



November 29, 2021

**Re: Adopt Heavy-Duty Inspection & Maintenance Rule Implementing SB 210 (Leyva),
With Amendment to Require Quarterly Reporting of Emissions Data**

Dear Members of the Air Resources Board:

Our organizations appreciate CARB’s efforts to implement SB 210 (Leyva, 2019), which requires CARB, in consultation with BAR and DMV, to implement an inspection and maintenance program which will require that all heavy-duty vehicles operating in California have properly functioning emissions controls systems. Your process has welcomed public participation, despite the challenges posed by the pandemic. The result is a rule that will reduce more air pollution than anything the state has done in more than a dozen years. **We urge you to adopt the rule at your December meeting, with one amendment to increase the frequency of reporting, and without any weakening or delay.**

The Need for the Rule Is Acute.

California’s heavy-duty (HD) vehicle category is the leading source of smog- and particle-forming NOx emissions in the on-road sector, adding to localized health burdens and to our worst-in-the-nation regional pollution challenges. The respiratory and cardiovascular health impacts of ozone and particle pollution are well documented, including impacts to lung function and development, asthma attacks, heart attacks and strokes, and lung cancer. The burdens of unhealthy air – and heavy-duty trucking emissions in particular - fall particularly hard on our

most vulnerable residents, including children, seniors, low-income communities and communities of color who are at higher risk for harm.

Most Californians would be very surprised to find out that, while their passenger cars are subject to Smog Check, there is no similar requirement for diesel big rigs, other than a minimal smoke test. HD vehicles continue to be major contributors to statewide mobile air pollution, even though this sector only makes up about 3 percent of the total on-road vehicles operating in California. In 2020, HD vehicles emitted approximately 52 percent of the statewide on-road mobile source oxides of nitrogen (NOx) emissions and about 54 percent of the statewide on-road mobile source particulate matter (PM) 2.5 emissions.

This Rule Will Save Thousands of Lives.

SB 210, when properly implemented, will improve air quality and public health in impacted communities, protect our changing climate from black carbon -- a powerful super pollutant -- and create a level playing field for truckers who are maintaining their vehicles adequately. Similar to the light-duty Smog Check program, the creation and implementation of the HD/IM program will ensure that in-state and out-of-state trucks on California roads meet approved emissions levels in order to operate in California. The program should detect the 4% of trucks that account for 50% of the emissions and require them to fix their faulty emissions controls.

The projected pollution reduction and corresponding health benefits of this program are enormous – greater, in fact, than any measure that CARB has adopted in the last 12 years. The expected NOx emission reductions of 30 tons per day in 2024 and 72 tpd in 2031 far exceed those of any other measure the Board is considering, and are absolutely essential to delivering healthy air to Californians, especially those living in the South Coast and San Joaquin Valley regions, which will experience the greatest benefits from the rule.

The expected health benefits between 2023 and 2050 include reducing premature deaths by over 7500, along with thousands of hospitalizations avoided. These benefits will be especially felt by our low-income communities of color, which suffer from concentrations of diesel exhaust from goods movement. The monetized health benefits of the rule outweigh the expected costs by a factor of 18, so this is one of the most cost-effective rules imaginable.

Quarterly Data Submission Would Save More Lives and Reduce More Air Pollution

Owners of vehicles equipped with on-board diagnostics (OBD) should be required to submit emissions data quarterly. Allowing a longer gap between submissions, as the proposal allows, could result in excess emissions continuing for many months, which is unacceptable in a state where the vast majority of residents are unable to breathe clean air. In fact, CARB staff estimate that requiring quarterly submission would add 5 per cent to the emission reductions achieved by the rule, and we cannot afford to leave those several tons per day of NOx reductions on the table. The submission requirement for OBD-equipped trucks is quick and simple, not at all burdensome. Stepping up the frequency of data submission from twice to four times a year would save hundreds of additional lives.

Enforcement Net Should Be Inclusive

A fair and robust enforcement effort from CARB and CHP, with support from DMV, will be essential to the success of the program. Freight contractors should be responsible for turning away non-compliant vehicles from their facilities. Facility owners already control their gates, verify bills of lading and insurance requirements and work with freight owners and brokers to ensure the movement of goods, so there is no reason why they should not also require proof of California HD/IM certification to be part of that process. Holding freight contractors responsible will level the playing field for compliant truckers and give equal treatment to in-state and out-of-state entities. We also support the roadside monitoring system as a crucial piece of enforcement.

The Notice-to-Correct process may be appropriate for some very minor violations, but must not become a free pass to violate HD/IM requirements. For both NTCs and citations, violators should have to submit proof of correction.

Respectfully Submitted,

Bill Magavern

Coalition for Clean Air

Ben Keller

350 Bay Area Action Legislative Committee

Patricio Portillo

Natural Resources Defense Council

Erin Rodriguez

Union of Concerned Scientists

Bill Allayaud

Environmental Working Group

Laura Deehan

Environment California

Jennifer Helfrich

Ceres

Joy Williams

Environmental Health Coalition

Meredith L. Alexander, J.D.

CALSTART

Joel Ervice

Regional Asthma Management and Prevention (RAMP)

Nicole Kemeny

350 Silicon Valley

Michael Muñoz

Los Angeles Alliance for a New Economy

Marven E. Norman

Center for Community Action and Environmental Justice

Kevin Hamilton

CCAC

Daniel Barad

Sierra Club California

Catherine Garoupa White

Central Valley Air Quality Coalition

Melissa Romero

California Environmental Voters