

MR. EDGAR: Sean Edgar on behalf of the Clean

9 Fleets Coalition, and I'll offer a few brief remarks.

10 I feel like a old-timer with my friend Chuck
11 White over there, and he and I are sharing a few gray
12 locks now-a-days.

13 I had the good fortunate to be on one of the
14 first private carrier fleet rules, the solid waste
15 collector vehicle rule that was passed by the Board in
16 2003, so the flavor of my comments will be more from an
17 implementation standpoint.

18 And really if I have punch line, it's we have
19 tens of thousands of rules. We're in that range of rules
20 that are currently under fleet rules. If the process is
21 lacking on tens of thousands of vehicles, we're going to
22 add on over a million vehicles, we want to make sure that
23 we get it right. And so I'll offer a few constructive
24 comments along the way.

25 The multiple associations that I work for -- have

1 had the privilege of working for the CRRC, the State Trash
2 Haulers Association for a lot of years, and now I do a lot
3 of work with the dump truckers and Moving and Storage
4 Association and a lot of those vocational truck segments
5 that are heading into new fleet rules.

6 And along the way, a lot of the green companies
7 that have a lot of good heart intentions have
8 unfortunately through a combination of factors not met all
9 of the ARB's requirements. So some of those companies
10 have taken lumps along the way and learned in the process
11 doing that.

12 But one of the big items that I've noted and one
13 of the larger roles that I've had over the last several
14 years now is really getting quality information out to the
15 regulated community as to what the requirements are. And
16 so the Board had an item about three or four months ago
17 relating to beyond the press releases. What we hear is we
18 get a press release, "ARB passes new landmark rule," and
19 then a few years later, unless we do a good job, we get
20 another press release that industry segment X, company XYZ
21 didn't unfortunately fully implement the rules.

22 So beyond the press release, I think the number
23 one item that I'll address -- I have a few process
24 recommendations and a few content recommendations -- but I
25 guess my overarching comment when I go out and speak to

1 groups that are this size or larger -- and find myself in
2 front of one of those groups probably every few weeks -- I
3 get to go to exotic locations like Bakersfield as an
4 example where I recently spoke to 35 small companies down
5 there from the oil field operations, small trucking
6 companies, some ag-related businesses. And I asked them
7 well, gee, how many of you do you hear this about from the
8 California Trucking Association or from Farm Bureau
9 Federation? And guess what? Not a one out of 35
10 companies belong to a statewide trade association.

11 My takeaway from that is trade associations have
12 a role. Those of us that work for trade associations I
13 think do a good job about trying to get out information
14 about ARB's rule. But I think if I had to have a single
15 weakest link in the current program, folks hear a lot
16 about it, but they hear that there is a plan for -- as an
17 example, diesel engines, but they may not get all the
18 components, as Mr. Pfeifer was pointing out.

19 You got multiple -- even large companies, you
20 have multiple rules, four, five, six. Some companies, you
21 know, that level of rules and the information that's out
22 there is just not adequate to help them. I know ARB has a
23 website and the 866-DIESEL. I'll credit the Board on
24 setting that up, and I think that's had some merit to it,
25 although my recent experience where I e-mailed over a

1 question for one of my clients and was informed within a
2 day or two by staff that, well, my question wasn't really
3 legitimate because the clients has to ask their own
4 question, or it was some process-related tripwire that
5 didn't have anything to do with getting the information
6 that was needed.

7 So as I move into process recommendations, I'll
8 recommend that -- first thing is the 866 information,
9 helpful. But I think anybody who asks a legitimate
10 question should be treated the same and get quality
11 information, regardless of whether it's an engineer for
12 the city or the consultant for the city or whether it's a
13 stakeholder as those who e-mail questions in from Oakland
14 today. Everybody should be treated with the same type of
15 information. Staff should be freely giving that out and
16 references to the rule and here's the link to find it,
17 because I think that that will be another way to dispel or
18 make -- I should say -- ARB information services relevant
19 as possible.

