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June 17, 2009

Mr. Tom Cackette
 Deputy Executive Officer
 California Air Resources Board
 1001 I Street
 Sacramento, CA 95812

Re: Comments on Proposed Revisions to Zero Emission Bus Regulations
 Following May 20-21, 2009 Workshops

Dear Mr. Cackette:

As a member of the Bay Area Zero Emission Bus Working Group, I am writing to provide comments on the CARB staff recommended revisions to the ZEB regulations as proposed during the workshops held last month. We appreciate CARB staff's recognition that the existing regulations need revision. As you know, our region's second bus demonstration project was expected to be operational at the beginning of 2009. The schedule for this regional project was necessarily delayed due to our desire to capitalize on emerging technologies, as well as our need to seek additional funding. Despite the delay, the region remains committed to working with you to ensure the regulations improve air quality while recognizing the practical constraints bus operators face in complying with them. To that end we offer the following comments:

1. Bus purchase requirement should be delayed until 2015

This would permit three years to complete a demonstration project, including necessary time to procure the vehicles and install the supporting infrastructure. As important, it would also allow a full year to evaluate the demonstration before we implement any purchase requirement.

2. Performance triggers should be revised as follows:

- a. The cost trigger should be equivalent to that of a current diesel-electric hybrid bus, which represents the best alternative fueled vehicle available in the market.
- b. The durability trigger should incorporate a midlife rehabilitation cost for the ZEB, equivalent to or no more than 20% of the purchase price of a diesel-electric hybrid bus. In addition, a warranty trigger for durability should have comparable terms to contracts for existing fleets. Anything less than current standards will likely result in additional operating costs which transit agencies are ill-prepared to absorb given current financial conditions, including State funding cuts.
- c. The reliability trigger should be based on a statewide average of current fleet miles between road calls as reported to the National Transit Database. This will ensure that ZEB reliability is compared appropriately, namely to existing fleets of revenue vehicles.

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Mr. Tom Cackette
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June 15, 2009

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3. Consideration of Mitigation Measures

If the regulation is indeed delayed, additional mitigation tactics need to be considered. We are pleased that CARB staff has suggested various forms of mitigation, including a phased approach for purchase requirements. We suggest that any mitigation measures recognize and where possible, provide financial assistance for the purchase of high cost ZEB vehicles. This is particularly important now given the difficult financial condition transit operators are in, as well as and the high cost of ZEB vehicles.

4. Transit's Role in Greenhouse Gas Emissions (GHG)

GHG regulations need to recognize public transit's contribution to said reductions, including increased ridership, expanded service and transitioning to cleaner fuel technologies and operations.

Thank you for the opportunity to comment on the revised ZEB regulations and again, we look forward to continuing to work with you. In the meantime, if you have any questions, please contact David Olmeda, Director of Maintenance via email at olmedad@samtrans.com or by phone at 650-508-6252.

I am also available to discuss thus further via e-mail at harveyc@samtrans.com or by phone at 650-508-7720.

With regards,



C. H. (Chuck) Harvey
Chief Operating Officer

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