



PORT TRUCK RULE UPDATE

December 10, 2009

As you may know, there was a decision by the California Air Resources Board (CARB) Wednesday, December 9, 2009, regarding its Statewide Bus and Truck Regulation. This is not to be confused with the new CARB regulations regarding port drayage trucks ("CARB's Port Truck Rule"). No changes have yet been proposed for CARB's Port Truck Rule, and the January 1, 2010 deadline remains in effect.

To clarify, yesterday the California Air Resources Board (CARB) decided to review its Statewide Bus and Truck Regulation in April 2010. This regulation requires heavy-duty truck owners to install diesel exhaust filters on their vehicles by Jan. 1, 2011 with almost the entire fleet of trucks within California upgraded by 2014. This regulation should not be confused with CARB's Port Truck Rule which was adopted in 2007 and applies to heavy-duty trucks serving the ports and rail facilities.

SUMMARY OF CARB'S PORT TRUCK RULE

CARB's Port Truck Rule provides that on January 1, 2010:

- a) Trucks with pre-1994 engines are prohibited from accessing ports and rail facilities.
- b) Trucks with 1994-2003 engines without an installed CARB-verified retrofit device will be prohibited from accessing port maritime and rail facilities.

WHAT THIS MEANS TO PORT DRAYAGE TRUCK OPERATORS

The CARB Board ONLY discussed updating provisions on the Statewide Truck and Bus Rule. Again, **no changes have yet been proposed for the Port Truck Rule. Therefore, the January 1, 2010 date for CARB's Port Truck Rule remains in effect.**

In October 2009, the Oakland Board of Port Commissioners adopted an ordinance establishing rules regarding drayage trucks which are consistent with CARB's Port Truck Rule and associated deadlines. Effective January 1, 2010, the Port ordinance requires Seaport Facility operators to only permit access to their facilities to drayage trucks that are either (i) compliant with CARB's Port Truck Rule, (ii) have been exempted, or issued a waiver or extension for compliance by CARB, or (iii) have obtained a Port Temporary Non-Compliance Pass.

We all understand that maritime activities at the Port of Oakland are vital for Oakland and the region in terms of the economy and jobs, but air pollution is also created by some of those same activities. We appreciate your continuing commitment to reduce diesel pollution and working together to clean up the air for a healthier community. Thank you for your partnership in this vital goal to build a sustainable business model that will ensure our Port remains a viable, competitive driver of the Northern California economy.

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