



CALIFORNIA TOW TRUCK ASSOCIATION

"Developing Professionalism in the Towing Industry"

3050 Beacon Blvd., Suite 100

West Sacramento, CA 95691

Telephone: (916) 617-CTTA (2882)

Facsimile: (916) 617-2818

www.ctta.com

April 14, 2014

Mary D. Nichols
Chair, California Air Resources Board
1001 I Street, P.O. Box 2815
Sacramento, CA 95812-2815
mnichols@arb.ca.gov

RE: CTTA Written Comments on the California Air Resources Board's Proposed Amendments to the Low-use Vehicle Exemption in the Truck and Bus Regulation

Dear Chairwoman Nichols,

On behalf of the membership of the California Tow Truck Association (CTTA), we are writing to express our support for staff proposed amendments to the "low-use vehicle" exemption in the Truck and Bus Regulation (Title 13, California Code of Regulations, section 2025 (d)(41)). The current regulation exempts a "low-use vehicle," defined as a vehicle that travel less than 1,000 miles per year and operates less than 100 hours per year for power take off use within California, from the regulation. The most recent amendments to the low-use vehicle exemption proposed by ARB staff would permanently eliminate the hourly limit and, until 2020, also include vehicles that travel fewer than 5,000 total miles per year, regardless of where it is operated.

CTTA is a 501(c)(6) trade association, which represents nearly 1,000 towing companies within the State of California. CTTA was established in 1970 to increase the professionalism in the towing industry and safety of the motoring public. CTTA offers an extensive driver training and education program approved by the CHP and works on an ongoing basis with CHP and other government entities to ensure the safe and expeditious removal of disabled vehicles from California's roadways—ensuring the best possible service to the motoring public. CTTA's Towing Regulatory Oversight Council (T-ROC) is designed to provide thoughtful and balanced leadership on towing-related regulatory issues by bringing together experienced industry professionals who reflect the diversity of the towing industry and who are committed to both protecting the motoring public and being fair to towing operators who provide the service. The T-ROC adopted a formal position to advocate to ARB that the low-use vehicle exemption of the Truck and Bus Regulation should be expanded.

Heavy-duty tow trucks of 33,001 GVWR and above continue to be particularly impacted by the Truck and Bus Regulation, as they tend to be traditionally driven for only a low number of miles each year (thus tend to be long-lasting, yet older model trucks) and, as specialty trucks, are extremely expensive to replace. Replacement costs for these specialty trucks range between \$325K and \$750K, very similar to the replacement costs for emergency vehicles such as firefighting apparatus. Furthermore, retrofit devices are oftentimes impractical as modification to these trucks would cost far more than just the retrofit device installation. Bodies would have to be modified to create space to physically enable installation. This process would be both costly and time consuming resulting in excessive out of service time.

It has always been CTTA's argument that these heavy-duty low-mileage vehicles are utilized to clean-up the most disastrous accidents on our roadways as part of the CHP and local law enforcement tow rotation lists. With so few miles driven and such a huge cost of replacement, these trucks understandably tend to be replaced at a slower pace than smaller tow trucks. Our members have mortgages on these trucks, and their business model is based on the assumption that they can get decades of service out of the vehicles. Requiring them to replace these trucks ahead of schedule will have one of two direct consequences – get out of heavy-duty towing completely or take a massive financial risk in an unstable economy by purchasing a new heavy-duty tow truck to meet the rule requirements.

Either way there's a strong likelihood there will be less heavy-duty tow truck operators in California. As such, roads will remain uncleared, traffic will back up, vehicle emissions will increase, and our economy and environment will be further harmed. It is ironic that the very air the rule is designed to clean will actually become even more polluted.

While the staff proposed amendments do not provide complete relief for these vehicles, we applaud the ARB staff's recognition that some relief from the regulation is warranted and necessary.

For the reasons above, we urge the Board to adopt the staff's proposed amendments to the "low-use vehicle" exemption.

Thank you for your consideration. Please contact me should you have any further questions.

Sincerely,

Sherry White
President, CTTA

Terry Warford, Jr.
1st Vice President, CTTA
Co-Chair, T-ROC

Casey Horvath
2nd Vice President, CTTA
Co-Chair, T-ROC

cc: Members, Air Resources Board
Brooks Ellison – Ellison Wilson Advocacy, LLC, General Counsel/Legislative Advocate, CTTA