

September 1, 2026

RE: Proposed Regulatory Amendments, Proposition 65 "Omnibus 2026"

Safelite Group, Inc. ("Safelite") respectfully submits these comments on the draft regulatory language for Proposition 65 "Omnibus 2026" package. Safelite is the parent company of the Safelite family of businesses and a national leader in vehicle glass repair and replacement, with a substantial service, commercial, and digital footprint serving California consumers. Because several of the proposed amendments bear directly on how businesses that sell and install motor-vehicle parts transmit Proposition 65 warnings, including through in-person point-of-sale display and digital sales channels, Safelite has a direct interest in the clarity and workability of the proposed changes.

Safelite appreciates OEHHA's continued efforts to modernize and streamline the warning regulations. We offer the following comments and recommendations, organized by the affected regulatory sections. Section references below are to Title 27 of the California Code of Regulations.

Internet and Digital-Application Warnings (§§ 25602(b), 25600.2(b))

The proposed revision to § 25602(b) rewrites the internet-purchase warning rule so that a manufacturer, producer, packager, importer, supplier, distributor, or retailer "selling or distributing a product on an internet website or digital application (including a Web application, mobile device application, or dedicated sales software application)" must comply with the content requirements of § 25603 and satisfy **both** a label-content transmission method under § 25602(a)(3) or (4) **and** one of three additional methods (a warning on the product display page, a clearly marked "WARNING" hyperlink, or an otherwise prominently displayed pre-purchase warning). This restructures the current framework from an "either/or" set of options into a cumulative "both" obligation, and further codifies that a warning is not "prominently displayed" if "the purchaser must search for it."

Safelite has two concerns with this revision:

The term "dedicated sales software application" is not defined. Read broadly, it could be construed to reach digital platforms, such as service-scheduling and quote-generation tools, that do not sell a physical product at checkout and through which no listed-chemical exposure occurs at the point of the online transaction. Extending internet-warning obligations to such platforms would impose warning burdens untethered from any consumer product exposure the regulations are designed to address.

The interaction between the new cumulative internet-warning obligation and the existing tailored safe-harbor warning for passenger or off-highway motor vehicle parts (§§ 25607.50–.51) is unclear, creating uncertainty for businesses that sell and install such parts through digital channels as to whether they must layer duplicative warnings.

Recommendation: Safelite requests that OEHHA (a) add a definition of "dedicated sales software application" that confines the term to digital platforms through which a consumer product is offered for sale and delivered, and expressly confirm that service-scheduling, appointment-booking, and quote-generation platforms that do not effect the sale of a physical product are

outside the scope of § 25602(b); and (b) clarify how the cumulative internet-warning methods in § 25602(b) operate in conjunction with the product-specific safe-harbor warnings in §§ 25607.50–.51, so that businesses relying on a tailored safe harbor are not required to provide duplicative warnings.

Parity for On-Road Passenger-Vehicle Parts in the New Off-Road Parts Safe Harbor (New §§ 25607.54–.55)

Proposed new §§ 25607.54 and 25607.55 establish a tailored safe harbor for warnings on parts for off-road vehicles and off-road equipment, offering flexible transmission methods, including a posted point-of-sale sign no smaller than five inches by five inches in no smaller than 20-point type (§ 25607.54(a)(3)), together with internet and catalog options. The content prescribed in § 25607.55(a)(3) identifies the same exposure profile that appears in the existing safe-harbor warning for passenger or off-highway motor vehicle parts (§§ 25607.50–.51). Notably, the exclusions in § 25607.54(b) (packaged service chemicals, tires, parts containing asbestos, carpeting, upholstery, textiles, and fabrics) do not exclude glass.

Safelite supports OEHHHA's provision of flexible, practical warning methods for vehicle and equipment parts. Because on-road passenger-vehicle parts present a substantially identical exposure profile, Safelite sees no principled basis for affording off-road parts a streamlined point-of-sale sign option and comparable transmission flexibility that on-road passenger-vehicle parts and their installation do not enjoy. Extending parity would reduce compliance friction for installers without diminishing the information conveyed to California consumers.

Recommendation: Safelite requests that OEHHHA extend the streamlined transmission methods provided in proposed § 25607.54, in particular the point-of-sale sign option in § 25607.54(a)(3) and the accompanying internet and catalog methods, to warnings for on-road passenger and off-highway motor vehicle parts and their installation, so that the two categories of parts, which share the same listed-chemical exposure profile, are treated consistently.

Retail-Seller Responsibility and Ordinary Installation (§ 25600.2(e))

While Safelite does not meet the federal definition of a retail-seller, we are seeking clarity on proposed revised § 25600.2(e)(3) makes a retail seller responsible for providing the required warning where it has "partially or wholly covered, obscured, or altered" a warning label that has been affixed to the product pursuant to subsection (b). In the ordinary course of vehicle glass repair and replacement, an installer necessarily removes and discards original-equipment and manufacturer packaging, and any label affixed to that packaging, as an inherent part of installing the part in the consumer's vehicle. Read literally, the "covered, obscured, or altered" trigger could be construed to shift warning responsibility onto an installer merely because ordinary installation consumes the part and discards its packaging, even where the required warning has been transmitted to the consumer through another compliant method. Safelite does not believe OEHHHA intends this result, but the current language leaves the point unaddressed.

Recommendation: Safelite requests that OEHHHA clarify in § 25600.2(e)(3) that ordinary installation of a product — where the part is consumed in the installation and its packaging is discarded as a necessary incident of that installation — does not constitute covering, obscuring, or altering a warning for purposes of this subsection, provided that a compliant warning is otherwise transmitted to the consumer at or before the point of sale.

QR Codes as a Warning Method (§§ 25601(c), 25602(a)(2)(B))

Safelite supports the proposed addition of Quick Response (QR) codes as an approved point-of-display warning method under §§ 25601(c) and 25602(a)(2)(B). This addition provides useful, technology-neutral flexibility for warnings displayed at service locations and points of sale. Safelite notes that the proposal requires the QR code to be accompanied by the statement "Proposition 65 Warning for [name of one or more chemicals]. For more information, scan the QR code," and that the QR-code method is expressly not available for internet purchases, which remain governed by § 25602(b).

Recommendation: Safelite supports the adoption of §§ 25601(c) and 25602(a)(2)(B) authorizing QR codes as a warning method. Safelite requests that OEHHHA confirm the QR-code option remains available at stationary physical points of sale and display for vehicle-parts warnings, and consider providing modest flexibility in the format and placement of the mandatory accompanying

statement to accommodate varied counters and display configurations.

Conclusion

Safelite appreciates OEHHHA's consideration of these comments and its ongoing work to make Proposition 65 warnings clearer and more workable for businesses and more informative for California consumers. Safelite would welcome the opportunity to serve as a resource to OEHHHA on the practical implications of these amendments for the vehicle glass repair and replacement sector and is available to discuss any of the foregoing at the Office's convenience.