



August 30, 2010

The Honorable Arnold Schwarzenegger
Attn: Legislative Affairs; Request for Signature
State Capitol Building, 1st Floor
Sacramento, CA. 95814

Dear Governor Schwarzenegger:

The 17 member associations of the Californians for Enforcement Reform and Transparency¹ (CERT) strongly urge you to sign SB 1402 – a good government bill that passed the Senate and Assembly with *unanimous bi-partisan* support. SB 1402 requires CARB to:

- provide a clear explanation of how penalties are assessed on a per-unit basis,
- develop a written, consistent penalty policy that ensures the largest penalties are imposed on serious violations that adversely impact air quality, and
- report those penalties to the Legislature annually.

The reforms in SB 1402 will strengthen CARB's credibility and effectiveness in focusing on the worst air quality violations. These reforms will result in greater transparency, and consistency in CARB's assessment of penalties and in its efficient allocation of enforcement resources.

The current perception that CARB imposes arbitrary and inconsistent penalties results in protracted enforcement disputes and litigation. This bill will help CARB and private businesses in California more efficiently achieve fair and consistent settlements. This legislation will help restore greater public trust through a more transparent enforcement program, which will ultimately help this state retain and create jobs in California.

We strongly urge you to sign SB 1402 to achieve our mutual goals.

Sincerely,

John D. Dunlap, III
William M. Guerry, Jr.
On behalf of the CERT Coalition

¹ Members of CERT are: American Home Furnishing Alliance; California Chapter of the American Fence Contractors Association; California Dump Truck Owner Association; California Motorcycle Dealers Association; California Moving and Storage Association; California Retailers Association; Construction Industry Air Quality Coalition; Engineering Contractors Association; Flasher/Barricade Association; Independent Waste Oil Collectors and Transporters; Marine Builders Association; Moving and Storage Association; National Marine Manufacturers Association; Outdoor Power Equipment Institute; Sand Car Manufacturers Association; Southern California Contractors Association; California Manufacturers and Technology Association