

EXECUTIVE OFFICER HEARING
STATE OF CALIFORNIA
AIR RESOURCES BOARD

ZOOM PLATFORM

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
COASTAL HEARING ROOM
1001 I STREET
SACRAMENTO, CALIFORNIA

FRIDAY, OCTOBER 20, 2023
10:01 A.M.

JAMES F. PETERS, CSR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

APPEARANCES

STAFF:

Steve Cliff, PhD, Executive Officer

Sydney Vergis, PhD, Deputy Executive Officer, Mobile Sources and Incentives

Paul Adnani, Manager, On-Road Heavy-Duty Diesel Section, Mobile Source Control Division (MSCD)

Analisa Bevan, Assistant Division Chief, MSCD

Daniel Hawelti, Staff Air Pollution Specialist, On-Road Heavy-Duty Diesel Section, MSCD

Kim Heroy-Rogalski, Branch Chief, Mobile Source Regulatory Development Branch, MSCD

David Hults, Assistant Chief Counsel, Legal Office

Wei Li, Air Resources Engineer, Advanced Emission Control Strategies, MSCD

Mitzi Magtoto, Staff Air Pollution Specialist, On-Road Heavy Duty Diesel Section, MSCD

Alex Wang, Senior Attorney, Legal Office

ALSO PRESENT:

Christopher Angulo, TEMSA North America

Artie

Anthony Bento, California New Car Dealers Association

Kevin Brown, MECA Clean Mobility

Brandon Buchanan, American Bus Association

Terry Fischer

Greg Gallup, Royal Coach Tours

Gage Kelly, ABC Companies

APPEARANCES CONTINUED

ALSO PRESENT:

Juan Lepe, Motor Coach Industries

Bill Magavern, Coalition for Clean Air

Brent Maitland, MCI

Jed Mandel, Truck and Engine Manufacturers Association

Kim Mesfin, Affinity Truck Center

Hugues Morneau, Prevost

James Nixon, Nixon Egli Equipment Company

Thom Peebles, ABC Companies

Ashley Porter, TEC Equipment

Alissa Recker, Daimler Truck North America

Chris Riddington, Classic Charter Bus Company

Dan Rodriguez, Coach USA, Mega Bus

Suzanne Rohde, American Bus Association

Chris Shimoda, California Trucking Association

Manjeet Singh

Andrew Soper

Mike Tunnell, American Trucking Association

Adam VanderBee, TEC Equipment

Michael Vlaming, Crane Owners Association, Mobile Crane Operators Group

Frank Wheeler, Municipal Maintenance Equipment

James Wheeler, Municipal Maintenance Equipment

Charles Williams, American Stage Tours

Mark Woods, Wildwood Express Trucking

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PROCEEDINGS

1 EXECUTIVE OFFICER CLIFF: Okay. Good morning.
2
3 The October 20, 2023, Executive Officer hearing will come
4 to order. I'll begin with a few housekeeping items.

5 We're conducting today's meeting in person as
6 well as offering remote options for public participation,
7 both by phone and in Zoom. Anyone who wishes to testify
8 in person should fill out a request-to-speak card
9 available in the foyer outside the hearing room. Please
10 turn it in to a CARB assistant as soon as possible prior
11 to the beginning of the public comment period.

12 If you are participating remotely, you will raise
13 your hand in Zoom or dial Star 9 if calling in by phone.
14 The clerk will provide further details regarding how
15 public participation will work in a moment.

16 For safety reason please note the emergency exit
17 to the rear of the room through the foyer. In the event
18 of a fire alarm we are required to evacuate this room
19 immediately and go down the stairs to the lobby and out of
20 the building. When the all-clear signal is given, we will
21 return here and resume the hearing.

22 A closed captioning feature is available for
23 those of you joining us in the Zoom environment. In order
24 to turn on subtitles, please look for a button labeled CC
25 at the bottom of the Zoom window as shown in the example

1 on the screen now.

2 I would like to take this opportunity to remind
3 everyone to speak clearly and from a quiet location
4 whether you're joining us in Zoom or calling in by phone.

5 I will now ask the clerk to provide more details
6 regarding public participation.

7 BOARD CLERK GARCIA: Thank you.

8 Good morning, everyone. I will be providing
9 additional information on how public participation will be
10 organized for today's hearing. We will first be calling
11 on any in-person commenters who have turned in a
12 request-to-speak card and then we will be calling on
13 commenters who are joining us remotely.

14 If you are joining us remotely, and wish to make
15 a verbal comment on today's hearing, you must be using
16 Zoom or webinar or calling in by telephone. If you are
17 currently watching the webcast on CAL-SPAN, but you wish
18 to comment remotely, please register for the Zoom webinar
19 or call in. Information for both can be found on the
20 public agenda for today's hearing.

21 To make a verbal comment, we will be using the
22 "raised hand" feature in Zoom. Please virtually raise
23 your hand as soon as the item has begun to let us know you
24 wish to speak. To do this, if you are using a computer or
25 tablet, there is a "raised hand" button. And if you are

1 calling in on the telephone, dial Star 9 to raise your
2 hand.

3 Even if you previously indicated which item you
4 wish to speak on when you registered, you must raise your
5 hand at the beginning of the item so that you can added be
6 added to the queue.

7 When the comment period starts, the order of
8 commenters will be determined by who raises their hand
9 first. We will call each commenter by name and will
10 activate each commenter's audio when it is their turn to
11 speak.

12 For those calling in we will identify you by the
13 last three digits of your phone number. We not show a
14 list of remote commenters. However, we will be announcing
15 the next three or so commenters in the queue so you are
16 ready to testify and know who is coming up next.

17 Please note you will not appear by video during
18 your testimony.

19 I would also like to remind everyone to please
20 state your name for the record before you speak. This is
21 especially important for those calling in by phone to
22 testify.

23 We will have a time limit for each commenter and
24 will begin the comment period with a two-minute time
25 limit. During public testimony, you will see a timer on

1 the screen, and for those calling in by phone we will run
2 the timer and let you know when you have 30 seconds left
3 and then when your time is up.

4 If you wish to submit written comments today,
5 please visits CARB's Send-us-your-comments page or look at
6 the public agenda on our webpage for links to send these
7 documents electronically. Written comments will be
8 accepted on the item until the executive officer closes
9 the record for that item. And if you experience any
10 technical difficulties, please call (805) 772-2715 so that
11 an IT person can assist.

12 Thank you. I'll turn the microphone back to
13 Dr. Cliff.

14 EXECUTIVE OFFICER CLIFF: Thank you.

15 Today's agenda item is number EO 23-1-1, Proposed
16 Amendments to the Heavy-Duty Engine and Vehicle Omnibus
17 Regulation. If you are here with us in the room and wish
18 to comment on this item, as I mentioned please fill out a
19 request-to-speak card as soon as possible and submit it to
20 a CARB assistant. If you are joining us remotely and wish
21 to comment on this item, please click the "raised hand"
22 button or dial Star 9 now.

23 We will first call on in-person commenters,
24 followed by remote commenters when I open the record for
25 public testimony.

1 On March 23rd, 2023, the Board delegated to the
2 Executive Officer the authority to adopt, amend and revoke
3 emission standards and test procedures, compliance test
4 procedures and compliance flexibilities for new on-road
5 motor vehicles in Resolution 23-15.

6 Today, staff is proposing to amend the existing
7 legacy engine flexibility provisions of the Omnibus
8 Regulation to maintain originally anticipated engine
9 supplies for 2024 through 2026 model years. These
10 amendments will provide manufacturers additional
11 flexibility to meet customer demand for new engines while
12 maintaining the emissions benefits of the program.

13 The proposed amendments also include additional
14 labeling requirements for heavy-duty diesel engines that
15 are produced and delivered for sale in California. In
16 addition to working with truck manufacturers to develop
17 these flexibilities that will help smooth the path in
18 ensuring combustion product availability, I am also happy
19 to announce that staff has recently posted a new report,
20 the Advanced Clean Truck Compliance and Incentives Update,
21 to our website. This report that shows under the Advanced
22 Clean Truck regulation that truck manufacturers are now
23 two years ahead of schedule of their regulatory
24 requirements. This means that CARB's zero-emission truck
25 sales requirements will not impact a truck manufacturer's

1 ability to satisfy remaining internal combustion engine
2 demand.

3 The report makes several important points. Users
4 are interested in adopting zero-emission technology,
5 several manufacturers are stepping up to meet that market
6 interest, and the flexibility that we built in to allow
7 for a phased-in transition toward a zero-emission future
8 is working. Helping the trucks that transport goods
9 across the state switch to zero emissions is a key to
10 achieving our clean air future, and the data show that
11 progress is well underway.

12 I will now ask Mitzi Magtoto of the Mobile Source
13 Control Division to please begin the staff presentation.

14 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

15 Thank you, Dr. Cliff.

16 Today's presentation is about our proposed
17 amendments to the Heavy-Duty Engine and Vehicle Omnibus
18 Regulation.

19 --o0o--

20 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

21 Let's start with an outline of our presentation.

22 First I will provide background information on
23 California's air quality challenges and the need to -- for
24 reducing NOx emissions from on-road heavy-duty vehicles.

25 --o0o--

1 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

2 Next I will summarize the existing heavy-duty
3 truck engine omnibus requirement. Then I will discuss the
4 need for additional flexibilities and describe the Clean
5 Truck Partnership agreement. Then I will present staff's
6 proposed amendments and plan 15-day changes specifically
7 on the legacy engine provisions in the Omnibus Regulation.

8 Next I will briefly talk about the projected
9 costs and projected emissions and health benefits.

10 Finally, I will conclude with staff's recommendation.

11 --o0o--

12 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

13 So first let me start with a reminder of the air
14 quality challenges that California faces and the
15 importance of cutting heavy-duty truck emissions further.

16 California has made significant progress in
17 improving air quality over the last decade. Yet, it still
18 has the worst air quality in the nation. Approximately 67
19 percent of California's population still lives in areas
20 exposed to concentrations above the federal ozone and fine
21 particulate matter for PM2.5 standards.

