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JOINT LEGISLATIVE AUDIT

Ms. Liane Randolph
Chair, California Air Resources Board
1001 I Street, St. 2828
Sacramento, California 95814

Dear Chair Randolph,

We write to urge the California Air Resources Board (CARB) to adopt amendments to the Advanced Clean Trucks (ACT) and Heavy-Duty Engine and Vehicle Omnibus Regulation (Omnibus) regulations that will ensure that new chassis remain available to the small businesses that assemble and sell tow and recovery vehicles in California. The continued assembly and sale of new modern tow and recovery vehicles in California ensures the deployment of the lowest emission engines available and maintains the jobs and infrastructure that will be necessary to deploy zero-emission technologies when developed for these purposes.

Without appropriate actions by CARB, the small businesses in California and their employees will soon suffer layoffs and potential closures. In addition to the impact to families and economic activity, without access to new vehicles, tow and recovery companies will be forced to purchase higher emission, used vehicles from out-of-state, undermining the State's air quality goals. Further, tow and recovery vehicles are part of the essential roadway safety network clearing over 1,200 road accidents and 2,400 mechanical breakdowns daily.

Tow and recovery vehicles are often the first to arrive at breakdowns and accidents on freeways in urban cores and heavy commute areas in the sixteen major areas where the Freeway Service Patrol (FPS) operates. This state and local funded program provides free roadside services (over 678,000 times in FY 2020-2021) to stranded motorists and to support first responders. The quick removal of accidents or disabled vehicles substantially decreases the likelihood of secondary accidents and improves traffic flow, reducing traffic emissions and reducing the time motorists spend in traffic. These benefits are documented by the University of California, Institute of Transportation Studies at UC Berkley (UCITS).

Even with reduced vehicle numbers during the COVID-19 pandemic, in the FY 2020-2021 review, UCITS documented substantial benefits to motorists, pollution reduction and the State of California. UCITS indicated that the FPS resulted in fuel savings to consumers of over 16.5 million gallons, reduced time on roadways by over 9.6 million hours, reduced carbon dioxide creation by over 145.7 million kilograms and resulted in 1,153.6 kilograms less of nitrogen oxides.

The Legislature has prioritized the health and wellbeing of Californians by directing your agency to take prudent action to reduce airborne toxics within our state. However, the Legislature has done so with the further direction that implementation programs be 'practicable' (HSC §39650(k)) as well as 'cost effective, and technologically feasible' (HSC §43013(a)). The current regulatory framework is not advancing these goals as it pertains to the tow and recovery industry.

Appropriately, CARB has maintained an exemption for government owned tow and recovery vehicles from these and other regulations to ensure access to specialized classes of vehicles for roadway safety and emergency response. Regardless of if those vehicles and drivers are assisting a stranded motorist on a freeway or clearing big rigs from a snow-covered mountain pass, both government and private tow and recovery vehicles provide an essential service and have documented benefits to reducing emissions, increasing safety, and saving motorists money and time. Governor Newsom deemed towing and recovery truck workers part of California's "Essential Critical Infrastructure Workforce" during the COVID-19 pandemic in recognition of these same benefits and importance to the State.

Additionally, pre-2024 legacy diesel engines sold new in California pay a \$9,000+ mitigation fee to offset impacts of emissions on environmental justice communities. The funding from the tow and recovery industry, at just 1% of total truck sales, could exceed \$10 million per year to continue to fund these projects. However, with the current regulations forcing used trucks to be brought into California, emissions are increased without the benefits of the mitigation fee to support our environmental justice communities. So not only do the current rules disadvantage California based jobs and companies, but the rules also rob our most vulnerable communities of important funding to address ongoing health effects.

Therefore, we encourage the CARB Board to amend the ACT and Omnibus regulations to ensure that the rules do not limit the availability of chassis thereby ensuring that new tow and recovery vehicles can continue to be assembled and sold in California. The changes should protect our small businesses and their employees in addition to ensuring roadway safety, associated emissions reductions, financial savings to motorists and support continued funding for our most vulnerable communities.

Sincerely,



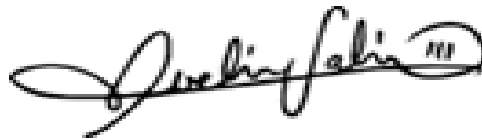
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