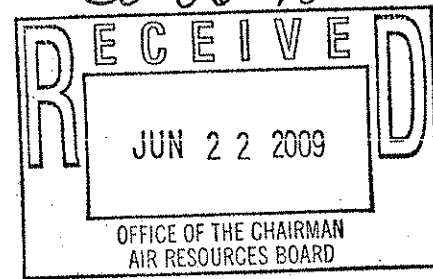


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June 14, 2009

Mary Nichols
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, California 95812

Dear Ms. Nichols,

While I applaud the California Air Resources Board's intentions of cleaning our air, and saving lives, I cannot (and WILL NOT) support the incoming regulations as they are written.

Before you set this letter to one side, and forget about it, allow me to show you the view from the perspective of a trucker's wife, and address two very important issues.

We are in a recession. People are buying less. This is obvious. But there are hidden implications to this as well. There is less need for delivery of consumer goods. Which has sent freight rates plummeting, and has put drivers on the unemployment rolls.

With these regulations in place, every single one of my husband's employer's truck will have to be either retrofitted or replaced. With thirty five trucks, and \$15,000 being the low end cost to retrofit them, that's well over half a million dollars by 2014. And then in a few years, that will do no good, because yet another set of regulations goes into place, and all of those trucks that he just spent half a million dollars on will be good for nothing but scrap metal. (That's a very expensive scrap heap, wouldn't you say?) In 2023, every single one of those trucks would have to be replaced, at a cost,

in today's dollars, of \$100,000 EACH. Multiply that by 35. That's \$3.5 million dollars. (To working class, middle income people like us, that's a lot of money.)

The Carl Moyer Program provides vouchers for \$20,000 to \$35,000 to replace a 1993 or older truck. Most companies' trucks are newer than 1993 and a lot of the dealers are not accepting these vouchers.

The Providing Loan Assistance for California Equipment program will pay up to the full cost of the trucks, up to \$1.5 million. That's all well and good. But that's only 15 trucks. What about the other 20? More importantly, what about those truck's drivers? If the funds are not found to replace those 20 trucks, their drivers will join the ranks of the unemployed.

The Goods Movement Emission Reduction program provides up to \$50,000 to replace trucks 2003 and older. That's half the cost of a new truck. That's a start. But the program was suspended in December, and in this economy, not many foresee it's imminent return.

So, let's just come up with some very best case scenario hypothetical math. My husband's employer does not have any trucks that are 1993 or older. So that leaves the Carl Moyer program out of the picture. Let us say he gets the MAXIMUM loan from the Loan Assistance program That gives him \$1.5 million of the \$3.5 million he needs. He still needs \$2 million. Then, by some miracle, the Goods Movement program is reinstated. And he gets the MAXIMUM from that which is \$50,000 per truck. And that would be multiplied by the 20 that we didn't cover with the Loan Assistance program. That covers another \$1 million. So he still has to come up with \$1 million, and he still has to pay back the \$1.5 million from the Loan Assistance program. Maybe there are some people in this state who would have no problem with the kind of payments that would create, but none of us here are fortunate enough to be among them.

To add insult to injuries, this state now has a "no-idle" policy that went into effect on January 1, 2008. There are very few exceptions to this rule. These include when you, the driver are stuck in traffic, when you cannot move because of adverse weather conditions, and when you are queuing up to be loaded or unloaded.

Now tell me what a driver is supposed to do when he has pulled into someplace like Callipatria to pick up a load of onions, and he has to wait for 4 or 5 hours? Onions are harvested in June and July. It can easily reach 115 degrees there at that time. That driver is stuck with that truck. He cannot idle it without facing a ticket that can easily reach \$1000.

An auxiliary power unit? The Air Resources Board restricts those too, and the ones you can legally use here cost between \$7-10,000 on the low end. A company that is struggling to produce a means of surviving the new emissions regulations simply is not going to lay out the money necessary to purchase Auxiliary Power Units. These companies that have survived and even thrived in the past are quickly dipping into the savings from times past and do not have the money for this.

