

MEETING

STATE OF CALIFORNIA

AIR RESOURCES BOARD

ZOOM PLATFORM

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

BYRON SHER AUDITORIUM

1001 I STREET

SACRAMENTO, CALIFORNIA

THURSDAY, MAY 23, 2024

9:05 A.M.

JAMES F. PETERS, CSR
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APPEARANCES

BOARD MEMBERS:

Liane Randolph, Chair

John Balmes, MD

Hector De La Torre

John Eisenhut

Dean Florez

Eric Guerra

Davina Hurt

Tania Pacheco-Werner, PhD

V. Manuel Perez

Cliff Rechtschaffen

Susan Shaheen, PhD

Diane Takvorian

Nora Vargas

STAFF:

Steve Cliff, PhD, Executive Officer

Chanell Fletcher, Deputy Executive Officer, Environmental Justice

Annette Hébert, Deputy Executive Officer, Southern California Headquarters & Mobile Source Compliance

Edna Murphy, Deputy Executive Officer, Internal Operations

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

APPEARANCES CONTINUED

STAFF:

Ellen Peter, Chief Counsel

Paul Arneja, Air Resources Supervisor, In-Use Control Measures Section, Mobile Source Control Division(MSCD)

Analisa Bevan, Assistant Division Chief, MSCD

Tony Brasil, Chief, Transportation and Clean Technology Branch, MSCD

Ian Cecere, Senior Attorney, Legal Office

Jack Kitowski, Division Chief, MSCD

Lucina Negrete, Assistant Division Chief, MSCD

Kat Talamantez, Air Pollution Specialist, In-Use Control Measures Section, MSCD

Alex Wang, Senior Attorney, Legal Office

ALSO PRESENT:

Mark Baatz, Tow Industries Los Angeles

Brian Banks, Firstline Road Solutions

Becky Birch, West Coast Towing Equipment

Kirk Blackburn, California Tow Truck Association

John Borst, West Coast Towing Equipment

Claire Broome

Marc Carrel, Breather Southern California

Kristian Corby, California Electric Transportation Coalition

APPEARANCES CONTINUED

ALSO PRESENT:

Zan Dubin

Evan Edgar

James Fahy, Mercedes-Benz

Greg Hurner, Miller Industries

Mark Jason, Advantage Towing and Transportation Services

Joshua Lovelace, Miller Industries

Kamy Modarres, Southern California Tow Equipment

Brandon Neal, Truck Body Sales, Inc.

Guillermo Ortiz, Natural Resources Defense Council

Mariela Ruacho, American Lung Association

Michael Schmeltz, DrPH, MS

Jessica Trigueros, Tow Industries

Robert Van Lingen, B&K Inglewood Towing

Sean Van Lingen

James Walsh, Golden West Towing Equipment

Frank Wheeler, Municipal Maintenance Equipment

James Wheeler, Municipal Maintenance Equipment

Tim Wheeler, Municipal Maintenance Equipment

APPEARANCES CONTINUED

ALSO PRESENT:

Sam Wilson, Union of Concerned Scientists

Jamie Wright, J&K Truck Service and Towing

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PROCEEDINGS

1
2 CHAIR RANDOLPH: All right. Good morning. The
3 May 23rd public meeting of the California Air Resources
4 Board will come to order.

5 Board clerk, will you please call the roll.

6 BOARD CLERK LEVRINI: Dr. Balmes?

7 BOARD MEMBER BALMES: Here.

8 BOARD CLERK LEVRINI: Mr. De La Torre?

9 BOARD MEMBER DE LA TORRE: Here.

10 BOARD CLERK LEVRINI: Mr. Eisenhut?

11 BOARD MEMBER EISENHUT: Here.

12 BOARD CLERK LEVRINI: Senator Florez?

13 BOARD MEMBER FLOREZ: Florez here.

14 BOARD CLERK LEVRINI: Assemblymember Garcia?

15 Dr. -- or I'm sorry. Mr. Guerra?

16 BOARD MEMBER GUERRA: Here.

17 BOARD CLERK LEVRINI: Ms. Hurt?

18 BOARD MEMBER HURT: Present.

19 BOARD CLERK LEVRINI: Mr. Kracov?

20 Dr. Pacheco-Werner?

21 BOARD MEMBER PACHECO-WERNER: Here.

22 BOARD CLERK LEVRINI: Mr. Perez?

23 Mr. Rechtschaffen?

24 BOARD MEMBER RECHTSCHAFFEN: Here.

25 BOARD CLERK LEVRINI: Dr. Shaheen?

1 BOARD MEMBER SHAHEEN: Present.

2 BOARD CLERK LEVRINI: Thank you.

3 Senator Stern?

4 BOARD CLERK LEVRINI: Ms. Takvorian?

5 BOARD MEMBER TAKVORIAN: Here.

6 BOARD CLERK LEVRINI: Supervisor Vargas?

7 BOARD MEMBER VARGAS: Vargas present.

8 BOARD CLERK LEVRINI: Chair Randolph?

9 CHAIR RANDOLPH: Here.

10 BOARD CLERK LEVRINI: Thank you.

11 CHAIR RANDOLPH: May quorum -- sorry, Madam
12 Chair, we have a quorum.

13 CHAIR RANDOLPH: All right. Thank you.

14 Okay. As usual, I will begin with a few
15 housekeeping items before we get started this morning.

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

22 We are conducting today's meeting in person as
23 well as offering remote options for public participation
24 both by phone and in Zoom. Anyone who wishes to testify
25 in person should fill out a request-to-speak card

1 available in the foyer outside the Board room. Please
2 turn it into a Board assistant as soon as possible. If
3 you are participating remotely, you will raise your hand
4 in Zoom or dial star nine, if calling in by phone. The
5 Clerk will provide further details regarding how public
6 participation will work in just a moment.

