labor-Management Standards (OLMS) supports an NPRM to reinterpret what constitutes “persuader” activity under the Labor-Management Reporting and Disclosure Act (LMRDA), by expanding what exactly employers and consultants would need to report about communications with employees about unions.

TIA will remain active in the Coalition for a Democratic Workplace. TIA recently sent letters to members of the 119th Congress outlining our concerns and opposition of the PRO Act.

TIA will continue to educate members of Congress on this issue and support policies that protect the rights of employees and strengthen the economy.



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DRIVE SAFE ACT TIA POSITION PAPER

Addressing driver shortages remains a top priority for TIA.

TIA supported the passage of the DRIVE Safe pilot program which was part of the \$1.2 trillion infrastructure bill signed into law in November of 2021 (Section 23022 of IIJA).

The program, later known as the “Safe Driver Apprenticeship Pilot Program” (SDAP), enables qualified 18 to 20-year-olds to become CDL holders with the proper training once certified through the DOL.

SDAP allows qualified drivers to operate in interstate commerce once they have completed the following apprenticeship program requirements:

- 1) Satisfy with a minimum of four hundred hours of training and eleven performance benchmarks;
- 2) Complete those hours of training under the supervision of an experienced driver; and
- 3) Train in trucks equipped with industry-leading safety technologies, such as Automatic Emergency Braking (AEB), event recorders/cameras, speed-limiters, and automatic transmissions.

Currently, 49 states and the District of Columbia allow individuals to obtain a CDL to operate commercial motor vehicles intrastate before turning twenty-one. However, federal regulations prohibit these same drivers from crossing state lines until age 21. The DRIVE Safe pilot program provides an avenue for companies and young drivers to apply for a federal exemption from this restriction.

The trucking industry is now facing a shortage of more than 60,000 qualified drivers, with projections showing the need to hire 1.1 million new drivers over the next decade to meet growing freight demand and offset workforce retirements. **TIA members employ and need many CDL drivers.** Recruiting younger drivers is essential as the average age of the current driver’s workforce continues to rise. However, outdated minimum age restrictions prevent many otherwise qualified 18- to 20-year-olds from pursuing these careers.

While SDAP alone will not solve the driver shortage, it is a critical step toward expanding the pool of qualified drivers. TIA supports a broad, multifaceted strategy to anticipate and address the ongoing driver shortage.

In 2023, TIA sent a letter to the Federal Motor Carrier Safety Administration (FMCSA), signed by several Members of Congress, urging the agency to correct deficiencies in the pilot program. Rather than faithfully implementing the SDAP as authorized by Congress, FMCSA imposed additional unnecessary requirements — none of which appear in the law — that undermine the program’s success.

TIA will continue working with Congress in the 119th Congress to make the SDAP program more effective and **push for its permanent adoption.**



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ADVANCING MOVE OVER PROTECTIONS FOR TIRE SERVICE VEHICLES TIA POSITION PAPER

TIA strongly supports legislative efforts at both the state and federal levels to expand and strengthen “move over” laws to better protect tire service technicians.

Tire service technicians routinely perform emergency roadside assistance near high-speed traffic and face many of the same hazards encountered by law enforcement, tow operators, firefighters, and other emergency responders.

Move over laws generally require drivers to move one lane away from stopped emergency or service vehicles displaying warning lights. If changing lanes is not possible, motorists are typically required to slow down to a reasonable speed or to a speed established by state law. While all 50 states and the District of Columbia have enacted move over laws, coverage for tire service vehicles remains inconsistent. Most states explicitly protect police, fire, and ambulance vehicles, and tow trucks and highway maintenance vehicles are commonly included as well.

However, tire service vehicles and roadside assistance providers are often omitted or only indirectly covered through broader statutory language.

TIA advocates that tire service vehicles should be explicitly included in all state move over laws to ensure clear and consistent protection for roadside tire technicians. Inconsistent definitions, varying enforcement standards, and limited driver awareness continue to create unnecessary risks for roadside workers. Explicit inclusion and public awareness are essential to improve safety, strengthen enforcement, and reduce confusion for motorists traveling across state lines.

Although move over laws are enacted by states, the federal government can play an important role through roadway safety programs, infrastructure funding incentives, and public education initiatives led by agencies such as the National Highway Traffic Safety Administration and the Federal Highway Administration. **TIA supports** increased federal leadership to promote greater nationwide consistency and stronger roadside protections.

In the 119th Congress, **TIA supports Preventing Roadside and Work Zone Deaths Act of 2026**, bipartisan legislation that would strengthen roadside and work zone safety programs, improve crash data collection, and support stronger state safety efforts. **TIA views** this legislation as an important step toward improving protections for roadside workers, including tire service technicians.

TIA will continue advocating for explicit inclusion of tire service vehicles in move over laws nationwide, stronger public education and driver awareness efforts, improved enforcement, and greater consistency among state laws.



PRESERVING CHOICE IN VEHICLE PURCHASES TIA POSITION PAPER

Preserving choice in vehicle purchases is a top priority for TIA.

TIA strongly supports the Preserving Choice in Vehicle Purchases Act of 2025 (S.996 & H.R. 346), introduced by Senator Markwayne Mullin (R-OK) and Representative John Joyce (R-PA-13). S.996 currently has 19 Senate co-sponsors.

This legislation is essential to ensuring that Americans retain the freedom to choose the vehicles that best meet their needs. It prevents government mandates that would eliminate the sale of vehicles powered by internal combustion engines (ICE).

TIA is actively working to build additional support for this critical legislation.

The legislation was introduced in response to California's radical decision to ban the sale of new, gas-powered vehicles by 2035, which would limit consumer choice, stifle innovation, and raise prices for the American public.

Millions of Americans depend on ICE vehicles for affordable and reliable transportation to work, school, hospitals, grocery stores, and other essential destinations. Banning ICE vehicles would not only limit consumer choice but would also undermine a vital part of the automotive service industry that employs thousands across the country.

TIA members have the expertise to service and maintain traditional ICE vehicles, and they stand ready to continue supporting the American public that relies on them every day.

While electric vehicles (EVs) have their place in the market, many models' price tag and performance on unpaved roads make them an unrealistic and unaffordable option for many households, particularly in rural areas.

TIA opposes any effort to ban ICE engines and believes the 119th Congress has a critical opportunity to pass meaningful legislation to protect both the automotive industry and American consumers.

Preserving vehicle choice is vital for maintaining affordability, accessibility, and a strong, resilient transportation sector.

TIA supports the Preserving Choice in Vehicle Purchases Act of 2025 (S.996 & H.R. 346) in the 119th Congress.