But let's go back to the question at hand. What's the *driver* to do? He cannot legally idle. He has no APU.

IdleAire perhaps? There are no IdleAire equipped truck-stops in that area. As a matter of fact, there are *many* areas of this state that do not have off board auxiliary power equipped parking. And even if they did, IdleAire can cost about \$4 an hour. So for an overnight stay, it is almost \$50.

What about a motel room you might ask. Well, once again, we go back to the cost first of all. Fifty to sixty dollars a night. And precious few have parking for a big rig.

I persistently mention the cost to the driver because it would be a cost to the *driver*, not the company. Companies do not reimburse a driver for staying in a motel room, or using IdleAire. It is seen as an "un-necessary" expense. With the economy like it is, drivers are taking pay cuts. They cannot afford to have any further expenses, and neither can the companies. Most especially the small or medium size companies.

Conversely, you still have extreme cold to deal with in the winter.

I know I would not like to have to deal with 20 degree weather or 115 degree heat and could not heat or cool my bedroom. And let's face it, this rig is a driver's home!

With all these regulations going into place, the expenses are already overwhelming, and when you add in the recession we are currently in, it is enough to make a company owner want nothing more than to close his doors.

If my husband's boss gives up and shuts down, and there are plenty who have done just that, there will be 35 drivers, 8 mechanics, and 8 office persons joining the ranks of the unemployed. How many other similar companies will give up and shut down? Let's go small and say 100. That's 5000 more people on the unemployment rolls. Five THOUSAND people. And that's just those who lost there jobs. What about their spouses? Their children? That's at least 20,000 more persons who will need state assistance. Do you really believe the state can afford this?

Furthermore, the trucks most affected by this legislation are the very trucks who transport our food! The trucks that take it from the field to the first processing point are not so affected, yet. But they will be in 2014.

But how is the food to go from the processing plant to the store? With the smaller local companies shutting down, it's going to be up to the bigger national carriers. And with that, the freight rates will be forced to go up some, or the produce will end up rotting in the warehouse.

Who pays when freight rates go up? The shipper. Who, in turn, passes it along to the buyer. Who passes it on to the consumer. Which consumer?

People like me, who's husband will have been let go because his employer could no longer afford to compete because, while the big carrier could afford to spread the costs around a little and not raise rates so high, the little guy could not. I will not be able to afford anything once this happens, and neither will a great many more people.

If we cannot afford to buy it, then the warehouses have no use for it, and will not buy it from the farmer, and has no need for anyone at the docks or warehouses. If the farmer cannot sell it, then he has no need to harvest his crop. This will cause job losses in these areas too.

The implementation of these laws will be the critical point in sending this state into a major crisis. We will have food. It will be rotting in the fields.

But people will be starving. *This state will look like a Third World nation.*

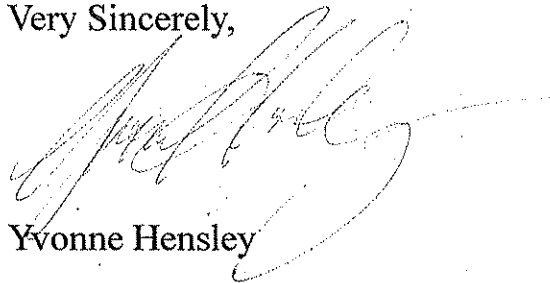
Either they will not have enough money for food, or it will not be available to them, because it cannot be transported to them.

Gasoline and other fuels will become scarce and expensive. A great many of the gas haulers in this state have vehicles that will fall under these regulations, and will simply park their trucks or go elsewhere.

My grandfather, when I was about 8 years old, told me that "from dust this great Valley came, and to dust it will return." This collection of regulations is going to do just that.

Do you really want to be remembered as one of the people who let this happen?

Very Sincerely,

A handwritten signature in black ink, appearing to read 'Yvonne Hensley', written over a large, light-colored scribble or background mark.

Yvonne Hensley

"If You've Got It, A TRUCKER Brought It!"

