

July 20, 2007

Michael G. Miguel
California Air Resources Board
1001 I. Street, P.O. Box 2815
Sacramento, CA 95812



Dear Mr. Miguel,

The California Trucking Association (CTA) appreciates this opportunity to share its initial concerns regarding the recently released regulatory language for emissions control from in-use, on-road, diesel fueled, heavy duty drayage trucks.

CTA represents over 2,300 member companies who operate in and out of California. The CTA Southern and Northern Intermodal Conferences make up the largest block of intermodal carriers nationwide. CTA member are committed to safe, efficient transport of cargo throughout this great state.

CTA recognizes the air quality issues that all Californians are facing. Our member companies and their employees live and work in and around port complexes all over the state and are currently working to find sustainable solutions that improve air quality while sustaining and growing a strong local economy.

CTA's concerns with the recently released regulatory proposal are primarily focused on the proposed change in the requirements for compliant trucks from retrofitted 1998 trucks to retrofitted 2003 trucks. Specifically:

- CTA is concerned that the increased cost to truck operators to ensure their trucks meet the compliance requirements under the proposed change will greatly exceed the amount of bond money that should be made available to help truckers finance the conversion to the newer trucks.
- Additionally, the newly-proposed restriction that only trucks equipped with 2003 engines must be used in port service will severely reduce the available inventory of compliant trucks for use within the ports and rail yards in California.
- Rendering any truck made before 2003 useless for port service will result in serious financial impacts on the local used truck market, including excessive price increases levied on 2003 and newer trucks.
- The increased cost to truckers to purchase 2003 and newer trucks will result in a decrease in the number of owner-operators who will be available to provide essential drayage services to the ports.
- The requirement that non-legacy trucks must meet the 2003 standard will significantly increase the costs for new owner-operators to enter the port drayage service business, especially in the absence of public funds available to subsidize such purchases. It will also limit the ability of motor carriers doing business in the ports to meet the increased cargo volume demands that are forecast to occur.

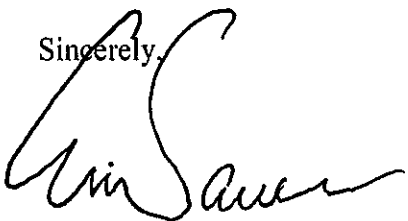
- A reduction in the numbers of existing and new truck drivers due to the cost and truck availability implications of the proposed 2003 standard will have significant financial and logistical impacts on the goods movement system and local economies.
- Separately, CTA is concerned with the absence of regulatory provisions for security firewalls that would protect the personal information of those who would be required to register with the Drayage Truck Registry (DTR).
- In addition, CTA would like CARB to analyze the emission impacts of marine terminal inefficiencies and slow turn times that cause trucks to idle in lines for hours and consider the improvements in air quality that could result from establishing turn time requirements within the proposed regulation.

CTA's concerns are directly related to the absence of any empirical analysis by CARB staff regarding the significant issues raised above. CARB has not provided any information on the potential costs of its regulatory changes including total estimated costs, taking into account the availability of engines/trucks/retrofit devices and disagreements regarding the size of the drayage fleets, the potential impact of the regulation on retail truck prices, the impact of high replacement truck prices on the availability of port drivers, the future impacts of increasing initial costs for truckers entering into the port trucking business and the potential economic consequences of driver shortages.

CTA is committed to working with CARB to find an attainable and sustainable solution to address the emissions from in-use, on-road, diesel-fueled, heavy-duty drayage trucks. CTA would like to work with CARB staff to develop responses to the concerns raised in this letter. CTA staff will contact you to further discuss these concerns and how to best address them.

The CTA is looking forward to continuing its dialogue with CARB on its formulation of the port truck mitigation strategy as well as the private fleet rule. Please feel free to contact me should you have any questions.

Sincerely,



Eric Sauer
Vice President Policy Development
California Trucking Association

cc: Tom Cackette
Michael Tollstrup
Michael Scheible
Robert P. Ogelsby
Erik White
Tony Brasil