

Tim Fortier
10-11-3



California Air Resource Board
Sacramento, Ca.

December 9, 2010

Re: Statement by Timothy Fortier
Past President, California Trucking Association

Why I am here today is this technology has had a profound history of mechanical failure from the beginning. The diesel users have experienced numerous breakdowns from the premature failures of the added pollution control devices placed on diesel engines since 2004 through 2009 (Current 2010 engine statistics are not readily available; however recent field test results are showing the continued service failure pattern) As has been testified before this Board in December 2009, The Tow Truck Association stated they were towing more NEW trucks than OLD trucks which are counter to the historical norm. Our own history shows in the last 2 years verses the previous 20 years combined, our tow bills were exceedingly more; towing approximately 3 trucks to every 1 of the past. In September of this year alone, for our fleet of 33 trucks, there was \$5,400.00 in towing costs due to EGR pollution control devices. All of the manufactures have been involved, some having more issues than others. In the case of Caterpillar, they have stopped producing engines for trucks.

These problems have resulted from the dispute between the EPA and the Diesel Manufacturers over the engines testing criteria used for the 2004 year models. The result of this dispute was a rush to market to meet further government mandated requirements without the prudent historical testing of past practices we have experienced from the diesel manufacturers. Our repairs to EGR pollution control devices were more than \$25,000.00 in September. The average truck age of this repair history has been between 2 1/2 and 4 years. The average mileage for the start of the failure rates has averaged at 280,000 miles. To help you relate to this; that would be similar to you having to do similar repairs to your personal vehicle at 50,000 miles at your expense with no warrantee coverage. In the automobile industry there is a standard that pollution control devices must last a minimum of 5 years, or they are replaced at the manufacturers cost. Our industry has become the Guinea Pigs for the real world test results.

I wish to determine from the real demonstrated history of the technology promulgated by the EPA and its allowance to be continued unabated, if this course has been GOOD Public Policy. I ask if the standards and the real technical performance history of what we have experienced and arduously endured were applied to Airline, Bus and

Automobile manufactures; Engineering, Building, Pharmaceutical, Medical and Surgical Standards, would this Board be so tolerant? How many planes falling out of the skies would be tolerated? Would you like to be flying at 35,000 feet when the aircraft is approaching the 50,000 mile mark? Why trucks are not accorded the same concern as the recent Air Bus incidents? Your car suffers a \$2000 repair at 40,000 miles. Your laser eye surgery fails 40% after 2 years. Your new vaccine produces such adverse side effects that it reduces the body's immune system! I believe we deserve better than what we have been forced to accept! This history is not acceptable nor would be in these other chosen fields. Why are we subjected to this continued abuse? With this terrible record of dubious diesel technology promulgated by ignoring the real life performance feedback is Bad Public Policy!

What would be the publics' reaction if these same standards would be allowed to continue in these other areas of our lives? Would the public be so tolerant? This Board needs to remember the disastrous consequences suffered by California's experiment with the diesel reformulation project several years ago. There too, the same policy and implementation was RIFELED with mistakes with the outcome to be retracted with much embarrassment and financial loss. For the advocated plans as proposed by the CARB staff for the continued allowance to the diesel using public is irresponsible to our society as a whole understanding that diesel is the economic life blood of this economy. The CARB staff proposal for compliance is far to complicated to meet, much less to understand and more complicated to enforce. Far be it with both the known mechanical and economic impact these plans will have to have been so lightly treated or discarded, we need to take a second look at the pace to meet our long term societal goal of clean air.

I am not dismissing the goal we as a society have set. However, from what the actual real history has proven in real performance we are demanding and need better. This industry needs to be treated fairly with the same expectations we have demanded from others. We deserve no more, but we deserve no less; as we have been subjected to. The continuance of allowing the same course of outcome is a disservice to the public. We need to trust that the technology is viable and durable to do what it is intended to do. A different course of action to correct these known shortfalls needs to be implemented before it is allowed to continue to go on.

Sincerely,

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Richard Coyle
10-11-3

		Timeline													
		Drayage							Truck & Bus						
Engine Model Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
1994-2000	Level 3 DPF							Proposed							
2001-2003	Level 3 DPF							Proposed							
2004	OEM Compliant	Proposed						2010 ENGINE STANDARD							
2005-2006	OEM Compliant	Proposed						2010 ENGINE STANDARD							
2007-2009	OEM Compliant							Proposed							
2010	OEM Compliant														