22 Further, a disproportionate number of those most
23 impacted by high ozone levels live in low income and
24 disadvantaged communities that also typically experience
25 greater exposure to diesel exhaust and other toxic air

1 pollutants.

2 As shown in the map shaded in red, the South
3 Coast and San Joaquin Valley Air Basin remain the nation's
4 only two regions classified as extreme nonattainment
5 regions for the 2015 ozone standard. Thus substantial NOx
6 reductions are needed to meet the federal ozone and PM2.5
7 air quality standards.

8 --o0o--

9 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

10 Statewide, heavy-duty vehicles are the largest
11 contributor of NOx omissions in California. Therefore,
12 further NOx reductions are needed from heavy-duty vehicles
13 to achieve California's air quality goals. The Omnibus
14 Regulation is the major regulation that reduces NOx
15 emissions and is vital for achieving our SIP commitments
16 in 2031 and 2037. And if we did not meet our commitments,
17 we could lose highway funds and be subject to federal
18 restrictions on permitting new facilities and federal
19 implementation plan.

20 --o0o--

21 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

22 As mentioned earlier, the Omnibus Regulation is
23 vital for achieving our SIP commitments. The Omnibus
24 Regulation was adopted by the Board in September 2021.
25 The primary goal of this regulation is to reduce the NOx

1 and PM emissions from medium- and heavy-duty engines and
2 vehicles beginning in 2024 model year.

3 The omnibus NOx standards for 2024 to 2026 model
4 year engines would reduce the current emission standards
5 by 75 percent, from 0.2 to 0.05 grams per brake
6 horsepower-hour. In addition, a lower PM standard of
7 0.005 grams per brake horsepower-hour was established and
8 that it's 50 percent below current emission standards.

9 This regulation also includes significant
10 modifications to several elements of the current
11 heavy-duty engine certification program as well as
12 stronger in-use requirements.

13 --o0o--

14 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

15 One of the compliance flexibilities in Omnibus is
16 the legacy engine provisions that allows limited
17 production of heavy-duty engines rated below 525
18 horsepower, referred to as legacy engines, which only meet
19 the 2010 model year NOx and PM emission standards in 2024
20 and 2025 model years.

21 Legacy engine sales in California are only
22 allowed if the manufacturer offsets any excess NOx and PM
23 emissions deficits through the use of heavy-duty
24 zero-emission powertrain credits, heavy-duty combustion
25 credits, or performing projects in disadvantaged

1 communities. For example, a certifying engine
2 manufacturer that sells a total of 100 heavy-duty diesel
3 engines in California in the 2024 model year would be
4 allowed to sell 45 legacy engines for that model year in
5 California as long as it offsets the emission increases
6 using credits. To qualify for the legacy engine
7 provisions a manufacturer must certify at least one engine
8 family to the omnibus requirements.

9 --o0o--

10 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

11 Earlier, we received information regarding
12 changes to manufacturers' product distribution plans for
13 2024 to 2026 model year. While the technology needed for
14 diesel-fueled engines to comply with the Omnibus
15 Regulation is available, some manufacturers do not intend
16 to produce such engines for some categories of trucks in
17 California.

18 Given the impacts to fleets, additional
19 flexibility was desired to maintain the originally
20 anticipated engine supplies for 2024 to 2026 model years
21 and to enable a smoother transition to the Omnibus
22 standards which are more stringent than U.S. EPA's
23 requirements. To address this issue, in March of this
24 year, the Board delegated to the Executive Officer the
25 authority to adopt, amend and revoke emission standards

1 and test procedures and compliance flexibilities for new
2 on-road motor vehicles in Resolution 23-15.

3 On July 5th of this year, the Clean Truck
4 Partnership was signed. Then on August 1st CARB released
5 the proposed amendments to the Omnibus Regulation for
6 public comments. We received a total of 47 comments, with
7 27 commenters requested an Executive Officer hearing. The
8 hearing notice was published on September 15th, for
9 October 20, 2023, hearing.

10 --o0o--

11 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

12 On July 5th, CARB reached an agreement with EMA
13 and all of their member OEMs and also separately with Ford
14 Motor Company.

15 One of the elements in the agreement is to
16 provide greater flexibility in meeting the omnibus
17 requirements for model year 2024 to '26. As I'll discuss
18 later, we are proposing to allow OEMs to sell an increased
19 number of legacy engines in model year 2024 to '25 and to
20 extend that provision to model year 2026 so long as all
21 excess emissions' deficits are offset. This provides an
22 emission-neutral solution.

23 --o0o--

24 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

25 The legacy engine provisions remain optional.

1 The proposed amendments to the existing legacy engine
2 provision would provide greater compliance flexibility to
3 manufacturers in the 2024 through 2026 model year time
4 frame, while maintaining the emissions benefits of the
5 Omnibus Regulation.

6 Engine manufacturers would be allowed to choose
7 between two legacy engine options. Option 1 keeps the
8 existing legacy engine provisions for 2024 and 2025 model
9 years, but extends that production period for legacy
10 engines to 2026 model year.

11 Option 2 is added for manufacturers that make
12 medium heavy-duty diesel engines in addition to products
13 in other heavy-duty diesel primary intended service
14 classes. For example, this applies to a certifying engine
15 manufacturer that produces both medium heavy-duty diesel
16 engines and heavy heavy-duty diesel engines in 2024 and
17 2025 model year.

18 --o0o--

19 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

20 The same mechanism applies for our proposed
21 changes. All emissions deficits must be offset with
22 credits or performing projects in disadvantaged
23 communities.

24 The proposed amendments also provide an option to
25 manufacturers to start working on the projects in

1 disadvantaged communities as early as 2024 or 2025 model
2 year.

3 The proposed amendments could also allow the
4 certification of legacy engine families before a
5 manufacturer submits an application for its 2024 model
6 year omnibus-compliant engine family.

7 The proposed amendments would also include
8 special labeling provisions for legacy engines. All 2024
9 to 2026 model year legacy engines that are produced and
10 delivered for sale in the California market would be
11 required to include the term CA on their engine labels to
12 enable manufacturers' truck engines produced and delivered
13 for sale in California and to facilitate CARB's compliance
14 determination of the requirements.

15 --o0o--

16 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

17 As part of planned 15-day changes to be proposed
18 after this hearing, we are proposing to slightly modify
19 the definition of California sales volume by removing the
20 sale to ultimate purchaser clause. The modified
21 definition would help simplify tracking compliance for
22 manufacturers. Additionally we are considering a
23 clarification on the number of decimal places for the
24 family emissions limit for legacy engines.

25 Finally, we are considering a minor modification

1 to the California OBD requirements by removing the option
2 to certify that the California OBD requirements from
3 subsection 1971.1D to align with the OBD requirements in
4 the current subsection 1956.8A.

5 --o0o--

6 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO: The
7 proposed amendments have been analyzed and projected to be
8 emissions neutral and cost neutral to manufacturers.
9 There will be no additional emissions reductions beyond
10 those projected in the current Omnibus Regulation, nor any
11 emission increases from the emission reductions projected
12 for the current Omnibus Regulation.

13 Manufacturers are required to offset any
14 increased emissions from the additional legacy engine
15 sales using heavy-duty ZEV or combustion credits or
16 performing projects in disadvantaged communities.

17 There would be no cost impact to the
18 manufacturers because any technology cost savings gained
19 from the additional legacy engine sales would be offset by
20 the additional cost of purchasing emission credits or
21 performing projects in disadvantaged communities.

22 While there would also be operational cost
23 savings to fleet operators, due to the decreased use of
24 diesel exhaust fluid by legacy engines, CARB staff
25 anticipates fleets to pay premium price for purchasing new

1 legacy engines which would later be offset by savings from
2 lower diesel exhaust fluid consumption. This savings in
3 cost to the fleet owners are expected to offset each other
4 and have a net zero change over calendar years 2024
5 through 2035.

6 --o0o--

7 MSCD STAFF AIR POLLUTION SPECIALIST MAGTOTO:

8 Staff recommends that the Executive Officer of
9 the California Air Resources Board to consider approving
10 the proposed amendments to the heavy-duty engine and
11 vehicle Omnibus Regulation.

12 This concludes our presentation.

13 EXECUTIVE OFFICER CLIFF: Thank you.

14 We will now hear from the public who signed up to
15 speak on this item, either by submitting a
16 request-to-speak card or a raised hand in Zoom.

17 I will ask the clerk to begin calling the public
18 commenters.

19 BOARD CLERK MOORE: Thank you.

20 We have currently 14 commenters in person as well
21 as 10 commenters with their hands raised in Zoom.

22 I apologize in advance if I mispronounce your
23 name.

24 I would like to remind all commenters to speak
25 slowly and clearly for our court reporter.

1 Also, just a friendly reminder that speaker
2 sign-ups close at 10:50.

3 We will first hear from Jed Mandel.

4 Jed, I've activated your --

5 JED MANDEL: Can you hear me?

6 BOARD CLERK MOORE: -- microphone. Please
7 unmute, and you may begin.

8 JED MANDEL: Can you hear me?

9 BOARD CLERK MOORE: Yes.

10 JED MANDEL: Thank you.

11 Good morning. I'm Jed Mandel speaking on behalf
12 of the Truck and Engine Manufacturers Association.

13 As you know well, EMA and CARB entered into an
14 unprecedented agreement in July, the Clean Truck
15 Partnership, regarding the implementation and alignment of
16 a suite of California and federal medium- and heavy-duty
17 on highway emission regulations. I want to take this
18 opportunity to thank you, Dr. Cliff, and especially your
19 staff for working with us to achieve this agreement.

20 One component of that agreement is CARB's
21 commitment to expand the scope of the omnibus legacy
22 engine reg -- flexibilities for model years 24 -- 2024
23 through 2026.

