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**Regulatory Changes for In-Use Off-Road Vehicles, On-Road Heavy-Duty Diesel Vehicles (In-Use)
Regulation, LSI Fleet Requirements Regulation**

December 17, 2010

The American Rental Association (ARA) supports the proposed modifications to the Off-Road and On-Road Rules. We do not support the version of the LSI Rule proposed in the last round of workshops.

We were pleased that ARB recognized that there were errors in the emissions inventory that formed the basis for these rules. The rules must be based on the most accurate inventory possible so they protect the public health while minimizing the cost to business. Staff made a credible effort to correct the inventory. ARA has offered a separate written comment that details additional work that would increase the rigor of the inventory and the confidence that we have in its validity.

Since the original regulation was approved, our members, who operate some of the cleanest fleets in California, suffered due to the economic turndown. Because of the steep decline in construction activity, rental fleet turnover decreased and fleets aged. The changes to the Off-Road Rule will allow our members to continue to operate while repopulating their fleets with newer equipment in a slowly recovering economic environment.

The original On-Road Heavy Duty Rule was always problematic for rental companies. Approximately 60% of our fleet is rental trucks 26,000 GVWR and under. We estimate that the proposed rule exempts more than 95% of our light medium heavy duty trucks through 2020. We believe that our members will be able to modernize their over 26,000 pound service fleets because of the relief offered for the 26,000 and under GVWR fleet.

We have worked with staff to make the LSI Rule workable for rental companies. All of our members use forklift equipment to service their yards. Depending on the business model, these may be dedicated units or off rent units. We believe that the number of affected forklifts held by ARA members is approximately 240; the average use may be less than 200 hours of forklift time per yard per year. Because of the potential enforcement issues with the LSI rule, some of our members are carrying out yard service with diesel equipment. We think that this is not consistent with the Diesel Risk Reduction Plan objectives. We ask the ARB to table the LSI proposal so staff can work with rental companies to achieve a better approach.

Respectfully submitted,

A handwritten signature in black ink that reads 'John W. McClelland'.

John W. McClelland

A handwritten signature in black ink that reads 'Michael S. Graboski'.

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