



January 23, 2013

Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento CA 95814

[Submitted electronically to: <http://www.arb.ca.gov/lispub/comm/bclist.php>]

RE: Comments on the Proposed South Coast 2012 Air Quality Management Plan (2012 AQMP)

Dear Chairman Nichols and Members of the Board:

The American Trucking Associations (ATA) includes many of the trucking companies that operate in the South Coast Air District.¹ These companies have made, and will continue to make, substantial investments in new equipment with lower emitting technologies. According to the Port of Los Angeles, drayage companies alone have invested more than \$1 billion in new trucks in order to reduce emissions by 80 percent.²

The 2012 AQMP contains two new control measures that seek to further reduce emissions from heavy-duty vehicles:

ONRD-05: Further Emission Reductions from Heavy-Duty Vehicles Serving Near-Dock Rail Yards

ADV-01: Actions for the Deployment of Zero and Near-Zero Emission On-Road Heavy-Duty Vehicles

While trucking companies have not shied away from making investments in new technologies, the proposed control measures fail to provide details relating to cost or technical feasibility. The Board should not include these control measures in the 2012 AQMP without analyzing their impact on state policy. For example, basing incentive funding on the proposed optional NOx standard would likely foreclose further advancements in the wide range of low emission technologies trucking companies are already investing in, including clean diesel, natural gas, hybrid electric, and even hydrogen. **ATA urges the Board to reject control measures ONRD-05 and ADV-01 and instead work towards a comprehensive, statewide approach that continues to incentivize technology advancement under a fuel-neutral approach.**

¹ The American Trucking Associations is the national trade association of the trucking industry. Through our affiliated state trucking associations, affiliated conferences and other organizations, ATA represents more than 37,000 trucking companies throughout the United States.

² *Clean Truck Program Fact Sheet*, December 20, 2011.

Additional considerations that need to be incorporated into a comprehensive statewide approach are presented below.

Investment Decisions of Motor Carriers

Shippers have choices in terms of where and how they ship their products. Motor carriers compete for this business in terms of cost and service. Greater consideration should be given to the level of investment required by motor carriers when implementing technology advancements and how this investment can affect their financial viability in a highly competitive industry. A state-level process that involves motor carriers input and perspective on financial barriers and opportunities associated with technology advancement would be helpful in this respect.

Equipment Utilization/Resale

Motor carriers tend to maintain flexibility in the use of their equipment. A single truck will be used to transport freight between multiple origins or destinations, such as ports, rail yards, warehouses, drop yards, shippers and receivers. This flexibility not only helps maximize efficiency but also tends to create more resale opportunities by expanding potential markets. The impact of technology advancement on equipment utilization and resale value should be considered. Similarly, a state-level process involving input from motor carriers should be pursued.

Funding

Funding for technology advancement will be dependent upon the extent of emissions reduced and the types of technologies used to achieve these reductions. A detailed financial analysis which identifies the amount of funding required for various emission reduction/technology options and the specific sources of this funding is needed to determine cost-effectiveness.

Technology/Fuel Neutrality

Using technologies with “zero-emissions” or “95 percent or greater reduction in NOx” as the criteria for incentive funding is overly restrictive. Without further substantiation, it appears other potential emission reduction options which are currently being used and/or tested by the trucking industry may be excluded, such as trucks running on clean diesel, natural gas, hybrid electric and hydrogen. Instead, an incentive approach which maintains the state’s commitment to fuel-neutrality should be pursued.

Federal Regulation of Motor Carriers

Congress has very broadly preempted state and local regulatory provisions that impact motor carriers rates, routes, and services. As a result, the motor carrier industry is shaped by the forces of competition, under a uniform federal regulatory environment. While state and local government actions necessary to meet the attainment demonstration are mandated by the Clean Air Act, these actions cannot override the federal regulatory environment under which motor carriers operate.

In closing, we ask the Board to reject proposed control measures ONRD-05 and ADV-01 and instead pursue a comprehensive statewide approach which maintains fuel-neutrality and addresses the considerations we have listed above. We also would like to recognize and support the comments submitted by our affiliated state association, the California Trucking Association.

Please contact me if you have questions or need clarification of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Tunnell". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Tunnell".

Michael Tunnell
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