24 Today's hearing is part of CARB's process to
25 finalize the critically important amendments expanding the

1 flexibility provisions of the Omnibus Rule. While those
2 amendments won't fully ameliorate the potential for
3 limited availability of product in California, they will
4 implement changes that allow for increased availability of
5 medium- and heavy-duty engines in vehicles. As such, and
6 consistent with our Clean Trucks Partnership agreement
7 with CARB, we support the prompt adoption and finalization
8 of the proposed amendments.

9 We are pleased to work with CARB and its staff on
10 this important and unprecedented agreement. We know there
11 is more work to do. We look forward to continuing to
12 partner with CARB on the successful implementation of the
13 Clean Trucks Partnership.

14 Thank you.

15 BOARD CLERK GARCIA: Thank you.

16 Next we'll hear from Gage Kelly.

17 GAGE KELLY: Good morning. My name is Gage
18 Kelly, and my goal here is to represent ABC Companies and
19 the motorcoach operators we support throughout California,
20 and those who could not be here today, to shed light on
21 the motorcoach industry.

22 ABC's one of the leaders in the zero-emission
23 space and we absolutely agree that the industry should
24 strive to reduce carbon emissions in minimizing the
25 environmental impact. However, we firmly believe that any

1 new regulation standards should be based on the realities
2 of the market, pragmatic in its approach, and predicated
3 on timelines that meet industry production.

4 From the conversations I've had with motorcoach
5 operators throughout California, I believe that
6 implementing this regulation without an extension or
7 exemption to the motorcoach industry could be
8 counterproductive. If you're unaware, the pandemic caused
9 over half of our industry to close their doors.

10 California's no exception to that. Operators that we've
11 talked to and seen have offloaded much of their fleet to
12 stay afloat, lost a lot of vehicles to the banks, and are
13 only now starting to put the pieces back together.

14 Fleets also stopped replacing their vehicles,
15 which meant the backlog to OEMs and operators -- excuse
16 me -- to manufacturers that we still see today. There's
17 now a limited vehicle inventory in the market, which is
18 only -- this regulation will only cause a further push for
19 that limitation.

20 I think there will be unintended consequences to
21 this such as risking contracts to out-of-state operators,
22 increased maintenance cost to older vehicles, and even
23 pivoting their businesses to purchase smaller vehicles to
24 curb this regulation.

25 In summation, I think that we're all in agreement

1 we should continue progress emission standards and
2 implement these changes. However, we firmly brief that
3 there's a balance to be struck between the goals,
4 practical manufacturing realities in supporting the health
5 of the industry we hope to improve. Our ask here is to
6 grant the motorcoach industry unrestricted use of the
7 current clean diesel technology until a CARB-compliant
8 engine is available for the motorcoach industry.

9 Thank you.

10 BOARD CLERK GARCIA: Thank you.

11 Next we'll hear from Michael Vlaming.

12 MICHAEL VLAMING: Thank you.

13 Thank you for the opportunity, Dr. Cliff, to
14 comment on the proposed regulation. My name is Michael
15 Vlaming. I am the Executive Director of the Crane Owners
16 Association and Mobile Crane Operators Group.

17 We have submitted written comments to the
18 proposed amendments, and I appear today to emphasize the
19 importance of this issue and the need for an alternative
20 to address a specific impact that would result from the
21 implementation of the regulation as currently drafted.

22 The members of the Crane Owners Association and
23 Mobile Crane Operators Group are California crane rental
24 contractors that own and lease, both on and off road,
25 mobile cranes and tower cranes for the construction

1 industry. The mobile cranes that our members have are
2 subject to several CARB regulations. These mobile cranes
3 are specially designed and expensive specialized
4 construction equipment that cost from the hundreds of
5 thousands of dollars for the smallest cranes to several
6 millions of dollars for the largest cranes.

7 Our issue with the proposed amendment is the
8 availability of mobile truck cranes that are equipped with
9 on-road medium heavy-duty and heavy heavy-duty diesel
10 engines, during the time period that the CARB regulations
11 are out of alignment with the EPA engine regulations.
12 Because of the small number of cranes sold each year the
13 allocation of CARB-compliant engines by engine
14 manufacturers to crane manufacturers will be drastically
15 reduced and it is projected in some case to be zero.
16 Without compliant engines these new truck cranes with
17 on-road engines will not be able to be registered in
18 California and because of production lead times, cranes
19 that have been purchased or ordered will not be able to be
20 utilized when delivered in 2024.

21 Our proposed solution is to make an adjustment to
22 the existing N series federally compliant engine provision
23 to allow on-road engine exemptions for cranes to allow
24 (inaudible) their fleet.

25 Thank you.

1 BOARD CLERK GARCIA: Thank you.

2 Ashley Porter.

3 ASHLEY PORTER: Good morning. My name is Ashley
4 Porter, and I'm here today representing TEC Equipment, a
5 Volvo and Mack heavy-duty and medium-duty truck
6 dealership. Thank you for the opportunity to speak on
7 California's Air Resources Board recent regulatory
8 activity regarding the proposed amendments to the
9 heavy-duty engine and vehicle omnibus.

10 The current Omnibus Regulation amendments have
11 established an aggressive timeline that requires our
12 manufacturers to certify a California CARB-compliant
13 engine with the NOx requirement that is half what the
14 current EPA regulations are. And the sales manager for
15 the heavy-duty truck sales department in Oakland and the
16 majority of the customers that we sell to fall within the
17 vocational, refuse and municipalities segment. With the
18 current regulations we are limited in the make and model
19 of trucks that will meet our customers' needs and are
20 compliant.

21 The current regulations limit the trucks to be
22 either natural gas or electric that will present
23 significant challenges to these markets. I'm confident
24 our manufacturers are working fervently to make the
25 requirements of the new regulations as well as the demands

1 of the vocational, refuse and municipality truck markets.
2 The fact of the matter is we're not there yet and need
3 more time.

4 I'd like to highlight the challenge these
5 regulations present to our refuse, vocational,
6 municipality customers. Currently, our refuse customers
7 run 8- to 10-hour shifts and have aggressive
8 sustainability goals. CNG for many of our customers are
9 produced from a closed-loop carbon negative circle. They
10 are sorted into garbage, organics and green waste, and
11 putting them into aerobic or anaerobic digesters to
12 produce the natural gas that fuels their fleet.

13 Moving toward ZEV fleet is taking these companies
14 from a carbon-negative position to a carbon-positive
15 position. Moving to ZEV will take the organics, green
16 waste and recycling used for use in natural gas into the
17 landfills.

18 In the coming years our refuse customers are
19 facing significant challenges to the availability of
20 trucks, cost and infrastructure. The trucks used are our
21 vocational customers, dirt, concrete and municipality
22 under new omnibus regulations are faced with the fact that
23 CNG or electric are not capable to perform these tasks.
24 These trucks spend hours in the field producing
25 (inaudible) -- this is a glimpse into how omnibus

1 regulations are affecting our customers and dealerships.

2 BOARD CLERK GARCIA: Thank you.

3 ASHLEY PORTER: Thank you.

4 BOARD CLERK GARCIA: Charles Williams.

5 CHARLES WILLIAMS: Good morning. Charles
6 Williams, American Stage Tours, Concord, California.

7 Our company's been in business for 40 years,
8 serving San Francisco Bay Area. We provide transportation
9 services for senior groups, schools, military, emergency
10 services, FEMA. We do convention shuttles, weddings, and
11 corporate transportation.

12 Our industry lost all revenue and shut down for
13 15 months starting March 14, 2020. Motorcoach industry
14 lost over 1500 U.S. DOT registered companies during the
15 pandemic. With this major reduction the motorcoach
16 industry is grossly underserved.

17 Motorcoach manufacturers halts in production of
18 new buses during the pandemic as the entire industry was
19 completely shut down. Next to no coaches were produced in
20 2020 and 2021. And as a result, companies fell behind in
21 their fleet replacement plans.

22 New coach production is now close to pre-pandemic
23 levels, but due to the fact that California coach
24 operators will not be able to purchase new equipment for
25 the next three years, this will put us behind in our fleet

1 plans and will also put California at a huge disadvantage
2 to the surrounding states that are not limited to new
3 coach purchases. Customers such as professional sports
4 teams, collegiate sports, and the tour travel industry
5 require equipment that's three years or newer in their
6 contracts; and will now outsource this to out-of-state
7 companies rather than California-based operators. This
8 will have a major impact -- negative impact on our
9 industry and the people it employs.

10 Thank you.

11 BOARD CLERK GARCIA: Thank you.

12 Adam VanderBee.

13 ADAM VANDERBEE: Good morning. My name's Adam
14 VanderBee. I'm the regional sales director for TEC
15 Equipment in the Central Region. TEC Equipment is the
16 largest dealership group by rooftop on the West Coast.
17 We're an authorized distributor of multiple brands, but
18 primarily Volvo, Mack, Hino, and Isuzu.

19 I appreciate the opportunity to speak today with
20 concerns that we have over the Omnibus Regulation. It's
21 important to note however that our concern is not over the
22 steady migration of zero-emissions technologies. It's the
23 speed it ferocity of which we're being pushed to get
24 there, particularly as it relates to the low NOx
25 requirement. Prior to the ruling our engine manufacturers

1 were working towards the development of a new low-NOx
2 engine to align with the EPA mandate of 2027. With the
3 pull forward however to 2024, it became impossible for our
4 manufacturers to mechanically reach that requirement.

5 The Clean Truck Partnership appeared to be a
6 viable solution for both sides. But the credit banking
7 components still makes it virtually impossible to comply
8 over the next three years. It will be a matter of years
9 not months before our manufacturers can have a viable,
10 reliable and affordable 0.05 gram diesel engine that is
11 considered carbon neutral. They are offering a 0.1 motor
12 next year, but the carbon offset essentially requires us
13 as dealers to sell one electric truck for every diesel
14 that we sell in California next year.

