

MR. BIASOTTI: Hi. I'm Ray Biasotti,

6 owner/operator of a small business called T&D Transport
7 Diesel Smoke Testing. I'm here representing the little
8 guy. Actually, about 210 of them. I have over 200
9 clients. And my area of concern with this group is the
10 periodic smoke inspection program. It is involved. It's
11 all to do with the trucking industry. I have had a lot of
12 dealings with the California Trucking Association and some
13 of the other people have already spoken today. I just
14 wanted to make a couple of comments and a couple of
15 recommendations.

16 First, a couple of comments. And that is some
17 good news. A speaker before me alluded to how important
18 it was to stress the positive and maybe you to broadcast
19 how successful the program is in concrete numbers.

20 I can testify here today that in the -- I've done
21 almost 11,000 smoke tests in my ten years of business.
22 That's a lot of smoke tests. And when I first started the
23 business in 1999, about one in ten to 12 vehicles failed
24 the periodic smoke inspection program. That's a fairly
25 high failure rate. Luckily, the system is so -- I don't

1 want to say forgiving -- but so lenient it lets people
2 correct these things and get them corrected and have
3 re-tests within 45 days. And people get them fixed, and I
4 go back and test them and they're fine.

5 In the last year, I did a computer little
6 statistical report a couple days ago. I only fail about
7 one in 50 to 75 vehicles. That's a significant
8 improvement in ten years. Mostly due to the fact that a
9 lot of the old equipment is off the road. Newer equipment
10 has high tech systems on it that don't let the trucks
11 smoke. Plus, the fear of God is out there to some extent.
12 But that's my main concern is the outreach that a lot of
13 other people have talked about.

14 Betty from the California Dump Truck Drivers
15 Association mentioned the whole thing about being either
16 tied to something like the DMV registration or something
17 that incentivizes the fleet owners to get it done.

18 I still get the comment in some of the cold calls
19 I make weekly, "Why should I do that? Nobody ever told me
20 I had to do it." Nobody is going out looking to want to
21 do something that they think they can get away with not
22 doing.

23 And I think a greater outreach program in the way
24 of mail communication, whatever -- like somebody said, we
25 get that little thing about the drunk driving statistics

1 on your renewing your vehicle license, something that just
2 goes to fleet owners of two or more trucks, which is what
3 the law requires to be smoke tested, would be a huge
4 increase in compliance.

5 In my area of coverage, which is the greater bay
6 area and a lot of northern California, my somewhat
7 educated guess is that there is about 60 percent
8 compliance. That's 40 percent that's not compliant, and
9 that translates to tens of thousands of trucks that are
10 out there that have never been tested.

11 And my average client size is between five and 15
12 vehicles. So they're pretty small. I have big customers
13 that have 100-plus trucks. I do some really big companies
14 that I have to have millions of dollars worth of insurance
15 to do on everything, and they almost are 100 percent
16 passing all the time.

17 But there are a lot out there who claim they
18 don't know anything about it, and I'm just saying it's an
19 information thing. Increase compliance by a whole bunch.

20 Another thing that might be thought about. The
21 fleet owners here I'm sure are familiar with the biannual
22 inspection terminals, the BITS program. Right now, most
23 CHP BITS inspectors claim they don't know -- and I've
24 gotten this from customers -- too much about the smoke
25 program, the regulations that are involved in the PSIP, so

1 they go in and do their BITS inspection on safety items.
2 But when a few of clients have said what about my smoke
3 test that I paid money to have done, that's not our
4 concern; that's Air Resources Board. It seems like it
5 would be fairly simple to tie that in. I know it's two
6 different bureaucracies and somewhat complicated, but it
7 wouldn't be that hard for them to do.

8 Let me see if I had just a couple other thing --
9 oh, there are a couple other things that might help, too.
10 And that's to close a couple loopholes that have existed
11 for over ten years now. That was originally in the law
12 that owner/operators of one vehicle do not have -- they're
13 exempt from the PSIP program. They're still subject to
14 the random testing at scales and things like that or
15 visits from ARB.

16 And the other thing is that there's somebody else
17 that's exempt -- oh, privately owned diesel vehicles.

18 Somebody mentioned all diesel trucks should be smoke
19 tested. I totally agree with that. But there's lots and
20 lots of diesel vehicles, motorhomes, pickup trucks that
21 you can go out on this street and see guys go by with
22 those pumped up diesel trucks -- they only have one, but
23 they love it being this high off the ground and pours out
24 of a ton of smoke and they take off and it makes a lot of
25 noise; they don't have to get their truck tested. They

1 don't have to do a smog test. That's a loophole. That
2 and the owner/operator that I think might help you get a
3 higher compliance ratio.

4 Oh, I had one specific question: Recordkeeping.
5 Most of my clients I tell to keep their records for five
6 years. But when I went to get recertified at the C-DEX
7 school just recently, they mentioned two years. And I'm
8 not sure. I guess, Paul, it is two years legally they
9 have to keep it or --

10 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:
11 That is correct. Title 13, Section 2190.

12 MR. BIASOTTI: Thank you so much for letting me
13 speak.