7 At the start of the meeting, the Board will
8 consider and vote on consent calendar agenda items as
9 noted in the public agenda. We will hear public comment
10 from anyone who has signed up to testify on staff's
11 proposal as posted on CARB's website.

12 A closed captioning feature is available for
13 those of you joining us in the Zoom environment. In order
14 to turn on subtitles, please look for a button labeled
15 "CC" at the bottom of the Zoom window as shown in the
16 example on the screen now. I would like to take this
17 opportunity to remind everyone to speak clearly and from a
18 quiet location, whether you are joining us in Zoom or
19 calling in by phone.

20 Interpretation services will be provided today in
21 Spanish for both in-person and Zoom attendees. If you are
22 joining us using Zoom, there is a button labeled
23 "Interpretation" on the Zoom screen. Click on that
24 interpretation button and select Spanish to hear the
25 meeting in Spanish. If you are joining us here in person

1 and would like to listen to the meeting in Spanish, please
2 speak to a Board assistant and they will provide you with
3 further instructions. I want to remind all of our
4 commenters to speak slowly and pause intermittently to
5 allow the interpreters the opportunity to accurately
6 interpret your comments.

7 THE INTERPRETER: Good morning, Madam Chair and
8 Board members.

9 (Interpreter translated in Spanish)

10 CHAIR RANDOLPH: Thank you. I will now ask the
11 Board clerk to provide more details regarding public
12 participation.

13 BOARD CLERK LEVRINI: Thank you, Chair Randolph.

14 Good morning, everyone. I will be providing
15 additional information on how public participation will be
16 organized for today's meeting.

17 We will first be calling on any in-person
18 commenters who have turned in a request-to-speak card and
19 then we will be calling on commenters who are joining us
20 remotely. If you are joining us remotely and wish to make
21 a verbal comment on one of today's Board items or during
22 the open comment period at the end of today's meeting, you
23 must be using Zoom webinar or calling in by telephone. If
24 you are currently watching the webcast on CAL-SPAN, but
25 you wish to comment remotely, please register for the Zoom

1 webinar or call in. Information for both can be found on
2 the public agenda for today's meeting.

3 To make a verbal comment, we will be using the
4 raise-hand feature in Zoom. If you wish to speak on a
5 Board item, please virtually raise your hand as soon as
6 the item has begun to let us know you wish to speak. To
7 do this, if you are using a computer or tablet, there is a
8 raise-hand button. If you are calling in on the
9 telephone, dial star nine to raise your hand. Even if you
10 previously indicated which item you wish to speak on when
11 you registered, you must raise your hand at the beginning
12 of the item, so that you can be added to the queue.

13 And for anyone giving verbal comments today in
14 Spanish and requiring an interpreter's assistance, please
15 indicate so at the beginning of your testimony and our
16 translator will assist you. During your comment, please
17 pause after each sentence to allow for the interpreter to
18 translate your comment into English.

19 When the comment period starts, the order of
20 commenters will be determined by who raises their hand
21 first. We will call each commenter by name and will
22 activate each commenter's audio when it is their turn to
23 speak. For those calling in, we will identify you by the
24 last three digits of your phone number. We will not show
25 a list of remote commenters, however, we will be

1 announcing the next three or so commenters in the queue,
2 so you are ready to testify and know who is coming up
3 next. Please note, you will not appear by video during
4 your testimony. I would also like to remind everyone to
5 please state your name for the record before you speak.
6 This is especially important for those calling in by phone
7 to testify on an item.

8 We will have a time limit for each commenter and
9 we'll begin the comment period with a two-minute time
10 limit, although this could change at the Chair's
11 discretion during public testimony -- excuse me. During
12 public testimony, you will see a timer on the screen. For
13 those calling in by phone, we will run the timer and let
14 you know when you have 30 seconds left and when your time
15 is up. If you require Spanish interpretation for your
16 comment, your time will be doubled.

17 If you wish to submit written comments today,
18 please visit CARB's send-us-your-comments page or look at
19 the public agenda on our webpage for links to send these
20 documents electronically. Written comments will be
21 accepted on each item until the Chair closes the record
22 for that Board item.

23 If you experience any technical difficulties,
24 please dial (805)772-2715 so an IT person can assist.

25 Thank you. I'll turn the microphone back to you,

1 Madam Chair.

2 CHAIR RANDOLPH: Thank you.

3 The first item on the consent calendar as noted
4 on the public agenda is item number 24-2-1. The proposed
5 2024 State Implementation Plan adoption and submittal of
6 five California Air Resources Board regulations. If are
7 you are here with us in the room and wish to comment on
8 this item, please fill out a request-to-speak card as soon
9 as possible and submit it to a Board assistant. If you
10 are joining us remotely and wish to comment on this item,
11 please click the raise hand button or dial star nine now.
12 We will first call on in-person commenters followed by any
13 remote commenters when we get to the public comment
14 portion of this item.

15 Dr. Cliff, would you please summarize the item.

16 EXECUTIVE OFFICER CLIFF: Thank you, Chair
17 Randolph and Good morning. Before you today is staff's
18 proposed action to revise the California State
19 Implementation Plan, or SIP, to include five CARB
20 regulations that were previously adopted or amended.
21 These regulations fulfill or support other regulations the
22 fulfill various SIP commitments and therefore need to be
23 submitted to U.S. EPA as revisions to the California SIP.