15 The unfortunate reality is that Class 8 battery
16 electric vehicles are in their infancy stages of
17 development and adoption. In 2022, for example, there
18 were 14,828 Class 8 registrations in California; and there
19 were only 173 Class 8 BEV registrations nationwide. The
20 availability of materials to produce these energy dense
21 batteries is a major bottleneck and the unrealistic cost
22 driver. A battery electric vehicle is on average three
23 times more expensive than a traditional diesel. It
24 costs -- or it weighs about four tons more, and has a
25 range that's about five tons -- or five times less than a

1 traditional diesel. So -- I know I'm running out of time
2 too here, but just to reiterate -- thank you.

3 BOARD CLERK GARCIA: Thank you.

4 Mark Woods.

5 MARK WOODS: Hello. I'm Mark Woods. I'm vice
6 president of a family operation in central California. We
7 have 60 trucks. We haul packing supplies throughout
8 California for all the major packing houses. And one
9 thing that -- we're having a real challenge with right now
10 with the dealerships is, you know, trying to find out what
11 they're going to be able to provide for new trucks for --
12 you know, just for next year, because we've got quite a
13 few customers asking us what are availabilities going to
14 be for the future and how we're going to manage this. I
15 mean we're involved like with hauling citrus trees, drip
16 irrigation, cardboard, pallets. And these companies are
17 really in fear of what's going to happen to us and what's
18 going to happen to their industry without our trucks.

19 But hopefully we can all come together and do the
20 right thing.

21 Thank you.

22 BOARD CLERK GARCIA: Thank you.

23 James Wheeler.

24 JAMES WHEELER: Good morning. Dr. Cliff, I'll
25 jump right into it.

1 You've got a great team of people. I've gotten a
2 chance to work with them here recently. They do a really
3 nice job towards the mission.

4 The issue that we face as a California dealership
5 for critical infrastructure and emergency equipment is we
6 don't have a supply of engines for our critical customers.

7 Omnibus Regulation set the benchmark for ACF
8 which affects fleets. Currently OEMs are directing
9 California-compliant engines mostly to California dealers,
10 which are regulated by ACT. ACT requires combustion
11 engines to be sold only when these California dealers have
12 sold electric. Problem being, they're not selling
13 electric. Therefore they can't sell enough combustion.

14 Further complicating the issue is that credits
15 and offsets are controlled strictly by the OEMs. We
16 recently had a conversation with one major manufacturer
17 who very clearly said they're going make a business
18 decision to not access, purchase or use those credits. So
19 currently in its state we have major manufacturers of
20 trucks having a path to provide combustion in a critical
21 infrastructure segment and choosing not to.

22 We don't have a choice but to supply these
23 critical vehicles, including street sweepers for Caltrans,
24 sewer cleaning machines, trash trucks. All of this is
25 critical to maintain infrastructure and support our

1 communities.

2 We believe if Omnibus carves out for '24 to '26
3 an emergency category for this type of equipment and
4 allows it to -- and allows these manufacturers of this
5 type of equipment dealers to supply legacy engines not
6 currently regulated with the new January 1 standard for
7 that three-year window, we can bridge the gap, we can get
8 where we need to go. But we will not make it in this
9 current form.

10 Thank you.

11 BOARD CLERK GARCIA: Thank you.

12 Christopher Angulo.

13 CHRISTOPHER ANGULO: Good morning, Dr. Cliff. My
14 name is Christopher Angulo, and I'm here representing the
15 TEMSA North America. I'm the operation manager for a
16 branch in Burlingame, California.

17 I want to thank you and the Air Resources Board
18 and staff for allowing us to say a few words today.

19 TEMSA North America was established in the U.S.
20 in 2009 and has become one of the top four OEM
21 manufacturers of motorcoaches in the industry today. We
22 manufacture and currently sell four different size
23 vehicles: TS-30, TS-35, TS-45 and TS-45EV. We have
24 various locations across the U.S. and I am here today from
25 our Cali -- Burlingame facility.

1 As I stated above, we currently have four
2 different coaches options for our customers, one of those
3 options being the TS-45EV -- EV. We have just recently
4 finalized all testing by using this in the San Francisco
5 area now for demo trials with our customers. We support
6 the transition to EV down the road, but we also understand
7 the -- all the challenges this will ultimately -- be
8 ultimate to get there, from an infrastructure issue to
9 range-of-the-coach challenges.

10 We have only been using one engine manufacturer
11 for our three size units we currently sell here in the
12 United States. Cummins as the engine manufacturer is one
13 of the options currently available in the U.S. TEMSA
14 currently represents about 15 to 20 percent market share
15 to the industry today and about 25 of our sales -- 25
16 percent of our sales currently are sold here in
17 California. Based on those figures and rising demand for
18 our mid- to full-sized units, TEMSA will be drastically
19 affected based on the number of CARB-compliant engines
20 that have been assigned from allocations somehow from
21 Cummins.

22 The new CARB-compliant engines will not be even
23 available before 2026. TEMSA will not be able to meet the
24 demands of our customers in California. So this will also
25 drastic -- dramatically affect them with their contracts

1 and needs.

2 Based on the above-stated comments, we believe
3 TEMSA will not have sales of more than 100 coaches based
4 on new regulations. So again not only affecting TEMSA but
5 the customers of California who purchase directly from
6 TEMSA.

7 This was a brief summary of who we are at TEMSA
8 and we are here to ask the opportunity to continue to work
9 with CARB to come up with a more successful solution to
10 all the issues we are addressing here today. We support
11 the Board's air emission goals set for the heavy-duty
12 vehicles for (inaudible).

13 Thank you for the opportunity to be here and be
14 heard today.

15 BOARD CLERK GARCIA: Thank you.

16 Juan Lepe.

17 JUAN LEPE: Good morning, Dr. Cliff, and thank
18 you for this hearing. I'm Juan Lepe with MCI, a builder
19 of over-the-road motorcoaches. We are a small-volume
20 manufacturer with two sales and service locations within
21 the State.

22 MCI supports the rational progress to zero
23 emissions, but we have -- and we have both public and
24 private sector emission motorcoaches operating and for
25 sale in the state. We appreciate CARB's amending of

1 regulation for 2027, and recent staff efforts to learn
2 issues and data related to the private motorcoach market.

3 However, there are critical issues for
4 diesel-engine availability in 2024 to 2026 needing a
5 resolution. Due to the low NOx requirement and legacy
6 provision, our allocation for the Cummins X12 engine for
7 our leading model, the J4500, dropped 93 percent from a
8 77-unit average per year to only 5 units. This a about 7
9 percent of our market requirement. California is 10 to 12
10 percent of our annual business, so this is a significant
11 negative impact.

12 This decline was not anticipated and we were not
13 informed until around July 15th following CARB's agreement
14 with the engine OEs. This was not a transparent process,
15 and the small but important passenger carrying private
16 motorcoach market, that is very different from the
17 trucking market, were not included in this discussion.

18 Due to the normal lead times this is already
19 affecting our production and we stress this is not a
20 supply-chain issue, its a regulation limiting supply. The
21 lack of flexibility in '24 to '26 will result in the
22 purchase of older, less efficient vehicles with fewer
23 safety features such as collision avoidance.

24 MCI and our small private operators are still
25 recovering from the impact of COVID while planning a

1 zero-emission future. We ask for an amendment, exemption
2 or flexibility under the Omnibus Regulation specifically
3 for 2024 to 2026 that addresses the small volume market
4 engine allocation problem created by the legacy provision.

5 Thank you for your time. We appreciate it.

6 BOARD CLERK GARCIA: Thank you.

7 Frank Wheeler.

8 FRANK WHEELER: Thank you, Dr. Cliff, for
9 allowing us to be here. My name's Frank Wheeler. I'm
10 with Municipal Maintenance Equipment. This is a company I
11 started 35 years ago. It's now currently being run by
12 both my sons. I've worked hard for that 35 years
13 providing service and support to governmental entities in
14 infrastructure repairs -- infrastructure maintenance,
15 which as we all know, when we have an emergency, every
16 piece of equipment that a city or a county or a state
17 agency owns becomes an emergency vehicle to be responding
18 to the needs of that emergency.

19 The current regulations, Omnibus and ACT, quite
20 simply earn a shouting match relative to the languages.
21 They don't work together. Independently they work well.
22 But they don't work together as a directive to assist in
23 fitting the critical needs we have. Most of the equipment
24 we sell is equipment that's mounted on these diesel
25 trucks. And because of the weight and pitch formula, et

1 cetera, et cetera, isn't something that lends itself
2 easily to electrification. The lack of engines and
3 chassis available right now -- it's not engines, it's
4 chassis. The chassis manufacturers control what amount of
5 chassis hit the street and where they go. There's no
6 directive that they must do one thing or another. They
7 choose where they go.

8 So we're caught in a crossfire between ACT and
9 Omnibus. And therefore we have 200 pieces of equipment
10 now and order -- 150 of them apply to these engines.
11 We've currently been informed by our manufacturers we'll
12 have less than 30, with orders for 150 right now. So that
13 poses a significant cost.

14 Thank you.

15 BOARD CLERK GARCIA: Thank you.

16 Chris Shimoda.

17 CHRIS SHIMODA: Good morning, Dr. Cliff. Chris
18 Shimoda with the California Trucking Association. I'm
19 here on behalf of our truck dealer members to highlight
20 ongoing product availability and allocation issues.

21 So while the Clean Truck Partnership and these
22 changes proposed to the legacy engine provisions of the
23 Omnibus Rule, we're nominally supposed to resolve the
24 product availability issues created by us having our own
25 standards in California for model years 2024 through 2026.

1 Our California truck dealer members are reporting
2 reductions in normal allocations of up to 60 to 90
3 percent. And then that's across brand. This is in stark
4 contrast to the analysis that was done in the SRIA for the
5 original low-NOx Omnibus Regulation which forecasted there
6 would be a slight decrease in vehicle sales in California,
7 and that's clearly not come to pass. While we
8 appreciate the work that CARB and the OEMs are doing to
9 make these standards work, clearly more needs to be done.
10 You know, whether it is a legacy engine cap provision
11 issue, or if it is an ACT credit issue, we just encourage
12 CARB staff to keep working with the OEMs and, you know,
13 quite frankly, listen to the dealer members who are
14 testifying today to lessen the impact on their businesses
15 in the lead into the 2027 national standard.
16 Thank you.

