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May 22, 2007

California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812-2815

RE: In-Use Off-Road Diesel Powered Vehicle Rule

Dear CARB Board Members and Ms. Witherspoon:

I am greatly concerned about the In-Use Off-Road Diesel Powered Vehicle Rule that is under consideration by CARB and its effect on our construction industry in California.

As you know, it is of the utmost importance that we keep our state's fleet of equipment operating at maximum efficiency and minimum cost. It's no secret that California is in dire need of a great number of construction projects, including roads, schools and water storage and transportation. The governor and legislature are pinching every penny to find money for these very necessary projects. Furthermore, as fast as we can piece together money for a project, the costs frequently go up and more money must be found.

Our contractors and heavy equipment providers, mostly small and family-owned businesses, are also pinching pennies to stay in business, pay their employees and taxes, and keep construction projects moving to completion. These folks have a lot of money and sweat invested in their equipment, shops and employees. They are accustomed to taking good care of their equipment to keep it running and productive in the most cost-efficient manner.

If new and heavy financial burdens were to be placed upon them by government regulations, many would have to change course in their business – options would be to close down or to cut back on operations, perhaps by selling a substantial amount of equipment out-of-state. Needless to say, losses to our state's heavy equipment fleet, work slowdowns, and cost-increases to taxpayers are not the direction any of us wants to go.

There are a number of ways to affect clean air as we all know. Reducing congestion on our roads, getting water to our crops and building new efficient school buildings are some ways that have the additional benefits of adding to our state's prosperity, livability and revenues. Getting older, polluting automobiles into retirement is a great way, also.

Our state's contractors and equipment owners are good citizens and extremely knowledgeable about the details of how to best achieve the clean air goals we seek in the most cost-efficient manner – while still maintaining our jobs, construction goals and economic viability. I urge all of us to listen carefully to their expertise and good will.

Sincerely,

Jean Fuller
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