24 During the rulemaking process, there are certain
25 administrative and procedural requirements that must be

1 met in order to submit a regulation into the State
2 Implementation Plan. The previous Board hearing notices
3 adopting these five regulations did not include the
4 necessary language specifically noticing the adoption and
5 submittal of each regulation to U.S. EPA as revisions to
6 the California SIP.

7 Further, the Board resolutions adopting some of
8 these regulatory actions did not include the necessary
9 language for adopting and directing submittal of each to
10 U.S. EPA as a revision to the California SIP.

11 Therefore, to satisfy federal procedural
12 requirements, an additional 30-day public notice and
13 action from CARB is now needed in order to submit these
14 regulations to U.S. EPA as a revision to the California
15 SIP. This proposed action is exclusive to revision of the
16 SIP. It does not impact the regulatory language or other
17 aspects of the rulemakings already adopted by the Board.
18 This concludes my summary of the item.

19 Thank you.

20 CHAIR RANDOLPH: Thank you. Board clerk, have
21 any witnesses signed up to testify on Item 24-2-1?

22 BOARD CLERK MOORE: Yes. We currently have one
23 commenter on Zoom. This is for -- as a reminder, this is
24 for Item -- for the proposed 2024 State Implementation
25 Plan submittal of five previously adopted California Air

1 Resources Board regulations.

2 We have Mark Jason. I have activated your mic.
3 Please unmute and you may begin.

4 MARK JASON: All right. I'm here. Can you hear
5 me?

6 BOARD CLERK MOORE: Yes.

7 MARK JASON: Okay. Well, my comment and my
8 question is this. I started my business 11 years ago, a
9 family-run business. Right now, it's me and my son.
10 We've been successful up to this point, even though we've
11 had to incur the major expenses of the EPA standards and
12 CARB standards for emissions by changing our vehicles.
13 And now, we're being asked to go to fully electric, which
14 there are no electric tow truck availabilities to meet the
15 demands of towing and recovery that I am aware of. And
16 that is according to Miller Industries.

17 So I'm just kind of wondering what are we
18 supposed to do as a small company that's been in business
19 now 11 years. And I am a U.S. Air Force veteran 1973 to
20 '76. Started this business with my retirement money, so I
21 could continue on to make it a family business for my son.
22 And now every time I turn around the regulations change,
23 the insurance costs have gone up, and now again we're
24 being imposed upon by further emission standards that is
25 going to cause us to become close to what I could consider

1 bankruptcy. And I'm not very please with how unfriendly
2 the California Air Resources Board has been towards small
3 business in California.

4 I yield back.

5 BOARD CLERK MOORE: Thank you. That concludes
6 the commenters for this item.

7 CHAIR RANDOLPH: Okay. Thank you. I will now
8 close the record on this agenda item. The Board has
9 before them Resolution number 24-4. Do I have a motion
10 and a second?

11 BOARD MEMBER BALMES: Motion.

12 BOARD MEMBER EISENHUT: Second.

13 CHAIR RANDOLPH: All right, Clerk, will you
14 please call the roll.

15 BOARD CLERK LEVRINI: Dr. Balmes?

16 BOARD MEMBER BALMES: Yes.

17 BOARD CLERK LEVRINI: De La Torre -- Mr. De La
18 Torre?

19 BOARD MEMBER DE LA TORRE: Yes.

20 BOARD CLERK LEVRINI: Mr. Eisenhut?

21 BOARD MEMBER EISENHUT: Yes.

22 BOARD CLERK LEVRINI: Senator Florez?

23 BOARD MEMBER FLOREZ: Yes.

24 BOARD CLERK LEVRINI: Mr. Guerra?

25 BOARD MEMBER GUERRA: Aye.

1 BOARD CLERK LEVRINI: Ms. Hurt?

2 BOARD MEMBER HURT: Aye.

3 BOARD CLERK LEVRINI: Mr. Kracov?

4 Dr. Pacheco-Werner?

5 BOARD MEMBER PACHECO-WERNER: Yes.

6 BOARD CLERK LEVRINI: Mr. Perez?

7 BOARD MEMBER PEREZ: Yes.

8 BOARD CLERK LEVRINI: Mr. Rechtschaffen?

9 BOARD MEMBER RECHTSCHAFFEN: Yes.

10 BOARD CLERK LEVRINI: Dr. Shaheen?

11 BOARD MEMBER SHAHEEN: Aye.

12 BOARD CLERK LEVRINI: Ms. Takvorian?

13 Ms. Takvorian?

14 BOARD MEMBER TAKVORIAN: Aye.

15 BOARD CLERK LEVRINI: Supervisor Vargas?

16 BOARD MEMBER VARGAS: Yes.

17 BOARD CLERK LEVRINI: Chair Randolph?

18 CHAIR RANDOLPH: Yes.

19 BOARD CLERK LEVRINI: Motion passes.

20 CHAIR RANDOLPH: Okay. Thank you very much.

21 The next item on the consent calendar, as noted

22 in the public agenda, is Item number 24-2-3, public

23 meeting to consider a proposed new member for the

24 California Air Resources Board's Research Screening

25 Committee.

1 If you would like to comment on staff's proposal
2 as posted on CARB's website, please raise your hand in
3 Zoom or dial star nine now. When we get to the public
4 comment portion of this item, we will call on in-person
5 commenters who have submitted a request-to-speak card
6 followed by those who have virtually raised their hand.

