I’m Michael Lewis and im here today on behalf of the Construction Industry Air Quality Coalition.

I am going to quickly summarize our written comments submitted previously and ask that you send this back to the staff for further work with the truck owners.

We have over 100,00 trucks affected by this rule, and we are gravely concerned about the gaps and weaknesses in the rational for this expensive and complicated proposal.

This is an expensive scheme for truck owners.

Had your staff done the proper pilot program called for In SB 210 you would know all the steps required to comply and you would have an accurate cost for truck owners to comply. Your staff chose to duck that option knowing that the number would be shocking when you add it all up.

It costs between $75 and $150 each for a smoke test today. These new tests and the means to get them are going to be far more expensive. A fleet owner will need to acquire a dongle or multiple dongles if he has different brands of trucks; subscribe to a service (at a cost of several thousand dollars per year) and dedicate staff time to do the testing and reporting. And he will need to do it for each location he owns. It’s even more complicated if he rents equipment and needs to track it down. Then he has to do it twice a year. It’s a six figure or larger proposition. You’d never know that reading your staff’s analysis.

An owner operator will have to spend the same amount of money or go to a yet to be established testing facility to upload data. All of this cost and inconvenience is being pushed off on to the truck owners when it should be the responsibility of the manufacturers to collect and provide the data you are seeking.

Since these trucks won’t operate if the emissions systems are not performing to specifications, this is not about air quality as much as it is a very expensive and time-consuming wild goose chase for data that could be acquired by other means. And your own preliminary research showed that the out-of- compliance trucks was minimal.

Secondly, you are placing the truck owners at the mercy of two slow moving bureaucracies, CARB, and the DMV. DMV is short staffed, underfunded, and couldn’t even do the simple task of properly registering people to vote. Now we are supposed to believe that they can handle a million uploads of data, twice a year, in order to keep their registration records straight. And that is further complicated by DMVs registration date and CARB’s calendar-year reporting date not coinciding. A problem you don’t have the legislative authority to fix.

The problem is even more complicated for rental fleets, and we outlined those issues in our comments.

I’ve said many times before to your board, you owe it to us to get the numbers right. That is your one job and you have given it short shrift in this effort. Without a proper pilot program or a far better analysis than the one you have done; you cannot possibly know the real costs of compliance including the cost of time. Which we have demonstrated are far more than the diminimus amount calculated by your staff.

At least make a genuine effort to know the real cost of this regulation before you adopt it