17 BOARD CLERK GARCIA: Thank you.

18 Bill Magavern.

19 BILL MAGAVERN: Good morning. Bill Magavern with
20 the Coalition for Clean Air.

21 I want to bring us back to the first point made
22 in the staff presentation, which is air quality. That is
23 the primary mission of this agency; and, you know,
24 unfortunately despite a lot of progress, we're still in a
25 situation where tens of millions of Californians are

1 breathing unhealthy air, people are being sickened and
2 killed by our air pollution. And the biggest single
3 problem we have with air pollution in California is toxic
4 diesel exhaust. The heavy-duty omnibus measure is one of
5 the most important steps that CARB has taken to reduce
6 diesel exhaust, and for that reason we supported it
7 strongly when it was adopted by the Board.

8 So we are not thrilled by these changes which
9 envision more legacy diesel engines being sold in
10 California. Nevertheless, I think what is best for public
11 health is to have this measure finalized and implemented
12 and enforced as soon as possible. So we recommend that
13 you do that.

14 BOARD CLERK GARCIA: Thank you.

15 Mike Tunnell.

16 MIKE TUNNELL: Good morning, Dr. Cliff and staff.
17 My name is Mike Tunnell. I'm with the American Trucking
18 Association, the largest national trade association
19 representing the trucking industry.

20 The success of the Omnibus Regulation depends on
21 the sale of new trucks. We're here today because this
22 regulation is disrupting the supply of new trucks into the
23 California market. Member companies have reported sales
24 allocation cuts as deep as 60 to 90 percent. This means
25 that dealers are unable to sell and fleets are unable to

1 purchase normal volumes of new trucks, greatly reducing
2 the benefits of this regulation.

3 The proposed amendments do not adequately address
4 these allocation cuts, while the benefit calculations do
5 not reflect the sales restrictions. Further amending the
6 regulation to reduce the supply constraints is needed to
7 achieve the projected benefits.

8 The cost of the regulation also need an honest
9 assessment. Our members are reporting upcharges of 10- to
10 15,000 dollars for a new 2024 model year truck being sold
11 in California. This is as much as 7 and a half times
12 higher than the 2,000 dollar price increase staff have
13 estimated. Lowering the offset cap limit is one option
14 for reducing these significant upcharges. The regulatory
15 documents simply do not reflect how the regulation is
16 impacting truck dealerships and trucking fleets in the
17 state. Limiting new truck sales will not produce the
18 benefits being promised and will force some fleets to hold
19 on to existing equipment longer, a further disbenefit.
20 The agency needs to address the real impacts that are
21 occurring from this regulation which will continue with
22 the proposed amendments and work on modification to ensure
23 its sales volumes, align with the benefits being --
24 (inaudible)

25 Thank you.

1 BOARD CLERK GARCIA: Thank you.

2 Kim Mesfin.

3 KIM MESFIN: Good morning, Dr. Cliff. I'm Kim
4 Mesfin. I'm President of Affinity Truck Center. I'm a
5 Volvo-Mack dealer in the heart of the impacted area here
6 in Central Valley. I'm also the California Truck Dealer
7 Chair representing all OEMs underneath California new car
8 dealers.

9 And we've been working hard to understand the
10 regulations and how they all cross-apply. And it is
11 limiting the products that we are able to sell into the
12 valley to help improve the air.

13 We're all in on zero emission, selling electric
14 vehicles as fast as we can and get infrastructure in
15 place. However, the availability of diesel even after --
16 in May I heard we had zero to sell. And I appreciate the
17 amendment, I appreciate the alignment in 2027. But I now
18 have only natural gas vehicles on one of my brands to
19 sell; and I have only 37 legacy diesels to sell, where
20 past year I sold 450.

21 Our dealership serves primarily over-the-road
22 Class 8 trucks. And my customer base is primarily Punjabi
23 Indian driving over the road. And they are not in a
24 position even though they would get through with all your
25 our exemptions, they're not hit by these regulations as

1 yet. But I have no vehicles for them to sell. So they
2 would be forced to buy outside of California, yet drive
3 back into California, impacting emissions in no way for
4 the positive, like we're all here to do today.

5 I just ask that you look and -- while I
6 appreciate your working with the OEMs and the EMA, we need
7 to bring in resources on the ground to see how it applies
8 to the different types and functions of trucks. One
9 diesel engine is not the same in all purposes. So the
10 other gentleman that spoke to the lack of availability of
11 refuse, the lack of availability of fire trucks, we really
12 need to look at the purpose and find a better way, such as
13 renewable fuels, to keep those running, with better
14 emissions, while we innovate in the EV area.

15 Thank you.

16 I also posted my comments on line, the ones I was
17 originally presenting. So more organizing and more
18 details.

19 Thank you.

20 BOARD CLERK MOORE: Thank you.

21 We will now move to Zoom commenters. We
22 currently have 17 commenters with their hands raised in
23 Zoom. We'd like to remind everyone that the comment
24 sign-up is now closed.

25 I apologize in advance if I mispronounce your

1 name.

2 The first commenters will be Brent Maitland,
3 Kevin Brown, Greg Gallup, Anthony Bento and Suzanne Rohde.

4 Brent Maitland, I've activated your mic. Please
5 unmute, then you may begin.

6 Brent Maitland.

7 BRENT MAITLAND: Yes. Sorry. Thank you.

8 I'm Brent Maitland from MCI, a builder of
9 over-the-road motorcoaches. We're a small volume
10 manufacturer with sales and service locations within the
11 state. And we support a rational progress to zero
12 emissions and have a lot of electric motorcoaches
13 operating and for sales in the state. Motorcoaches are
14 efficient and safe with fuel economy and local emissions
15 per passenger.

16 We appreciate CARB's amending the regulation for
17 2027 and recent staff efforts to learn issues related to
18 the private motorcoach market. However, critical issues
19 on diesel engine availability exist for 2024 to '26 and
20 need resolution. Due to the low NOx requirement and
21 legacy provision, our allocation of Cummins X12 engines
22 for our leading model, the J4500, dropped 93 percent from
23 our 77-unit-per-year average to only five units. That
24 represents 7 percent of the market requirement.
25 California about 12 percent of our annual business, so

1 it's a significant negative impact. This decline was not
2 anticipated and we were not informed until around July
3 15th following CARB's agreement with the engine OEMs.
4 This was not a transparent process, and the small but
5 important passenger carrying motorcoach operators and us,
6 which are different from trucking, were not included in
7 the discussion. We relied on what Cummins communicated to
8 us during this process. During normal lead times this is
9 already affecting our production. But we stress it's not
10 a supply chain issue. It's due to the regulation.

11 The lack of flexibility from '24 to '26 will
12 result in using older, less efficient vehicles with fewer
13 safety features such as collision avoidance.

14 We ask for an amendment, exemption or flexibility
15 under the Omnibus Regulation, specifically from '24 to
16 '26, that address the small volume markets allocation
17 problem created by the legacy provision.

18 Thank you for your time and helping us to
19 continue to recover from COVID and planning for a zero
20 emission future.

21 BOARD CLERK MOORE: Thank you.

22 The next commenter is Kevin Brown. I've
23 activated your mic. Please unmute and begin.

24 KEVIN BROWN: Good morning. I'm Kevin Brown with
25 MECA Clean Mobility.

1 For nearly 50 years MECA has been the trade
2 association representing leading suppliers of clean
3 mobility technologies. From clean combustion to
4 electrification, our members invest in jobs, manufacturing
5 capacity and innovation to develop and commercialize
6 emission control, efficiency and electric technologies for
7 a wide variety of on- and off-road vehicles and equipment
8 in all world markets.

9 MECA supports the Executive Officer's proposed
10 amendments to the heavy-duty engine and vehicle omnibus
11 regulation for model years 2024 to 2026. We recognize the
12 need for lead time to test and certify engines and new
13 standards. And we understand the need for fleets that are
14 available vehicles to continue to operate their
15 businesses.

16 MECA has worked with CARB and others at Southwest
17 Research Institute that demonstrate that the model year
18 2024 FTP standards can be met with improved calibrations
19 applied to current active treatment architectures. The
20 underlying need for these amendments lie with the
21 compressed implementation timeline based by engine
22 manufacturers and not the availability of technology.

23 Emission control suppliers have made investments to
24 deliver the technologies to meet the model year 2024
25 standards. And these amendments significantly reduce the

1 rate of return on those investments.

2 Although we support the assurance that these
3 amendments will not lead to increase in NOx emissions, we
4 are concerned with the precedent and associated risks of
5 trading mobility source regulatory compliance with
6 supplemental emission projects once rules are finalized.

7 Most importantly, MECA urges CARB to move forward
8 as quickly as possible to finalize the adoption of
9 subsequent amendments to align the 2027 and later model
10 year requirements with EPA's Clean Truck Rule to ensure
11 the timeline to introduce these engines is retained.

12 In closing, our industry remains committed to
13 working with CARB and the challenges and opportunities
14 that lie ahead to achieve -- (inaudible).

15 BOARD CLERK MOORE: The next commenter is Greg
16 Gallup.

17 I've activated your mic. Please unmute, and you
18 may begin.

19 GREG GALLUP: Yeah, thank you. Yes.

20 Can everyone hear me okay?

21 BOARD CLERK MOORE: Yes.

22 GREG GALLUP: Yes. My name is Greg Gallup. I am
23 the CEO of Royal Coach Tours. We are a second-generation
24 family-owned business motorcoach company based in San
25 Jose, California. We started operations in 1960 and just

1 celebrated just recent our 60th anniversary.