7 The Research Screening Committee provides robust
8 scientific peer review for CARB's research projects. The
9 Committee currently has vacant positions that need to be
10 filled. Dr. Cliff will provide a brief summary of the
11 item and introduce Dr. Michael Schmeltz for the Board to
12 consider for appointment as a Committee member.

13 Dr. Cliff.

14 EXECUTIVE OFFICER CLIFF: Thank you, Chair
15 Randolph. The Research Screening Committee, or RSC, is a
16 body of up to 11 members with diverse expertise who
17 provide scientific peer review for CARB's research
18 programs.

19 Today, staff asks the Board to consider the
20 proposed new RSC member, Dr. Michael Schmeltz of
21 California State University, East Bay. Dr. Schmeltz would
22 fill a current vacancy and expand the expertise in the
23 committee. Dr. Schmeltz was selected through a public
24 nomination and application process, which began with
25 public outreach in April of 2023. Staff reviewed all

1 submissions and top candidates were interviewed in
2 November.

3 Dr. Schemltz has demonstrated experience in
4 public health research and has met the criteria set forth
5 in the selection process. If appointed, he will help the
6 Committee continue to uphold the scientific rigor of CARB
7 funded research that supports and informs the goals and
8 priorities of the agency. Dr. Schmeltz's experience
9 complements the existing expertise on the RSC particularly
10 by deepening the RSC's ability to provide meaningful
11 feedback on community engagement, climate change, and
12 environmental justice in a public health context.

13 Dr. Schmeltz serves in a number of advisory
14 roles, including the U.S. EPA Board of Scientific
15 Counselors and the Bay Area Air Quality Management
16 District, and works with a wide range of stakeholders
17 designing inclusive approaches to research that
18 effectively translate and communicate scientific knowledge
19 to address complex environmental health problems.

20 Staff are in the final stages of the recruiting
21 process to fill the remaining four positions on the RSC,
22 which are for expertise in community-based research,
23 agriculture, urban planning, and transportation services
24 and vehicle technology. We will continue to reach out to
25 Board members for outreach on future recruitments.

1 I will now invite Dr. Michael Schmeltz up to the
2 podium to introduce himself. Dr. Schmeltz.

3 DR. MICHAEL SCHMELTZ: Hi. This is Michael
4 Schmeltz. I want to thank the Board for considering my
5 nomination to the Research Screening Committee. I've
6 worked at the intersection of climate change, public
7 health, and air pollution in New York, Washington, and now
8 California. My official roles have changed over time, but
9 I have focused my work on applied research helping to
10 determine what could be done now and in the future to
11 reduce environmental burdens like air pollution and
12 climate change on marginalized communities.

13 Working a lot with community groups, my main
14 motivation for being on the Research Screening Committee
15 is to promote research that is co-developed by academic
16 researchers and community partners with an emphasis on the
17 needs of impacted communities, especially when developing
18 solutions. Another motivation of mine is the improvement
19 of indoor air environments. While focus has been on
20 outdoor air quality and sources, a portion of my work now
21 is around electrification equity and our ability to
22 improve indoor air environments with our transition to
23 renewable energy sources, both for the reduction of indoor
24 air pollutants and improved thermal environments.

25 Lastly, I would like to promote and persuade the

1 CSUs to participate more in annual CARB research project
2 solicitations. Now, I have a great respect and admiration
3 for my UC colleagues and no doubt they do amazing work, I
4 do think that diversifying research portfolios will help
5 with increasing and improving partnerships with different
6 communities, but also engage a greater diversity of
7 students who could benefit greatly from this research
8 experience, especially those that live and work in
9 communities that are impacted by these projects.

10 Given these aspects of my motivation for joining
11 the Research Screening Committee, as well as my
12 professional and academic background, I hope to be a
13 strong voice for public health, environmental and climate
14 justice, and community based research going forward.
15 Thank you again for your time and consideration.

16 CHAIR RANDOLPH: Thank you, so much Dr.
17 Schmeltzer[sic]. Really appreciate your willingness to
18 serve in this capacity.

19 Board Clerk, have any witnesses signed up to
20 testify on this item?

21 BOARD CLERK LEVRINI: Madam Chair, there are no
22 commenters for this item.

23 CHAIR RANDOLPH: Okay. I will now close the
24 record on this agenda item. The Board has before them
25 Resolution Number 24-6. Do I have a motion and a second.

1 BOARD MEMBER GUERRA: So moved.

2 BOARD MEMBER BALMES: Second.

3 CHAIR RANDOLPH: Okay. Any comments on this
4 motion before we vote?

5 No. Okay.

6 BOARD MEMBER HURT: I do have a --

7 CHAIR RANDOLPH: Oh, sorry.

8 BOARD MEMBER HURT: -- just a couple of comments
9 and also directing maybe more to staff and less to the
10 applicant.

11 We often talk about expertise around climate
12 change. And I'm just curious if you all could speak a
13 little bit to maybe non-traditional expertise around
14 climate change. And I'm thinking about our tribal
15 leadership and whether we had any individuals such as
16 those who apply, and if not, how can we spur more of that
17 interest?

18 RESEARCH DIVISION CHIEF SCHEEHLE: Thank you for
19 the questions. So Elizabeth Scheehle. I'm the Research
20 Division Chief. We have not had applications come in from
21 tribal communities so far. We are looking for new ways as
22 we do value different perspectives on the Research
23 Screening Committee. As stated earlier, this is a key
24 part of our research program to make sure that we have
25 solid peer review going forward. We look forward to

1 working with you all as we do outreach in the future. And
2 we are looking towards additional ways, such as the Tribal
3 Advisory Committee to bring in new applicants and new
4 nominations in that area as well.

