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December 15, 2010

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, California 95814
Submitted Online

Re: Comments on Proposed Amendments to In-Use On-Road Diesel-Fueled Vehicles Regulations

Dear Board Members:

This firm is corporate counsel for many California churches which operate buses in their outreaches to the families of their communities. They run buses on Sundays and for special church events to bring in families and children who would not otherwise be able to attend the churches. While the operation of the buses is not high mileage, neither would it fall within the regulation's low-use definition so as to entitle them to an exemption from compliance with the regulations.

The church programs provide a variety of social services to families who are in need. They are non-profit ministries that receive no public funding, nor do they sell a product or service to generate an income. Instead they depend upon the charitable donations of members and friends to be able to operate and to provide the services their communities so desperately need in this time of economic depression when government bodies are reducing services to the needy.

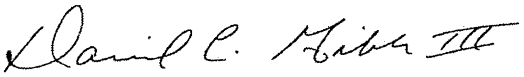
Traditionally, donations to churches and other charities are among the first to be cut from the budgets of donors who are facing their own economic crises. As a result, the churches we represent are being forced to cut their budgets to continue to provide the services on which local communities depend; making it impossible for them to meet the original deadlines imposed by the Truck and Bus regulation to reduce emissions of diesel particulate matter and other pollutants. The proposed amendments to the truck and bus regulations will provide a needed respite for the cash-poor churches to come into compliance with the truck and bus regulations. Additional time would be better.

Concern about air quality is certainly a noble cause. Realistically however, in these financially perilous times air quality concern is tantamount to worrying about the smoke from *Titanic's* funnels when the iceberg is in sight. If Governor-Elect Brown's predictions are correct, the State California is on the verge of bankruptcy. Now is not the time to impose crippling financial regulations on businesses that pay taxes or non-profits that provide free community services that

state and local governments can no longer afford to provide. It is unreasonable for the State of California, including the California Air Resources Board, to allow themselves budget cuts but to impose regulations on their constituents that could force them out of the state or out of business. A more logical reaction to the financial crisis that is affecting the state and local governments as well as large and small businesses and religious and charitable organizations across the state would be to declare a moratorium on the implementation of the truck and bus regulations until the economy is not in such crisis.

Sincerely,

GIBBS LAW FIRM, P.A.



David C. Gibbs III