



December 15, 2010

Chairman Mary D. Nichols and Honorable Board Members
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Chairman Nichols and Honorable Board Members:

Re: Comments on proposed Amendments to the State Drayage Truck Rule

On behalf of the Board of Harbor Commissioners, Port of Long Beach staff would like to express our support for and comment on the two proposed amendments to the State Drayage Truck Rule that will be considered at the December 16-17, 2010 California Air Resources Governing Board meeting. We have appreciated being able to consult with your staff on these issues in the recent months. They are very knowledgeable and always extremely helpful.

First, we fully support the proposal to expand regulation of drayage trucks to include not only the truck tractors that actually handle a container when it is picked up from or delivered to a port or rail yard, but also other truck tractors that may handle a loaded container during its journey, provided the cargo itself is not removed or transferred from its original container or trailer. We believe this proposed amendment will assist in controlling the practice of truck tractor switching to avoid progressive bans, or "dray-offs", which stakeholders of the industry have reported in the past. We plan to recommend similar tariff changes to our Board of Harbor Commissioners at an upcoming meeting in order to address this activity within the Port of Long Beach Harbor District. We have also begun to discuss this with the City's enforcement agencies for cooperation in the application of dray-off rules within the Port district.

Second, we also want to express our support for the proposal to move the regulation of Class 7 trucks from the Truck and Bus Rule to the Drayage Truck Rule, though we believe you could go further with the proposed changes. Our staff has noticed a dramatic growth of Class 7 operation at the Port of Long Beach since the January 1, 2010 progressive ban was instituted. In the past 11 months alone, the number of Class 7 trucks operating at the Port has gone from 28 to more than 550. Use of these Class 7 trucks is a way to move empty containers, bare chassis and an increasing number of lighter loads in the Port without having to invest in newer, cleaner Class 8

