

Truck Regulations Advisory Committee (TRAC) Minutes

July 15, 2010 Meeting

Member Attendees

Last	First	Company
Leff	Michael	Valley Power Systems
Lujan	Steven	Cascade Sierra Solutions
Miller	Dan	SMART Refrigerated Transport
Moir, Jr.	James	Mid-Pacific Industries, Inc.
Pfeifer	Nick	Granite Construction, Inc.
Phipps	Bob	Bettendorf Trucking
Schrap	Matthew	California Trucking Association
Smith	Andrew	AT Dynamics, Inc.
Young	Chris	Cummins Cal Pacific, LLC

Discussion Items

- TRAC Subcommittee Reports
- Regulation Update
- Financial Incentives Update
- ARB Enforcement Update
- Priorities and Action Items/Open Comment Period

TRAC Subcommittee Reports

- Agriculture subcommittee members discussed a summary of preliminary number of vehicles reported. There are 4,000 agricultural fleets currently in the database with over 16,000 vehicles reported. ARB informed the subcommittee of the time and the process of how ARB will inform fleets on their reported data. The subcommittee reviewed a draft advisory on cab-over tractors as unique vehicles, draft regulatory language for tamper proofing hub-o-meters, and discussed defining co-ops and common ownership.
- The Reporting subcommittee members discussed the process of uploading data. The system is working and now contains information on 180,000 trailers that were uploaded. Improvements have been made to the on-line system to allow individual fleets to make corrections. As discussed in the Agriculture subcommittee meeting, described the process of sending letters to agricultural fleets for additional information and corrections. They also discussed updates to the guidance document for reporting.

- At the Greenhouse Gas subcommittee meeting, ARB staff provided updates on outreach, training, workshops, and regulatory changes. They also discussed requirements for low rolling resistance tires and how the regulation addresses retreads. Representatives from U.S. EPA, Smartway, tire manufacturers, aerodynamic equipment, and the Rubber Manufacturers Association provided presentations. ARB staff reported to the group on a meeting with Smartway equipment manufacturers, preliminary guidance to industry. A separate working group was initiated to develop preliminary guidance on retreads as low rolling resistant tires. A meeting will be held in one month to discuss how to deal with retreads.
- Members of the Small Business subcommittee discussed universal definitions of small business for defining the scope of work for the subcommittee. They also discussed transportation business models and how small business plays a part within those models. ARB staff presented ARB's outreach plan and how to reach small businesses. At the next subcommittee meeting, members will discuss financial incentives for small businesses. With upcoming rule changes, some small businesses will have some opportunities to qualify for incentives. Further discussion is needed on how to get that information out to small businesses.
- Members of the Outreach subcommittee discussed the message for funding incentives and what the message should include: total dollar amount and incentive deadlines. Members also discussed future outreach efforts including dealer training, social media, and one stop truck fairs. They also reviewed the new TruckStop website changes and modifications and discussed the upcoming dealer training to be held on July 21 and 22.

Regulation Update

- ARB staff gave an update on regulatory changes to the truck and bus regulation. These included: a one or two-year deferral of requirements for fleets with fewer than 40 trucks; moving back the January 1, 2011 reporting date until April 2011 due to the late consideration of board hearing; and raising the low mileage thresholds. ARB staff also stated that changes to the off-road vehicle regulation and the GHG regulation will also be considered at the same time. ARB staff is working on spreading out the compliance requirements for vehicles subject to these regulations.

Financial Incentives Update

- ARB staff gave an update on financial incentive programs. Recent revisions to the financial incentives programs. Changes to the voucher program include: increased eligibility for fleets with 3 or fewer vehicles by including medium heavy duty trucks and lower mileage requirements; and an increased maximum grant amount up to \$45,000. The proposed changes are currently in 45 day comment period to allow medium heavy

duty into fleet modernization program and open up funding in NOx exempt areas. ARB staff are looking at providing grant funding for retrofitting for NOx exempt areas or agriculture locations for 2001 to 2003 model year trucks and replace 1993 model year and older trucks.

ARB Enforcement Update

- Paul E. Jacobs, Chief—Mobile Source Enforcement, ARB Enforcement Division (ED), presented an overview of ARB's enforcement program activities and statistics. The mission of the ED is to protect the environment and public health through enforcing air pollution laws and provide training and compliance assistance. The goals of ED are to: obtain and maintain compliance (once emissions are in the air you can't get them back); maintain a level playing field; follow specific statutory authority; issue penalties to deter illegal behavior; and publicize those results. Mr. Jacobs stated that all enforcement settlements are required under state law to be posted.
- The 2009 annual report on ARB's enforcement activities is expected to be available in the next month or so. Mr. Jacobs presented those enforcement statistics. There were \$16 million in penalties assessed last year with \$7 million in penalties for diesel regulation violations.
- Monies collected from penalties goes into the Air Pollution Control Fund (APCF) as required under state law. Some of the monies can go back to ARB if appropriated in the Budget Act by the Legislature and signed into law by the Governor. These monies are used for infrastructure primarily. Members suggested legislation or requests to legislators to appropriate funding for outreach on ARB's diesel regulations. This would allow for more education and possibly less violations. Additionally, some monies to California Community College Diesel Technology Programs via the Supplemental Environmental Project (SEP) process.
- In January, staff reported to the Board on the enforcement process. Issues were raised by companies under litigation that ARB does not have a fair and transparent enforcement process. ED has posted all of this information on their website. The Board asked staff to create a courtesy inspection program. Industry's request was to have an effective audit for any ARB fleet program and to provide fleets with as much information as they can to comply and meet requirements. The ARB program divisions will develop and administer these courtesy inspection programs.
- There have been significant violations of the idling regulation and the TRU regulation. Periodic Smoke Inspection Program compliance is still an issue as is compliance with the Solid Waste Collection Vehicle Program. Mr. Jacobs also reviewed the appeal process for violators at the request of the TRAC members and answered many other questions.

Priorities and Action Items/Open Comment Period

- Members agreed that a two-day format worked well so recommended keeping the same schedule for the next meeting. Members suggested for the next meeting more discussion on compliance and the value of conducting better outreach including multilingual outreach efforts. Members also requested a discussion on how much money might be directed to compliance assistance.
- A discussion item on lessons learned will be put on the agenda for the next meeting. The next meeting will be held on October 5 – 6, 2010.
- No public comments were made.