5 BOARD MEMBER HURT: And there was -- there's been
6 a lot of talk about marginalized communities and how to
7 support them. And I'm wondering -- and actually this
8 could go towards the applicant, you spoke to supporting
9 marginalized communities in your research and I'm
10 wondering if you could expand on that a little bit. Those
11 folks that you have supported and what sorts of research.

12 DR. MICHAEL SCHMELTZ: Sure. A lot of the work
13 that I do now is in support, meaning the work that I do is
14 not driven by sort of an academic pursuit, but a pursuit
15 by communities who -- that sort of come to a research
16 group or partners that I work with to work on projects
17 that they are interested in or they are goals that they
18 helping -- hoping to achieve in this way. So, for
19 example, approached by some cities in the Bay Area working
20 on electrification projects for low-income homeowners and
21 thinking about best ways to do outreach, best ways to
22 engage with these communities to sort of participate in
23 the electrification process, and not being sort of left
24 behind, you know, thinking about when EVs first --
25 electrical vehicles first came out.

1 In other ways, working with my students at Cal
2 State, East Bay, but also currently going to be working
3 the project with Oakland Unified School District because
4 of their interest in indoor air quality, outdoor air
5 quality, thermal environments, in and outside their
6 schools of their concerned interest, approaching it with
7 sort of a scientific mind about how we could engage
8 students in sort of increasing their knowledge, their
9 awareness of data, and sort of how we bring that awareness
10 to the community as well through students in that way. So
11 those are just some examples we're sort of working with
12 these different types of communities.

13 BOARD MEMBER HURT: Thank you. I hope we can
14 continue to extend our listserv to more communities,
15 especially those communities that have lived experiences
16 in marginalized communities, to speak to those issues that
17 the Research Screening Committee are involved in. I
18 appreciate the work that you've done with those
19 communities. I also hope that we can continue to find
20 applicants, or at least send out invitations to those
21 folks and communities to see who they may know, who can
22 possibly apply. It gets better and better, but it would
23 be good to reflect the communities that we serve in this
24 Research Committee, especially around medicine and what we
25 know about communities of color and those voices that are

1 very important in that space.

2 So thank you for applying and we appreciate the
3 work that you're doing for those communities. That's all.
4 Thank you.

5 CHAIR RANDOLPH: Dr. Shaheen.

6 BOARD MEMBER SHAHEEN: Great. I also have a
7 question for Dr. Schmeltz. So great to see you here. And
8 I was curious, I'm a member of the faculty at one of the
9 UCs, and I was curious how you envision engaging more CSU
10 faculty members and students.

11 DR. MICHAEL SCHMELTZ: One of the ways I hope to
12 envision this occurring is right now the CSU does a good
13 job around sort of the idea of sustainability in research
14 and has a big listserv, but I think there needs to be
15 different ways of engagement of particular expertise, and
16 in this case, something like air pollution or climate
17 change, and really sort of reaching out. You know, the
18 CSUs are there to teach our sort of younger generation and
19 get them bachelor's degrees, but I think they benefit
20 greatly from the research project -- processes I have
21 seen. And it helps them tremendously in the future, so --
22 a bit on my part is I really want to do a bit more
23 outreach, you know, maybe even starting with my own
24 campus, but many other campuses that sort of work on these
25 projects that they too can participate in these research

1 projects. So that's sort of ways that I'm thinking to
2 engage more with the CSUs.

3 BOARD MEMBER SHAHEEN: Okay. Well, thank you for
4 your leadership and your willingness to serve on the
5 Committee.

6 Thank you.

7 CHAIR RANDOLPH: Okay. Any other comments.

8 Oh, Dr. Pacheco-Werner.

9 BOARD MEMBER PACHECO-WERNER: I just wanted to
10 thank the staff. I think -- I've seen the outreach grow
11 and I'm thankful for that. And I also echo Board Member
12 Hurt's comments in terms of the continuing to diversify
13 the Committee. And I look forward to helping in any way I
14 can to do that, and I'm very grateful for Dr. Schmeltz
15 work. And as I -- as I read through some of it really
16 trying to plan the community-based type work perspective
17 that really is needed in that community. So look forward
18 to thank -- and thanking you for your commitment to do
19 this.

20 CHAIR RANDOLPH: Board Member Takvorian.

21 BOARD MEMBER TAKVORIAN: Thank you.

22 Congratulations, Dr. Schmeltz and thank you for
23 volunteering to serve on this Committee. I think it's
24 really important. And I just want to echo some of my
25 colleagues' comments and make two thought -- comments. I

1 guess you're in the position of being an applicant and so
2 now we can tell you all our dreams and aspirations for the
3 research work.

4 One is I really support your CSU comment. I
5 think it was taught at San Diego State University for a
6 while. And I think that many of the students are very
7 reflective of the communities that are most marginalized
8 and appreciate your inclusion of them in your project, so
9 I hope that will continue.

10 And then the second thing is I really hope, and I
11 think we are doing better with this, but hope that you can
12 also support the inclusion of environmental justice
13 communities and organizations as lead researchers, and as
14 true partners, because I think we all know that academic
15 research has not always had the needs of the community in
16 mind in the best way, and I think that's really changing.
17 And I think CARB can continue our leadership role and the
18 Community Air Protection Program is a great example. And
19 I think integration of that program would be helpful. And
20 any thoughts you have about that, I would love to hear.

