



**CONSTRUCTION INDUSTRY
AIR QUALITY COALITION**

Coalition Members



Associated General Contractors
America-San Diego Chapter, Inc.



Building Industry Association
of Southern California



California Construction Trucking
Association



Engineering
Contractors Association



United Contractors



Southern California
Contractors Association

May 26, 2022

California Air Resources Board
1001 I Street
Sacramento, CA 95814

<https://www.arb.ca.gov/lispub/comm/bclist.php>

RE: Heavy Duty Vehicle Inspection and Maintenance Program 15-Day changes

Dear Chair Randolph and Members of the Board:

The Construction Industry Air Quality Coalition would like to submit the following comments on the last-minute changes to the Heavy-Duty Vehicle Inspection and Maintenance Program (HDVIMP). We are most concerned about the requirement to test vehicles and report the results four times per year.

The original proposal of twice-a-year testing was already going to be expensive and time-consuming for most truck owners. It will be particularly difficult for owner-operators many of whom can't even afford to pay their annual registration fees and do so monthly at the DMV. For fleet owners with multiple locations, it will create a record keeping and reporting nightmare leading to paperwork violations and enforcement action with no emission benefit.

There was very little justification presented to support even a twice-a-year testing protocol. For the Board to assume that four times a year is appropriate is in direct contradiction of SB210 and the stated intent of the author Senator Connie Leyva to keep the cost and inconvenience to a minimum.

In our previous comment letter, we outlined our concerns about the costliness of this program, the lack of a proper pilot program, the need for a level playing field and the problems that will be created for enforcement.

During the Board hearing on the subject of testing frequency, Vice Chair Berg expressed concerns about the frequency and whether or not CARB staff would reasonably be able to manage all of the data that is going to be submitted from these vehicles. There was absolutely no justification presented to support four times a year reporting. There was no data to indicate an emissions benefit or a public health benefit. Instead, the Board has imposed an enormous expense on the truck owners in complete contradiction of the clear intent of SB 210.

As we stated at the time, four-times-a-year reporting is really punishing for truck owners. That punishment should be reserved for vehicles or fleets that have clearly been neglecting the MIL light repairs, or that have fraudulently tried to manipulate and bypass the malfunction light through illicit software. To impose this costly burden on every truck in California is unnecessary, costly, violates SB 210 and will overwhelm CARB's reporting system with millions of reports that shed no additional light on the overall compliance of the truck fleet in the state.

We believe that the first three years of twice-a-year reporting should provide sufficient data to determine the overall compliance rate of the state fleet. We also believe that the data will show the same thing that your early staff analysis showed, that more than 85% of the fleet is in compliance.

That three years of data should be sufficient for you to make the determination that more frequent reporting for most owners is unnecessary. A determination about whether or not additional reporting by a select number of fleets should be required could be made at a later date, after the first three years of data has been reviewed by staff and the public.

The addition of four-times-a-year reporting is a serious flaw in the HDVIMP. We hope that CARB will correct the matter and narrow the application before the provision is allowed to go into effect.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Michael W. Lewis". The signature is written in a cursive, flowing style with a large initial 'M' and 'L'.

Michael Lewis,
Senior Vice President
951-206-4420