

MR. DAVIS: Hi. My name is Bill Davis. I'm with
13 the Southern California Contractors Association. And I'm
14 also a member of the Construction Industry Air Quality
15 Coalition of the Off-Road Implementation Advisory Group
16 for the ARB and support the CERT program activities that
17 have brought this workshop together. And I have to tell
18 you, I've been to dozens of workshops, and this is the
19 most formal one I've ever attended.

20 Paul Jacobs has been an invited speaker at our
21 association at our meeting in February. I promised him
22 the Pope mobile, but I was ill with the flu and wasn't
23 able to drive it over to the meeting. But Paul told me
24 that our guys were -- they weren't nearly as tough as some
25 of the other groups he's talked to, particularly truckers.

1 Are you guys bad?

2 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS: I
3 think I said the opposite.

4 MR. DAVIS: That's not what you told me the first
5 time.

6 The other thing that I really came up to talk
7 about on the enforcement level -- and it's something that
8 I brought up on numerous occasions. I have appeared
9 before the Air Resources Board on more than a dozen times
10 now and many of those times during the off-road
11 implementation effort -- was the necessity for a new
12 enforcement approach on particularly off-road and on-road
13 rules, because they are so big compared to all the other
14 activities that you guys have engaged in in the past. And
15 the necessity is to develop an early, fast-acting, and
16 effective Enforcement Program that works in all other
17 kinds of enforcement activities. That's fix-it tickets.
18 It's an approach, Paul, that you might appreciate, because
19 you don't have to be so courteous as a courtesy inspection
20 might have it. There could be some minor cost attached to
21 a fix-it ticket.

22 But the main benefit of it would be an
23 opportunity for you guys to achieve the goals of your
24 regulations and to do something that the Air Resources
25 Board historically has not done a very good job on, and

1 that's outreach.

2 Now, I know that in the case of the off-road rule
3 they have really tried and they are continuing to try to
4 reach out to the construction industry. But there are
5 316,000 contractors' licenses in the state of California,
6 and only 5200 firms have signed up under the DOORS program
7 so far. ARB estimated 180,000 pieces of construction
8 equipment in the state. Industry thought they were a
9 little light. And roughly 130,000 of those have been
10 signed up in the off-road program. Tells us that, once
11 again, there is an outreach problem. And a real good
12 solution for that is a fix-it ticket.

13 When you guys start hitting the streets and
14 banging on people's door or going to their job sites and
15 you find them out of compliance for some reason, one of
16 the reasons is going to be they didn't know. Now I know
17 that's not supposed to be an excuse, but a fix-it ticket
18 gives you an opportunity to inform them of their
19 responsibilities and requirements; at the same time, gives
20 them an opportunity to come into compliance a lot
21 quicker.

22 And another part of the problem, of course, is
23 our industry, at least the construction industry, is under
24 six different regulations right now. We've got the
25 off-road rule. We've got the on-road rule. We've got the

1 LSI rule. We have the cargo rule. We have the stationary
2 rule, because if you leave a piece of construction
3 equipment on a job site for a year, it's stationary. And
4 we know we're going to get under the greenhouse gas
5 regulations.

6 These regulations are more than just things
7 written in the dusty code of California law. These
8 regulations cost some real money. A Cal State Sacramento
9 study pegged the cost of regulatory compliance in state of
10 California -- the study was released just a month ago --
11 at \$493 billion a year. And that does not include the
12 off-road rule, the on-road rule, or the greenhouse gas
13 rules. That was based on 2007 numbers.

14 So we hope that through use of a fix-it ticket
15 approach you can effectively enforce the regulations,
16 level the playing field -- and those are certainly things
17 that we all have been asking for -- and give our people in
18 our industry who are really, really hammered right now --
19 the industry is down roughly 50 percent of where it was in
20 2005 when we started this process of developing these
21 rules -- give them an opportunity to come into compliance.

22 Any questions?

23 Thank you.