20 Second, on a process level, I've noticed that
21 when I go out and people ask a lot of questions of me
22 about enforcement. As often as I go out talking to folks
23 about enforcement, because I've had over the last six
24 years aggressively implementing fleet rules, I often tell
25 them, who's going to enforce? Is it the air district? Is

1 it the air - I said, well -- my punch line usually is I
2 tell them I don't know if it's the ARB or the CHP or the
3 KGB or whoever else is going to go out and enforce rules.
4 The point is you want to do your best to step up to meet
5 the rule requirements.

6 And I bring that up, because going back to the
7 process of once getting good information and outreach is
8 key. And I talk about what the Board can do better. And
9 I think associations do a fairly good job of -- once
10 again, not a lot of people belong to the associations.

11 But one thing I notice in the way of just
12 mechanically trying to get a fleet out of a mode where
13 they're in citation mode, citations are extremely
14 difficult to clear. And part of that is a paperwork
15 thing. So staff will ask for a variety of paperwork
16 items.

17 But it seems like there is -- oftentimes it's
18 difficult to satisfy, and I think it burns Board staff
19 resources and it burns industry resources. And what would
20 be really helpful would be a check list of minimum
21 requirements that need to be set into clear citation,
22 because that's not something that's apparent. I think it
23 depends on who you talk to.

24 Board staff and along the lines of moving into a
25 couple content recommendations I have, there are

1 oftentimes things that are put out as Board policy and
2 there are preferences and not necessarily consistent with
3 the statute. One of that is the C-DAG requirement for
4 step idle. So there's been some conversation recently
5 about what is a matter of the statute and what's a matter
6 of Board preference. I think we need to do a better job
7 of distinguishing exactly which is which.

8 So getting back to clear citations, I know that
9 Board staff has a preference. I think the stakeholders
10 should have a laundry list/checklist when you want to
11 clear a citation, here's two, three, five, things you
12 need.

13 At the statewide truck and bus hearing in this
14 auditorium at the end of last year, one of things that
15 I'll reference Mr. Pfeifer again on the issue of the
16 compliance audit if you will or compliance information
17 comprehensive or courtesy -- I think it was called
18 courtesy inspection. So I haven't yet seen a description
19 of that. And I know Board members directed staff to come
20 out with that, and so I would be very interested to
21 participate and help form that, because I think -- I don't
22 know if fix-it ticket. Mr. Davis was here talking about
23 fix-it ticket. I don't know what Mr. Pfeifer's intent
24 was. But there's definitely a need out there before a
25 business I think that has an intent to want to do good

1 things gets really far down the road on multiple
2 violations with multiple rules, I think there needs to be
3 some sort of mechanism for those folks to have courtesy
4 inspection as I think your Board intended.

5 And I'll just wrap up my content-related
6 discussion by saying on compliance tools -- just going
7 into kind of content where I think things could be
8 improved -- under existing rules, we have a variety of,
9 I'll say, stylistic or Board staff preferences once again
10 just like a checklist for items to clear citation.

11 One other item I noticed is that staff on a
12 regular basis changes what's the preferred format of
13 records under any of the existing fleet rules. And I
14 bring that to your attention because oftentimes the
15 compliance spreadsheet templates that are provided on the
16 web are either out of date or they require a magic
17 password. They're protected somehow because staff sets
18 them up to roll information from one sheet to the other.
19 And it's not just an easy thing to be able to calculate or
20 put records in and make calculations for compliance
21 estimates. It's oftentimes a more difficult task.

22 So from a content standpoint, the Board staff do
23 a job to rectify and make sure templates are current and
24 make sure templates are more accessible and available.

25 So with that, I realize there are probably a few

1 items that we can collaborate on and possibly a little bit
2 more apart from this format, more in the legislative
3 format -- so as an example, snap idle. I don't know why
4 snap idle wouldn't apply to every truck in the state. And
5 I don't know why snap idle wouldn't be a thing.

6 I had the wonderful experience recently. My car
7 tags -- I didn't get a renewal from the DMV. So I got
8 a -- I managed to solicit a second renewal notice and I
9 got that and paid the tags. I paid the penalty and sucked
10 it up. And then I just got the tags couple weeks late.

