



CALIFORNIA TRUCKING ASSOCIATION

June 10, 2008

Clerk of the Board
Air Resources Board
1001 I St.
Sacramento, CA 95814

Dear Sir:

The California Trucking Association (CTA) herein offers its comments on the Proposed Amendments to the Drayage Truck Regulation, made publically available on May 28, 2008.

Now that the Air Resources Board (ARB) has abandoned its own proposal to require that owners affix a Drayage Truck Registry compliance label, ARB now requires rail yards and marine terminals to determine how they will collect information that will be used to enforce the regulation and determine which trucks should be fined for non-compliance.

CTA has concerns about how ARB has turned the job of compliance checking over to private parties who have no incentive to provide a system that will not penalize drivers or motor carriers for errors made by the terminals or railyards.

ARB has given too much leeway to terminals and railyards on how they should determine the compliance status of drayage trucks. The lack of specification for how this task should be accomplished opens the door to errors whose costs will be principally borne by drivers and motor carriers.

Under the proposed amendments to the regulation, different terminals can choose different methods to ascertain compliance and trucks must be compliant under all methods at all terminals. However, trucks subject to different compliance determination methods at different terminals could fail at one terminal but be compliant at another. Different methodologies could result in fines being assessed on compliant truck and non-compliant trucks not being fined.

If ARB has the authority to require terminal and rail yards to check compliance on its behalf, it has the authority and responsibility to require that they all use a uniform methodology. The methodology should also provide an audit track so that errors can be readily corrected.

Sincerely,

Eric Sauer
Vice President Policy Development
California Trucking Association

cc: Mary Nichols, Chairman, CARB
James Goldstene, Executive Officer, CARB
Michael Miguel, CARB
Matt Schrap, Manager of Environmental Affairs, CTA