2 As mentioned earlier, our industry has been
3 greatly impacted by COVID. And right now we currently run
4 65 vehicles in California and greatly of pride to say that
5 we transport over half a million customers over the last
6 year. We specialize in private and public school
7 transportation, group tours, senior groups, college and
8 professional athletics, conventions, tech shuttles; we do
9 a lot of work with FEMA relief for disasters and military.

10 We've always took a pride of having a very clean
11 fleet, meeting all the safety standards and always get a
12 10 percent new purchase every year to meet those
13 standards.

14 Since COVID, we have not been able to purchase
15 any vehicles for the past three years due to manufacturers
16 not having vehicles, and banks not feeling comfortable to
17 loan money to us to make these purchases.

18 I've just now been informed just recent in the
19 last few months through both my vendor manufacturers, MCI
20 and Prevost, that there will not be any engines available
21 for me to purchase for the next three years. This will
22 now put me six years behind my current replacement fleet
23 standard, which is now going to put me in jeopardy of 20
24 to 30 percent of my contracts that I have with customers
25 that require a vehicle three or five years or newer. I am

1 greatly concerned that this will reduce my volume, and
2 motorcoach companies from outside the State of California
3 will now come in that can meet these three- to five-year
4 requirements for my customers, causing me to --
5 unfortunately my business to shrink even further.

6 So I am asking for us to take a look at the
7 standards and see if there's any kind of relief that can
8 help out the motorcoach industry.

9 Thank you so much for your time.

10 BOARD CLERK MOORE: Thank you.

11 Our next commenter is Anthony Bento.

12 I've activated your microphone. Please unmute,
13 and you may begin.

14 ANTHONY BENTO: Good morning. I'm Anthony Bento
15 and I'm speaking on behalf of the California New Car
16 Dealers Association.

17 Over the past several months we've received
18 reports from our truck dealer members of declines in
19 inventory of up to 90 percent in 2024 due to the Omnibus
20 Regulation. This is after the announcement of CARB's
21 agreement with the Engine Manufacturers Association. It's
22 obvious that declines of vehicle supply of this magnitude
23 would devastate California truck dealers and harm local
24 businesses throughout the state.

25 A severe decline in new vehicle supply in

1 California will also undermine our state's environmental
2 goals, as it will delay retirement of the oldest, most
3 polluting vehicles. It will further shift sales of
4 noncompliant vehicles to out-of-state dealers, as
5 manufacturers appear to be simply moving allocation of
6 such vehicles from California dealers to non-California
7 dealers in 2024. Many of those vehicles sold by
8 out-of-state dealers will continue to be operated in
9 California, further undermining our state's environmental
10 goals.

11 In closing, we ask CARB and CARB staff to provide
12 needed relief and clarity on these rules to avoid
13 unnecessary harm to California's economy.

14 Thank you.

15 BOARD CLERK MOORE: Thank you.

16 Our next commenter is Suzanne Rohde.

17 I've activated your microphone. Please unmute,
18 and you may begin.

19 SUZANNE ROHDE: Good morning. I'm Suzanne Rohde
20 with the American Bus Association, a national trade
21 association representing the private bus industry. Thank
22 you for holding this hearing on the proposed amendments.

23 The bus industry by design is environmentally
24 friendly. We take cars off the road, reducing both
25 emissions and congestion. We support the Board's ZEV

1 efforts for heavy-duty vehicles. But we need to work with
2 the Board to ensure the time frames are reasonable and the
3 environmental benefits of bus travel are recognized.

4 We're pleased the Board worked with the engine OEMs to
5 reach an agreement for more flexibility. We're also
6 pleased the Board agreed to align with the regulation with
7 EPA's Clean Trucks Rules for 2027 and beyond. And we're
8 encouraged by the proposed revisions to the legacy caps.

9 But unfortunately these revisions do not address
10 the needs of the bus industry, which you're hearing.
11 Where you're -- all the efforts and things went towards
12 looking at the truck issue. Even your materials, even
13 today's presentation is all about trucks. You didn't
14 think about buses. We don't take it as a slight. We know
15 our volumes are small compared to the truck industry. And
16 you may not be as familiar with bus operations.

17 But now our OEMs are in a bind, as you're
18 hearing. And they don't have any insight into how the
19 engine OEMs are allocating their engines.

20 The bus market doesn't offer the same type as the
21 engine manufacturers, such as volumes and opportunities
22 for offsetting emissions, so there's no incentives for
23 them to work with bus OEMs.

24 So we know that we have a problem for the next
25 three years. Our fleet operators -- this also poses

1 serious problems for our fleet operators, as you're
2 hearing at this hearing today, as they try to recover from
3 the pandemic as well as the OEMs.

4 This is also going to affect bus passengers, many
5 from price sensitive, underserved communities who may be
6 forced to find alternatives, less environmentally friendly
7 and more costly. So we're asking the Board for relief.
8 We need greater flexibility. But it's only for the short
9 term, model years '24 through '26. And the number of
10 engines involved is very modest. We appreciate the
11 Board's need to keep these emissions neutral, but if no
12 relief is provided, we'll fear that less buses, meaning
13 more cars on the road, means more emissions.

14 So we thank you and we hope we can work this out.

15 BOARD CLERK MOORE: Thank you.

16 Our next five commenters will be Dan Rodriguez,
17 Alissa Recker, Andrew Soper, Hugues Morneau, and Terry
18 Fischer.

19 Dan Rodriguez, I've activated your microphone.
20 Please unmute, and you may begin.

21 DAN RODRIGUEZ: I would like to thank the Board
22 for the opportunity to speak today. My name is Dan
23 Rodriguez and I serve as the Vice President of Public
24 Affairs for Coach USA/Mega Bus. We are one of the largest
25 passenger transportation companies in North America. At

1 present, our operations in California involve a fleet of
2 108 buses. Coach USA routinely upgrades our vehicles,
3 maintaining an average fleet age of 10 years. Our efforts
4 have been recognized by the EPA as being instrumental in
5 reducing our carbon footprint.

6 Unfortunately recent discussions with three of
7 the largest motorcoach manufacturers revealed their
8 anticipation of scarce vehicle availability in California
9 for at least the next three years. This scarcity is not
10 solely attributed to supply chain disruptions or the
11 ongoing UAW strike impacts, engine manufacturing and other
12 crucial bus components.

13 The more critical driver of this issue is the
14 impact of the omnibus low NOx regulation on engine
15 manufacturers which leaves them unable to provide engines
16 for motorcoaches. While there are similar challenges
17 within the truck sector, it seems the amendments made by
18 CARB in engine manufacturers primarily consider truck
19 fleets while excluding bus fleets.

20 I urge CARB to account for the requirements of
21 the state's bus operators. Coach USA comprehends the
22 urgency of combating climate change and we have
23 contributed to substantial strides in this area. Our
24 buses remove millions of carbon emitting cars from
25 California roads annually, emitting only 1.7 pounds per

1 passenger, significantly lowering the emissions.

2 Due to the impact of COVID we had to curtail
3 expenses and postpone fleet acquisitions due to the
4 substantial decrease in ridership. Consequently we might
5 be left with no alternative but to reduce services leading
6 to potential layoffs. This would result in a decrease in
7 environmentally responsible transportation options.

8 BOARD CLERK MOORE: Thank you.

9 Our next commenter is Alissa Recker.

10 I've activated your microphone. Please unmute,
11 and you may begin.

12 ALISSA RECKER: Good morning. My name is Alissa
13 Recker speaking today on behalf of Daimler Truck North
14 America.

15 DTNA is the largest producer of medium- and
16 heavy-duty vehicles in North America, and we're fully
17 committed to lowering NOx and greenhouse gas emissions
18 from new technology diesel engines while simultaneously
19 developing zero emission vehicle products.

20 DTNA supports the proposed amendments to the
21 legacy in the engine provisions. We believe these
22 provisions are consistent with the Clean Truck Partnership
23 that EMA and CARB entered into in July, and we sincerely
24 appreciate the action that CARB staff is taking to provide
25 additional flexibility for 2024 through 2026. These

1 additional flexibilities, including the extension of some
2 legacy volumes into 2026 under option 1 and the addition
3 of option 2, are critical modifications. DTNA strongly
4 encourages the executive officer to consider approving
5 these amendments as proposed by staff.

6 Thank you, Dr. Cliff and the Board, for the
7 opportunity to speak today.

8 BOARD CLERK MOORE: Thank you.

9 Our next commenter is Andrew Soper.

10 And I've activated your microphone. Please
11 unmute, and you may begin.

12 ANDREW SOPER: Good morning. My name is Andrew
13 Soper speaking on behalf of Link-Belt Cranes. Link-Belt
14 is a manufacturer of mobile cranes which has missed
15 significant presence in participation in California's
16 mobile crane industry. The most significant challenge the
17 industry face is availability of compliance-certified
18 engines and ultimately cranes.

19 Mobile cranes are critical to the infrastructure
20 goals of the state. Compared to over-the-road truck
21 manufacturers, the mobile crane industry is very small.
22 The production in sales volume provide few levers when
23 competing for engine availability.

24 While the proposed amendments offer engine
25 manufacturers additional flexibility to serve the

1 marketplace, it is our opinion that little consideration
2 was given to the impact on manufacturers who are not part
3 of the EMA. Whether intentional or inadvertent, an
4 allocation system now exists from the engine supplier base
5 for CARB-certified legacy engines. Allocations of engines
6 for Link-Belt Cranes and our cohort of manufacturers are
7 practically zero for year -- model years '24 through '26,
8 with no hope of improvement. The shortage of engines'
9 availability will restrict commercial participation by
10 crane manufacturers in the California market in certain
11 product categories, particularly hydraulic truck cranes
12 and all terrain cranes. Ultimately California crane users
13 will have no opportunity to update and modernize their
14 fleets.

15 Without an avenue by which to update their
16 fleets, crane users will continue to operate older vintage
17 cranes with greater impact to air quality.

