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AIR RESOURCES BOARD

cc: CEW
Lori Andreoni
R. Ogle

CALIFORNIA TRUCKING ASSOCIATION

April 11, 2006

Dr. Robert Sawyer, Chair
California Air Resources Board
1001 "I" Street
Sacramento, CA 95812

RE: Request for postponement of hearing regarding "Port Truck Modernization Plan"

Dear Dr. ~~Sawyer~~: Bob

The California Trucking Association (CTA) is extremely concerned about recent and abrupt changes to the "Emission Reduction Plan for Ports and Goods Movement in California" contained within the Goods Movement Action Plan (GMAP). During the formulation of the GMAP, CTA was not invited to participate on the Integrated Working Group although both the Rail Roads and Steamship Lines were heavily represented both by their associations and individual members. A single trucking company was invited to participate to represent the interests of the entire industry that employs one out of every 12 working Californians. This individual requested that his association be represented to no avail.

This GMP has been developed without input from the trucking industry, a major stakeholder in the goods movement industry in California. Our members have asked us to pursue a public process where trucking companies and their association can provide meaningful dialogue to head off this unrealistic and seriously flawed plan. Here are our initial questions:

- Where are the billions of dollars of funding necessary to make port truck operations a utility?
- Where is the detailed analysis due March 2006 entitled "Evaluations of Port Trucks and Possible Mitigation Strategies?
- Which trucking companies did you speak to regarding the specifics of this plan?
- How do you identify a truck entering port service when not government entity registers trucks by vocation?
- How do you account for the 150% turnover of truck drivers moving in and out of trucking operations which is a statewide practice during the long standing driver shortage?
- How do you envision the private sector operators (owner-operators) will bear the cost of entering port service with trucks that will cost $120,000 verses the current $5,000?
- How will you avoid the federal pre-emption found in the Interstate Commerce Clause of the U.S. Constitution which regulates interstate trucking operations and international freight?

- What contact have you had with the Federal Motor Carrier Safety Administration with regard to entry standards for interstate trucks carrying international freight?
- What are the near term emission reductions of the plan while the federal court evaluates the legality of it?
- How do you anticipate increasing the national truck manufacturing capacity to reach the historical increases in new truck purchases?
- How does bond money taken for the public benefit (over 30 years) become available for private retrofits with three year life spans?
- Why did CARB staff call both CTA and the American Trucking Association today in the late afternoon to brief us on this new strategy 9 days prior to the hearing and before releasing the March 2006 report on possible mitigation strategies?

On page 86, Section E, subsection ii entitled, 'Port Truck Modernization' your staff states:

"The strategy below completely replaces the approach described in the December 2005 draft plan."

Our first knowledge of port truck regulations was in a working group of environmentalists, steamship lines and railroads of which we were not invited to participate. A last minute invitation was extended by Business, Transportation and Housing which was our first notification that CARB had modified their original plan with regard to port truck operators. This modified plan will be heard for board approval on April 20, 2006 without any input from the one-truck operators and the minority owned business that will put out of business.

Please reconsider this action against the trucking industry and postpone the hearing until workshops with port operators are conducted.

Sincerely,

Stephanie Williams
Senior Vice President

CC: Members of the California Air Resources Board
Honorable Jenny Oropeza, Chair Assembly Transportation
Assembly Transportation Members
Honorable Alan Lowenthal, Senate Transportation & Housing Committee
Senate Transportation Committee
Moira Topp, Governor's Office
Sunne Wright McPeak, Secretary, Business Transportation & Housing