21 DR. MICHAEL SCHMELTZ: Thank you. I definitely
22 agree with you on the second point. You know, in my
23 experience, environmental justice, climate justice groups,
24 non-profits do a lot. And, you know, having to write
25 grants, sort of get those grants, administer those grants

1 can be a great burden on them sometimes. A lot of what I
2 had hoped to do in some of my projects is alleviate that
3 burden and really have communities really focused on the
4 work that they need to do. And I think that's some way to
5 help facilitate that as well is I think going in the right
6 direction, because they're doing great work already. I
7 think they just need the support to sort of reduce some of
8 those administrative barriers for them to be able to do
9 that work. So, yes, thank you.

10 CHAIR RANDOLPH: All right. So we have a motion
11 that has been seconded.

12 Board clerk, please call the roll.

13 BOARD CLERK LEVRINI: Dr. Balme?

14 BOARD MEMBER BALMES: Yes.

15 BOARD CLERK LEVRINI: Mr. De La Torre?

16 BOARD MEMBER DE LA TORRE: Yes.

17 BOARD CLERK LEVRINI: Mr. Eisenhut?

18 BOARD MEMBER EISENHUT: Yes.

19 BOARD CLERK LEVRINI: Senator Florez?

20 BOARD MEMBER FLOREZ: Yes.

21 BOARD CLERK LEVRINI: Mr. Guerra?

22 BOARD MEMBER GUERRA: Aye.

23 BOARD CLERK LEVRINI: Ms. Hurt?

24 BOARD MEMBER HURT: Aye.

25 BOARD CLERK LEVRINI: Dr. Pacheco-Werner?

1 BOARD MEMBER PACHECO-WERNER: Yes.

2 BOARD CLERK LEVRINI: Mr. Perez?

3 BOARD MEMBER PEREZ: Aye.

4 BOARD CLERK LEVRINI: Mr. Rechtschaffen?

5 BOARD MEMBER RECHTSCHAFFEN: Yes.

6 BOARD CLERK LEVRINI: Dr. Shaheen?

7 BOARD MEMBER SHAHEEN: Aye.

8 BOARD CLERK LEVRINI: Senator Stern?

9 Oh, excuse me.

10 Ms. Takvorian?

11 BOARD MEMBER TAKVORIAN: Aye.

12 BOARD CLERK LEVRINI: Supervisor Vargas?

13 BOARD MEMBER VARGAS: Vargas yes.

14 BOARD CLERK LEVRINI: Chair Randolph?

15 CHAIR RANDOLPH: Yes.

16 BOARD CLERK LEVRINI: Madam Chair -- Madam Chair,
17 the motion passes.

18 CHAIR RANDOLPH: Thank you.

19 The last item on the open agenda is Item number
20 24-2-2, proposed amendments to the Advanced Clean Trucks
21 Regulation and the zero-emission powertrain certification
22 test procedure.

23 If are you here with us in the room and wish to
24 comment on this item, please fill out a request to speak
25 card as soon as possible and submit it to a Board

1 assistant. If you are joining us remotely and wish to
2 comment on this item, please click the raise-hand button
3 or dial star nine now. We will first call in-person
4 commenters followed by any remote commenters when we get
5 to the public comment portion of this item.

6 The Advanced Clean Trucks Regulation was adopted
7 by the Board in 2020 and approved by the Office of
8 Administrative Law on March 15th, 2021. The goal of this
9 regulation is to minimize criteria and greenhouse
10 emissions from medium- and heavy-duty vehicles. The
11 regulation is expected to increase the supply of
12 zero-emission vehicles into applications that are well
13 suited for this use. As of today, we are already seeing
14 growth in the medium- and heavy-duty zero-emission market.

15 Truck manufacturers are two years ahead of
16 schedule in meeting their zero-emission sales requirements
17 and we expect to see a continued growth in sales. The
18 zero-emission powertrain test procedure was adopted by
19 CARB in 2019 and establishes an alternative certification
20 procedures for heavy-duty battery electric and fuel cell
21 vehicles, and the zero-emission powertrains they use.

22 Today, the Board will hear proposed amendments to
23 the Advanced Clean Trucks Regulation and the Zero-Emission
24 Powertrain Certification test procedure.

25 Dr. Cliff, would you please introduce the item?

1 EXECUTIVE OFFICER CLIFF: Thank you, Chair
2 Randolph.

3 As you know, the Advanced Clean Trucks Regulation
4 established requirements for medium- and heavy-duty
5 manufacturers to sell an increasing portion of their
6 vehicles as zero emissions starting with the 2024 model
7 year.

8 In July of 2023, the California Air Resources
9 Board and major truck manufacturers entered into the Clean
10 Truck Partnership Agreement. The agreement advances the
11 development of zero-emission vehicles for the trucking
12 industry and provides increased flexibility for
13 manufacturers to continue reducing criteria and greenhouse
14 gas emissions needed to protect public health and to
15 achieve the State's climate and emission reduction goals.
16 Recent statewide sales reported to CARB for the 2023 model
17 year shows that ZEVs are making up one in six medium- and
18 heavy-duty vehicle sales.

19 Presenting these proposed amendments to you today
20 fulfills commitments made by CARB in the clean truck
21 partnership. We agreed to initiate a rulemaking action in
22 2024 to achieve two primary objectives. The is to clarify
23 that compliance determination and sale reporting
24 requirements are both defined when vehicles are produced
25 and delivered for sale in California. The second is to

1 lengthen the number of years a manufacturer has to make up
2 a compliance deficit from one model year to three model
3 years.

4 Based on input from stakeholders and to
5 streamline implementation, staff is proposing additional
6 amendments to the definitions rule requirements and
7 reporting and record keeping requirements to address
8 issues that have arisen through early implementation.