18 CARB has a track record of recognizing the
19 heavy-duty on-road crane industry for its unique engine
20 needs. Within the framework of the N series federally
21 compliant exempted engines CARB is allowed the use of
22 non-road engines and all terrain cranes.

23 We respectfully ask that the Board and CARB to
24 consider expanding the scope of the N series exemption to
25 include both all terrain cranes and hydraulic truck cranes

1 using federally compliant on-road engines. This would
2 merely be a short-term solution until engine manufacturers
3 develop engines that meet the Omnibus Regulations.

4 In conclusion, we must recognize the negative
5 impact of the omnibus and the proposed changes on the
6 commercial viability of the mobile crane industry.

7 Thank you.

8 BOARD CLERK MOORE: Thank you.

9 Our next commenter is Hugues Morneau.

10 And I've activated your microphone. Please
11 unmute, and you may begin.

12 HUGUES MORNEAU: Good morning. I'm Hugues
13 Morneau representing here Prevost, a Quebec manufacturer
14 for seated coach commuter and shuttle buses as well as
15 shells for motorhome and entertainers.

16 Since many years Prevost has sold an average of
17 90 vehicles annually in California, representing about 10
18 percent of its total sales. I'm here today to highlight
19 that Prevost will have no product available to sell to
20 California customers for the next three years, between
21 2024 and 2026, unless adjustments are made to the latest
22 engine legacy provision being considered by CARB. The
23 recent pandemic cost significant hardship for the
24 motorcoach industry, virtually eliminating all sales.
25 We've been working for many months to rebuild our

1 production capacity coming out of the pandemic to meet
2 customers' demand for newer product. However, just as
3 we're now reaching pre-pandemic production levels the NOx
4 regulation will prevent us from providing product to our
5 California customers until we return to our national
6 standard in 2027.

7 We cannot sell our legacy engines in '24 due to
8 limited availability of NOx credit from unexpectedly lower
9 heavy-duty zero-emission vehicle sales and the greater
10 demand for credit to sell compliant diesel vehicle under
11 the Omnibus NOx Regulation.

12 As part of the Volvo group we are committed to
13 having 100 percent fossil free product across all of our
14 product line by 2040.

15 We're trying also to expedite the launch of our
16 Prevost battery electric coach but do not realistically
17 anticipate this being available before late 2026. Before
18 then we cannot integrate the lower emission CARB-compliant
19 diesel engine in our product due to space constraint and
20 time required to engineer a solution.

21 Our industry is a small volume business, but our
22 customers play a key role in helping California address
23 environmental challenges by taking up to 30 cars off the
24 road for each coach trip as well as transporting victim to
25 safety in face of spreading wild fires.

1 I appreciate the opportunity to explain how this
2 regulation will impact our California-base customer, a
3 segment of the state transportation system that makes
4 our -- an outsized contribution to California
5 environmental goals relative to its number.

6 Thank you.

7 BOARD CLERK MOORE: Thank you.

8 Our next commenter is Terry Fischer.

9 I've activated your microphone. Please unmute,
10 and you may begin.

11 TERRY FISCHER: Good morning. Thank you for the
12 opportunity to speak this morning. My name is Terry
13 Fischer. I'm the president and owner of Transportation
14 Charter Services. We operate 95 motorcoaches in the Los
15 Angeles, Orange County and San Diego markets.
16 Historically I have maintained my fleet replacement
17 annually with new equipment purchases to align with CARB's
18 goals over the past 10 years.

19 In the earlier presentation we heard all about
20 the amendments and how this relates to trucks, but really
21 no mention of bus. I know this regulation is very
22 complicated. But I would like to just simply address how
23 all of these changes are affecting my business.

24 We were severely impacted by COVID-19 when we
25 were shut down for 15 months. Motorcoach manufacturers'

1 health of production of new buses during the pandemic as
2 the entire industry, which completely shut down. No new
3 coaches were produced in 2020 and 2021, and as a result my
4 company fell behind in our fleet replacement plans.

5 New coach production is now back to pre-pandemic
6 levels. But due to the fact I'm being told by the
7 manufacturers that I will not be able to purchase new
8 equipment for the next three years, this will put us even
9 further behind and put California operators at a huge
10 disadvantaged to surrounding states that are not limited.

11 2023 was the first year we could purchase.
12 However, equipment finance companies weren't lending to
13 our industry because they -- until they saw that our
14 businesses had recovered.

15 Our company does the majority of professional
16 sports in Southern California, and a few collegiate sports
17 during travel; and they require contractually three years
18 or newer equipment. With new regulations we run the risk
19 that these markets will now source other-state companies
20 rather than the California-based operators to maintain
21 their age compliance. And this will have a major negative
22 impact on our industry in California and the people that
23 are employees. As well California has mandated certain
24 safety equipment on new equipment. This mandate in safety
25 equipment became available on new coaches in 2020 and very

1 few coaches with this new equipment have gone into service
2 during the pandemic, and now this rule will delay
3 California DOT's requirement even further, putting public
4 safety at risk.

5 Thank you.

6 BOARD CLERK MOORE: Thank you.

7 Our next five commenters are Thom Peebles, a
8 number ending in 927, number ending in 508, number ending
9 in 771; and then James Nixon.

10 Thom Peebles, I've activated your microphone.
11 You can unmute.

12 Also we -- it's my understanding there are slides
13 involved.

14 THOM PEEBLES: That's correct. Thank you. And
15 I'll just signal when the next slide.

16 Thank you, Dr. Cliff, CARB staff for the
17 opportunity to speak today on behalf of the motorcoach
18 industry. I'm Thom Peebles with ABC Marketing, the
19 largest independent distributor of motorcoaches in North
20 America with locations throughout the U.S., Canada,
21 including four in California alone.

22 Next slide.

23 --o0o--

24 THOM PEEBLES: Our company and our 133
25 California-based employees are leading efforts to bring

1 zero-emission buses to market and all the required support
2 and the thousands of riders that they move every single
3 day.

4 Next slide.

5 --o0o--

6 THOM PEEBLES: In just over two years we've gone
7 from zero to over 30 percent of our new vehicle deliveries
8 being battery electric buses. However, these buses cannot
9 replace our clean diesel motorcoaches for the majority of
10 operators due to three issues: range, cost, and a lack of
11 reliable public charging infrastructure.

12 Next slide.

13 --o0o--

14 THOM PEEBLES: In fact, ABC Companies has also
15 privately funded the largest motorcoach charging facility
16 in North America in Newark, California. Bottom line, we
17 are definitely committed and well on the journey to zero
18 emissions.

19 Next slide.

20 --o0o--

21 THOM PEEBLES: However, 70 percent of our
22 customers' needs remain for clean diesel. And with the
23 impact of COVID on travel we're forecasting a deficit in
24 new coach replacement cycles growing over 450 vehicles by
25 the end of this year, bringing the challenge of a limited

1 number of legacy engines available front and center. With
2 one engine supplier our allocated 15 engines is
3 practically 14 percent of what we need to support our
4 California-based operators.

5 Next slide.

6 --o0o--

7 THOM PEEBLES: If we do not amend legacy engine
8 availability we will put our motorcoach operators in
9 jeopardy. Many of them will leave and bring those from
10 out of state. And in addition to that, or worst yet,
11 their customers will get in their own vehicles,
12 undermining the very spirit of this regulation.

13 Next slide.

14 --o0o--

15 THOM PEEBLES: Therefore, ABC Companies
16 respectfully request that we allow an unrestricted use of
17 the current technology, clean diesel engines, until a
18 CARB-compliant engine is available.

19 BOARD CLERK MOORE: Thank you.

20 Our next commenter is a number ending in 927.

21 You will hear a prompt when I activate your
22 microphone indicating that you may begin your comment.
23 Please state your name for the record, and you can begin.

24 MANJEET SINGH: My name is Manjeet Singh. I'm
25 from (inaudible) Bakersfield.

1 So my concern is trucking is already going
2 through a lot of trouble since 1980.

3 BOARD CLERK MOORE: Please -- your comment is
4 not --

5 MANJEET SINGH: There's a lot of depression
6 anxiety in the trucking community.

7 BOARD CLERK MOORE: Your microphone on?

8 MANJEET SINGH: This is the worst time we're
9 seeing. And these new CARB law, they're going to make it
10 worse. So because the spot rates they're in the record
11 low. We don't have any bills right now. If the CARB is
12 going to apply the new law, we're going to suffer a lot.
13 We have to move out of state; if we have to buy a new
14 house in another state, start from zero, which is going to
15 hurt family, children, everybody. And the State is also
16 going to face a big problem.

17 We don't want to buy any untested trucks, because
18 this just -- just in case, if my truck get totaled, I'm
19 not going to be able to buy another truck. So I have to
20 fire my employee or the -- at the (inaudible). So I am
21 concerned over these new laws. That's it.

22 Thank you.

23 BOARD CLERK MOORE: Thank you.

24 Our next commenter is the number ending in 508.

25 You will hear a prompt when I activate your

1 microphone, indicating that you may begin your comment.
2 Please state your name for the record and you may begin.
3 Just a reminder to mute any speakers that you might have
4 in the room if you're listening to the broadcast live.

5 ARTIE: My name is Artie (inaudible). Yeah,
6 we're a company out of Bakersfield, California, Stanford
7 trans -- majority running trucks -- newer trucks out of
8 California going out across country out of state.

9 Now, that a -- we try to keep our trucks
10 compliant and everything and doing rotation on our trucks
11 so that we don't do -- break down on the road. But now if
12 we're going to do a rotation on our trucks and when we
13 come to the dealership in California and ask them that we
14 want to rotate our trucks, they say we don't have any
15 trucks available. By that, it's forcing us to actually
16 try to buy stuff out of state. And either move out of
17 state, because we've got to move product out of 48 states,
18 (inaudible) -- and moving it without any emissions, and
19 it's okay for them. But people that are based out of
20 California are getting (inaudible) for that
21 removal (inaudible) living in California, one way or
22 another being forced to move out of California because of
23 these emissions, which out-of-state trucks are still
24 allowed to come into California, pick up freight that
25 don't have emissions at all.

