



CALIFORNIA MOVING AND STORAGE ASSOCIATION
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VIA REGULAR MAIL and E-MAIL

Mary D. Nichols
 Chair, California Air Resources Board
 1001 I Street, P.O. Box 2815
 Sacramento, CA 95812-2815
mnichols@arb.ca.gov

RE: CMSA Written Comments on the California Air Resources Board’s Truck and Bus Regulation (second 15-day Notice of Public Availability of Modified Test to Consider the Adoption of a Diesel Particulate Matter and Oxides of Nitrogen and Greenhouse Gases Control Measure for On-Road Heavy-Duty Diesel-Fueled Vehicles Operating in California)

Dear Ms. Nichols:

My name is Stephen J. Weitekamp and I am the President of the California Moving and Storage Association, located at 10900 E. 183rd St. Ste 300, Cerritos, CA 90703. Our Association represents approximately 430 licensed moving companies and another 130 companies that provide services for the moving industry. These companies provide jobs for approximately 10,000 Californians, but many of our members are struggling to survive in this state’s current economic situation and the new CARB law will undoubtedly result in some going out of business or moving out of California. This is a plea for help from an important sector of small California based businesses that need relief from the present provisions of CARB.

The CARB On-road Diesel Engine Regulation will make many local moving trucks illegal after 2010. This will severely impact California-based moving companies and further add to the state’s worsening economy.

California’s recession is the worst in at least three decades and the unemployment rate was an unheard of 11.5% in May and likely to increase through the remainder of this year. This is the absolute WORST time to enact draconian regulations on any business that owns a diesel powered truck including the moving and storage industry.



During the CARB hearing process, many within our industry hoped that CARB would modify their rule into mileage tiers to accommodate trucks that run 10,000 – 30,000 miles, 30,001 – 70,000 miles and 70,000 + miles per year. Minimally, we believe CARB should have adopted a two tier rule, at least within the moving and storage industry. In our industry there are two completely different types of diesel trucks utilized – high mileage and low mileage. The high mileage users tend to drive more than 100,000 miles per year and are in industries such as long distance moving, logistics/delivery and freight. Low mileage users tend to drive 30,000 miles or less per year and are in industries such as local moving and delivery. CARB has ignored all requests and suggestions to tier the rule even though it did for the Off-road rule.

It has also recently come to my attention that there is controversy regarding the scientific studies CARB used to justify these regulations and whether or not they were properly peer reviewed. A growing list of prominent scientists disagrees with the regulatory process and one-sided science that is being utilized to take-away our equipment. We need your support to make sure CARB is being responsible for everyone.

Prior to 2009, an efficient market existed for late model used trucks. High mileage industries buy new trucks and after four or five years of use sell them to companies that provides local services. Low mileage industries efficiently utilize these trucks for many years before replacing them. We are the ultimate recyclers and re-users of diesel trucks. There is a huge environmental savings to this reuse that CARB again ignores.

My Association and industry is requesting changes to the existing regulations:

- 1) Provide an exemption to trucks driving 30,000 miles or less per year. This allows for a market to exist for the high mileage users to trade-in/resell/replace their trucks while allowing the low mileage industries to survive and utilize newer more efficient equipment.
- 2) Push out the start of the regulations for at least two additional years – these regulations should not be enacted until California is deep into an economic recovery.
- 3) Increase the time period between each truck year replacement date – California's current economic state and the cost of new trucks coupled with the frozen capital markets has made it almost impossible for us to survive this economic crisis without significant risks.

Many CMSA member companies cannot afford to simply purchase new trucks. Even if they could, the credit markets are dysfunctional and they cannot risk large truck payments when business is down significantly. A retrofit solution doesn't exist and even if it did, it only buys a few years before many trucks ultimately become illegal in California. Retrofitting is not a reasonable proposition for the low mileage industry.

Please use this opportunity to make changes to the CARB regulations that are fair, equitable and realistic.

Sincerely,



Stephen J. Weitekamp

President

The California Moving and Storage Association