9 The proposed amendments generally constitute
10 non-substantial administrative changes that are not
11 projected to increase emissions, would decrease
12 manufacturers' compliance costs, would better ensure the
13 interpretation of definitions and align the requirements
14 with Board's -- with the Board's original intent.

15 Manufacturers have also requested additional
16 flexibility to certify complete Class 2b through 3
17 vehicles, such as heavy-duty pickup trucks -- heavy pickup
18 trucks by using the same procedure used to certify
19 incomplete Class 2b through 3 vehicles. Therefore, staff
20 is proposing to expand the optional pathway for
21 manufacturers to certify complete Class 2b and 3
22 zero-emission vehicles through the zero-emission
23 powertrain certification test procedure.

24 In summary, presenting these minor changes for
25 your consideration today honor commitments made by CARB in

1 the Clean Truck Partnership Agreement, streamlines
2 implementation, and offers additional certification
3 flexibility to manufacturers. And although not directly
4 tied to the proposed amendments, you will be hearing
5 comments from several stakeholders today regarding issues
6 with procuring medium- and heavy-duty vehicles that relate
7 to our heavy-duty engine and truck regulations.

8 This shortage of product that we're hearing about
9 is inconsistent with the early ZEV sales we are seeing.
10 Following public comment, I'll want to discuss with the
11 Board appropriate next steps.

12 I will now ask Kat Talamantez from the Mobile
13 Source Control Division to begin the staff presentation.

14 Kat.

15 (Thereupon a slide presentation).

16 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: Thank
17 you, Dr. Cliff.

18 Today, I'll be taking us through the proposed
19 amendments to the Advanced Clean Trucks Regulation and the
20 Zero-Emission Powertrain Certification Test Procedure.
21 The proposed amendments consist of generally minor
22 administrative changes with minimal cost impact and no
23 emissions impact.

24 [SLIDE CHANGE]

25 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: I'll

1 begin with a review of some background information,
2 followed by a summary of the proposed amendments, and
3 finishing with a brief discussion of the next steps.

4 [SLIDE CHANGE]

5 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: The
6 Advanced Clean Trucks Regulation was adopted in January of
7 2021 to accelerate commercial deployment of zero-emission
8 vehicles, or ZEVs, and contribute towards meeting the
9 State's air quality and climate mitigation targets. The
10 regulation establishes requirements for medium- and
11 heavy-duty manufacturers to sell an increasing portion of
12 their sales at zero emission starting in the 2024 model
13 year in ramping up through 2035. It provides credits for
14 early sales, flexibility to make up a deficit within one
15 model year, and the ability for manufacturers to bank and
16 trade credits.

17 [SLIDE CHANGE]

18 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: Now to
19 provide an update on the Advanced Clean Trucks Regulation.
20 Based on information reported in 2021 and 2022,
21 manufacturers are currently two years ahead of compliance
22 with the regulation and have already produced enough ZEVs
23 to meet the 2024 requirement. We also just compiled the
24 latest preliminary data for the 2023 model year, and so
25 far it is showing that ZEVs make up about 16 percent of

1 the total new medium- and heavy-duty vehicle sales in
2 California, which is nearly double from 2022. Lastly, 10
3 other states have adopted ACT so far, cumulatively
4 accounting for about 25 percent of medium- and heavy-duty
5 truck sales in the U.S.

6 [SLIDE CHANGE]

7 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: Moving
8 on to another area we're proposing to amend in addition to
9 Advanced Clean Trucks, the Zero-Emission Powertrain
10 Certification test procedure, or ZEP Certification, was
11 adept in July of 2019 and Advanced Clean Trucks requires
12 ZEP certification starting with the 2024 model year to
13 receive credit. It is an optional certification pathway
14 for heavy-duty and incomplete medium-duty ZEVs that
15 increases consumer protections establishes new warranty
16 requirements and accelerates progress towards greater
17 vehicle repairability.

18 [SLIDE CHANGE]

19 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: In
20 July of 2023, CARB announced a clean truck partnership
21 agreement with the nation's leading major truck
22 manufacturers. The agreement advances development of
23 zero-emission vehicles for the trucking industry and
24 provides flexibility for manufacturers to meet emissions
25 requirements while reaching the State's climate and

1 emission reduction goals. The agreement marks a
2 commitment from manufacturers to meet California's vehicle
3 standards, including standards that will require
4 manufacturers to only produce and sell ZEV trucks starting
5 with the 2036 model year. As part of the agreement, CARB
6 agreed to initiate a rulemaking action in 2024 to include
7 specific changes to Advanced Clean Trucks that are part of
8 these amendments.

9 [SLIDE CHANGE]

10 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: Now,
11 for a summary of the proposed changes themselves.

12 [SLIDE CHANGE]

13 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: As
14 part of the Clean Truck Partnership, staff is proposing to
15 remove requirements for manufacturers to track when
16 vehicles reach the ultimate purchaser, meaning they will
17 no longer have to follow and document a vehicle's entire
18 pathway through upfitters and dealerships to its actual
19 owner operator. Instead, they will incur credits or
20 deficits when the vehicle is produced and delivered for
21 sale in California, which essentially means delivered to
22 the initial entity like a dealer and upfitter, or, in some
23 cases, the ultimate purchaser. This change also
24 harmonizes with a recent amendment made to the Omnibus
25 Regulation.

1 [SLIDE CHANGE]

2 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: Also,
3 part of the Clean Truck Partnership, we are proposing to
4 provide additional time to make up any deficits. We've
5 also included some conditions to that time extension and
6 eligibility criteria as well to ensure that manufacturers
7 are making progress each year.