1 So therefore, I'd like to see if this could be
2 pushed out a little bit to where we could still be able to
3 buy trucks and be able to keep running our business out of
4 California other than being forced to move out.

5 Thank you.

6 BOARD CLERK MOORE: Thank you.

7 Our next commenter is James Nixon.

8 After James Nixon we'll hear from Brandon
9 Buchanan and Chris Riddington.

10 Chris Riddington will be the final speaker for
11 the day.

12 James Nixon, I have activated your microphone.
13 Please unmute, and you may begin.

14 JAMES NIXON: Good morning. My name is James
15 Nixon with Nixon Egli Equipment Company. We're a small
16 family-owned construction equipment dealership that
17 represents a broad variety of manufacturers in California.

18 We firmly support CARB's efforts to move us to
19 zero emission future and are one of the leaders in selling
20 zero-emissions speciality construction equipment in
21 California to date.

22 That said, I'd like to speak in support of
23 specialty crane owners and mobile crane owners group.
24 Link-Belt and Manitowoc submitted written comments on the
25 proposed amendments.

1 The manufacturers of specialty cranes have been
2 told that due to the engine disallocations, small niche
3 volume manufacturers such as crane manufacturers will not
4 be receiving the necessary engines for the 2024 through
5 2026 model years. There's no commercially available
6 zero-emission solution for these machines in the two- to
7 three-year time frame in question, nor will there be an
8 available engine that meets proposed emission
9 requirements.

10 Our customers have a state mandate to update
11 their fleets, and they'll be unable to get the cranes to
12 do so. There's already a multi-year replacement backlog
13 due to the economic impacts of COVID. And the engine
14 restrictions will greatly exacerbate that, forcing
15 customers to run older, more polluting cranes rather than
16 upgrading to new engines.

17 Furthermore, these cranes are used to update and
18 maintain critical infrastructure such as bridges, dams and
19 sewer plants, and perform emergency cleanup. They are
20 essential to maintain California's infrastructure.

21 There are only approximately 30 engines per year
22 for specialty crane manufacturers, thus limiting the
23 effect on emissions.

24 Thank you, guys, for the opportunity to speak
25 this morning.

1 BOARD CLERK MOORE: Thank you.

2 Our next commenter is Brandon Buchanan.

3 I've activated your microphone. Please unmute,
4 and you may begin.

5 BRANDON BUCHANAN: Good morning. My name is
6 Brandon Buchanan with the American Bus Association. And
7 I'm happy to represent the motorcoach industry.

8 I just wanted to highlight and reiterate a number
9 of points that were made by earlier commenters, primarily
10 looking at the efficiency that motorcoaches provide which
11 leads us to be an environmental solution and a good
12 partner to help you reach your environmental goals.

13 Motorcoaches transport on average 35 -- take on
14 average 35 cars off the road as part of the 55 to 80
15 passengers they carry with each trip.

16 There is a reason why motorcoaches are often used
17 to support critical infrastructure, at least contributing
18 to evacuation efforts from wildfires such as you've had in
19 California in recent years, evacuations from hurricanes,
20 and participation most recently in the news in Hawaii with
21 those wildfires as well.

22 We also support the critical functions of transit
23 agencies and -- if there's moving people from home to
24 work; support Amtrak, the intercity passenger rail with
25 the Amtrak throughway service, more than -- of the top 30

1 pairs served by Amtrak throughway, more than half of those
2 exist in California. So you're a critical partner for
3 movement of large numbers of people.

4 We also support Department of Defense. And of
5 the 34 military bases in California, all of those are
6 served by motorcoaches.

7 And so, as is we mentioned, more than a third of
8 the industry within California has been harmed by the
9 pandemic and forced to close their doors. Vehicle
10 lifecycles are typically 7 to 10 years have been
11 dramatically increased and delayed as a result of the lack
12 of credit and the lack of ridership. We are just now
13 starting to recover, and we've just now been assisting
14 with the implementation of removing vehicles with older
15 than 2010 engines from the roads. We are a critical
16 partner. We're critical to the transportation of large
17 groups of people. And we're a great partner for you in
18 reaching your environmental goals.

19 Thank you.

20 BOARD CLERK MOORE: Thank you.

21 Our final commenter today is Chris Riddington.

22 I've activated your microphone. You may unmute,
23 and then begin.

24 CHRIS RIDDINGTON: Hello. I'm Chris Riddington
25 with Classic Charter Bus Company, a small bus business in

1 the San Joaquin Valley of California; also a proud member
2 of the California Bus Association, United Motorcoach
3 Association, and the American Bus Association.

4 You have heard a lot of valuable information
5 today from motorcoach leaders on how this affects us all.
6 I won't duplicate but want to put it into my simple words,
7 "Well, you're killing our industry."

8 You are telling bussers, "We can't buy new buses
9 for three years as Californians." We -- when has CARB
10 ever done that, told our industry, "We can't buy the
11 newest engines"? CARB has always told us to buy the
12 latest and greatest and get the cleanest engines we could.
13 But now CARB is telling bussers, "We can't buy new buses."
14 And the big corporations who CARB has made deals with
15 won't sell those engines to us for three years. But these
16 big corporations can sell them to the other 49 states,
17 just not if you're a Californian.

18 If CARB told all Californians it can't buy new
19 cars until 2027 and/or we are dropping available cars by
20 90 percent to Californians, you would have mutiny on your
21 hands. You may even get a call from your boss, Mr.
22 Newsom, and say, "Hey, CARB Board, California needs to buy
23 new cars." But you're not doing that. But you're doing
24 that to bussers. Why? Because you can. Big government,
25 big corporations can push the little industry like ours

1 around. So you will take your win and go about your
2 business while leaving us out in the cold to run used
3 equipment three years longer than we should. We are just
4 mom & pop shops, small business owners, husband and wife
5 teams, father-daughter teams, mother-son teams. You have
6 heard us and you've heard our customers, like Mrs. Smith's
7 6th grade class who's riding in a 2014 bus instead of a
8 2024; or our servicemen who take -- we take from Fort
9 Irwin to 29 Palms riding in a 2015 instead of a 2025.

10 I will close with something my mom and teacher
11 used to say to people when they did bad things. And if --
12 if you don't pass a provision for our little industry to
13 buy buses for the next three years, as we need, then that
14 is a very bad thing, and my mom would say, "Shame on you.
15 Shame on you."

16 BOARD CLERK MOORE: Thank you.

17 That concludes the commenters for today.

18 Dr. Cliff, back to you.

19 EXECUTIVE OFFICER CLIFF: Thank you and thank you
20 to all the commenters.

21 Staff, are there any issues that you'd like to
22 respond to that were raised in comments today?

23 Dr. Cliff.

24 MSCD MOBILE SOURCE REGULATORY DEVELOPMENT BRANCH

25 CHIEF HEROY-ROGALSKI: Thanks, Dr. Cliff.

1 Yeah, I would just like to point out that CARB
2 staff crafted the proposed amendments after hearing this
3 spring from original equipment manufacturers regarding
4 changes to their product plans. And our goal in crafting
5 these amendments was to ensure originally anticipated
6 engine availability that is to avoid shortages. So we're
7 confident that the proposed amendments will help smooth
8 the transition to the omnibus standards.

9 I also want to note that on October 24th CARB
10 staff will be hosting a workshop to discuss projects in
11 disadvantaged communities that can be done -- funded by
12 manufacturers to offset excess emissions from legacy
13 engines. And we encourage interested folks to participate
14 in that.

15 I want to echo Dr. Cliff's thanks to all the
16 people who came in person and who participated remotely
17 today to share your concerns, as well as the many people
18 that I and my staff have been talking to regarding these
19 same concerns over the past several months. We look
20 forward to working -- continuing to work with affected
21 dealers, fleets, and manufacturers to try to minimize any
22 remaining shortages.

23 We're very heartened regarding the vehicle
24 manufacturers' progress towards Advanced Clean Truck or
25 ACT compliance. We're very pleased to see the large

1 volume of ACT credits that are currently available. We'd
2 like to note that vehicle manufacturers who need ACT
3 credits can buy and use such credits to meet their ACT
4 responsibilities while enabling continued diesel sales
5 during the transition to zero emission.

6 All in all we see some positive steps engine and
7 vehicle manufacturers could take to increase engine
8 availability and avoid the possible shortages we heard
9 about today. And we look toward to exploring those in the
10 coming weeks.

11 EXECUTIVE OFFICER CLIFF: Okay. Thank you.

12 I will now close the record on this agenda item.
13 However, if it is determined that additional conforming
14 modifications are appropriate, the record will be reopened
15 and a 15-day Notice of Public Availability will be issued.
16 If the record is reopened for a 15-day comment period, the
17 public may submit written comments on the proposed changes
18 which will be considered and responded to in the Final
19 Statement of Reasons for the regulation.

20 Written or oral comments received after this
21 hearing date but before a 15-day notice is issued will not
22 be accepted as part of the official record on this item.

23 Upon consideration of the full public record of
24 this item and staff's proposed amendments, I will make a
25 final decision and issue an Executive Order accordingly.

1 The October 20, 2023, public hearing is now
2 adjourned. Thank you.

3 (Thereupon the Air Resources Board Executive
4 Officer hearing adjourned at 11:29 a.m.)

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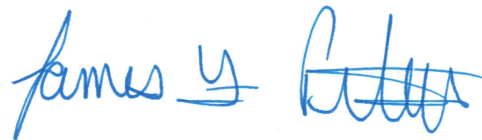
CERTIFICATE OF REPORTER

I, JAMES F. PETERS, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing California Air Resources Board Executive Officer hearing was reported in shorthand by me, James F. Peters, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed, under my direction, by computer-assisted transcription;

I further certify that I am not of counsel or attorney for any of the parties to said hearing nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of November, 2023.



JAMES F. PETERS, CSR
Certified Shorthand Reporter
License No. 10063