11 But what I noticed is that the DMV, their process
12 and now links with ARB's process is unfortunately a little
13 bit broken. So as an example, we've got a provision now
14 that allows -- with some good reasons and had some
15 industry support for DMV to have registration hold
16 authority over outstanding ARB violations, and that's
17 okay. But for the process to lift that is not really
18 apparent with ARB. So despite the number of people that I
19 would try to contact either independent of ARB or with ARB
20 staff to try to get the DMV to clear out citation, allow
21 somebody to renew registration, that's not working right
22 now. So that's something that we probably would want to
23 fix.

24 And then relative to -- I'll just close out on a
25 local playing field saying some of the items like I

1 mentioned possibility of -- I think it would require a
2 change of statute. But every truck every year I don't
3 know any reason why owner/operators would be exempted from
4 a snap idle requirement. So that's something I think you
5 would find support from industry just as across the board
6 everybody having to do it.

7 And, of course, the outreach we talked about, but
8 really there's got to be a better way. And what triggered
9 my DMV renewal story is I've been seeing that nice message
10 in there for the last 25 years why the DUI level keeps
11 dropping and how many drinks can your body weight hold and
12 all that stuff.

13 One thing I've never noticed is I don't know why
14 it would be too difficult if contractors in the state of
15 California at the beginning of the process -- like 279,000
16 contractors got a note about three, four years ago that
17 there was going to be off-road rule, but I don't know that
18 same inventory -- Mr. Davis had some numbers about
19 hundreds of thousands of contractors. I don't know in the
20 same context of Contractors State Licensing Board why they
21 couldn't be required as part of their renewal to send out
22 now current information that there is a rule done and here
23 are all the references. I don't know that they're doing
24 that.

25 Same way with DMV. I don't know why any diesel

1 truck that's registered in the state of California
2 wouldn't get a whole laundry list of things included in
3 their little -- and I don't know that it's a huge cost
4 item to do that. If they managed to put the DUI thing in
5 there for the last 25 years, I think they can figure out
6 how to put the biggest emissions rules ever known to
7 mankind I think we could probably slip some of that
8 information in an envelope in one or two or more
9 languages.

10 And I guess, lastly, over the last six years of
11 trying to implement one of the absolute -- and
12 representing industry, we've come in and want
13 accommodations. And Board staff oftentimes takes some of
14 our accommodations and other times may not. And
15 ultimately the Board members debate it out. But really
16 the time and resources to comply is going to be the
17 biggest single missing link if we're going to have success
18 on this million truck program.

19 So I challenge everybody there's got to be some
20 way beyond just kind of a command and control where we're
21 going. And I appreciate the dialogue today and staff
22 being attentive and listening to our gripes. But there's
23 got to be really a way to get resources to the end users.
24 The fleet owners are expected to pull off this extremely
25 aggressive time line the Board has set out. Because if

1 you look at the dates, port drayage truck rules, truck and
2 bus rule, off-road equipment rule all really getting
3 launched in the next six to twelve months and they're
4 going through 2020 and 2023. So just huge level of
5 effort.

6 So I hope my comments -- having the experience of
7 dealing of several tens of thousands of trucks want to
8 continue to try to see what we can do to get as much done
9 on getting this out there and certainly appreciate staff
10 time. And I'll be around and participate in the process
11 and answer any question you may have. Thank you.

12 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:
13 Just briefly, Mr. Edgar, and all of you that have spoken
14 today and all of those on the webcast, we are offering to
15 have one-on-one meetings with industry groups. And you've
16 raised some good issues here. And we would welcome all of
17 you to ask for those meetings.

18 And just a quick point of information on the DMV
19 contacts, we have for many years published in the DMV
20 commercial drivers handbook and commercial owners handbook
21 a section on ARB regulations and how to comply and the
22 contact information. So that level of outreach is
23 happening. But we encourage you to come in and meet with
24 us and we could explore these other ideas. Thank you