8 [SLIDE CHANGE]

9 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: The
10 proposed amendments also encompass minor conforming
11 changes that coincide with the changes that are in the
12 Clean Truck Partnership, but we've also incorporated other
13 small changes that improve alignment with Advanced Clean
14 Cars, and the 100 percent ZEV sales by 2036 requirement
15 under Advanced Clean Fleets. The remaining changes update
16 reporting and record keeping requirements and streamline
17 implementation.

18 [SLIDE CHANGE]

19 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ:
20 Lastly, we are proposing to provide an option for
21 manufacturers of complete medium-duty ZEVs to now use the
22 ZEP Certification procedures. Currently, those procedures
23 only apply to heavy-duty and incomplete medium-duty ZEVs.

24 [SLIDE CHANGE]

25 MSCD AIR POLLUTION SPECIALIST TALAMANTEZ: Moving

1 on to the next steps, staff recommends that the Board
2 approve Resolution 24-5, which includes adopting the
3 proposed amendments and directing the Executive Officer to
4 submit the amendments to the U.S. EPA for inclusion in the
5 California State Implementation Plan.

6 This concludes staff's presentation.

7 CHAIR RANDOLPH: Thank you.

8 We will now hear from the public who signed up to
9 speak on this item, either by submitting a request to
10 speak card or by their raised hand in Zoom. I will ask
11 the Board clerks to begin calling on the comment public
12 commenters.

13 BOARD CLERK LEVRINI: Thank you, Madam Chair. We
14 have 10 commenters who have turned in a request-to-speak
15 card and wish to speak at this time. We will be showing a
16 list of the next several commenters on the screen so that
17 you can be prepared to come to the podium.

18 Public sign-up closure will be in 30 minutes, so
19 10:15 or 10:16.

20 The first commenter, Mark Bee[sic]. And I
21 apologize in advance if I mispronounce anybody's name.

22 MARK BAATZ: Thank you for the opportunity to
23 speak today. I'm here to address trucks in a certain
24 category particularly. First of all, my name is Mark
25 Baatz. My company is Tow Industries out of Los Angeles.

1 I'm here from Los Angeles to see you today. I've been in
2 business for 40 years. We employ a hundred people. We
3 serve thousands. Our primary -- what we supply are
4 essentially vehicles to essential services. And I'll
5 elaborate on that. We supply tow trucks in particular,
6 small one ton through 100 tons to essential services on
7 the road, and I'll name some of them, the road side
8 service providers, the auto club for example. We've
9 supply freeway service patrol trucks. We supply the
10 trucks to law enforcement providers. We supply trucks to
11 CHP contractors. We supply the MTA itself and those that
12 serve the MTA.

13 So again, I point out they are essential
14 services. Through the COVID pandemic, we were identified
15 as essential services -- as an essential service, as were
16 the people that we serve. I leave that as a -- we are the
17 supplier and servicer of essential vehicles to an
18 essential -- to essential services.

19 I move to my next point. With CARB's movement
20 towards clean vehicles, we wholeheartedly embrace that
21 movement provided the technology is there to do so. This
22 is -- we have through the last -- as I say I've been at
23 the business 40 years and we've certainly embraced, even
24 as difficult as it has been to some time change out
25 clean -- or dirtier fleets or older trucks to newer

1 cleaner fleets. But we've been part of that process. We
2 have helped our end users, some of them private, some of
3 them government agency to move from dirtier or call it
4 non-compliant vehicles to --

5 BOARD CLERK LEVRINI: Thank you. This concludes
6 your time?

7 MARK BAATZ: Sorry, out of time?

8 BOARD CLERK LEVRINI: Thank you. Sorry. This
9 concludes it.

10 Next is Joshua Lovelace.

11 JOSHUA LOVELACE: Good morning, folks. Thank you
12 for giving me the opportunity to speak. My name is Joshua
13 Lovelace. I represent the towing equipment manufacturers
14 Miller Industries. I reside in Southern California. And
15 I would like to bring to your attention that I have
16 personally worked with four different zero-emission
17 vehicle chassis manufacturers on the engineer side to see
18 if any of our bodies would mount to their units. They, in
19 fact, do not unfortunately.

20 I am very active in going forward with this.
21 It's just we simply have no options at the current time
22 unfortunately. And what I'm asking for or what we are
23 asking for as a whole as an industry is that we are given
24 some time for the battery electric or the zero-emission
25 vehicles to bring forth that engineering that allows us to

1 mount our units to their chassis, so that we can comply
2 with the incoming mandates. As Mark mentioned, our
3 essential services, which I'm sure some of you in this
4 room have utilized, been broken down on the side of the
5 road, your family members. It's not fun sitting there in
6 a car in 110 degrees waiting for a tow truck to come get
7 you.

8 And if we don't have some sort of a stopgap
9 between now and the impending regulations, we're not going
10 to have any tow trucks plain and simple. We represent
11 less than one percent of the total truck sales in the
12 state of California, but we represent 100 percent of the
13 vehicles that clear the roadways. And I'm sure you can
14 agree once the roadways are clogged up, we're done,
15 produce doesn't move, food doesn't move, fuel doesn't
16 move. So I'm asking for some consideration in this matter
17 and looking for a stopgap. And we're willing to come to
18 the table and work with you. We just need to know how. I
19 appreciate your time.

20 Thank you.

21 BOARD CLERK LEVRINI: Brian Banks.

22 BRIAN BANKS: Good morning. Thank you for the
23 opportunity to speak this morning. I'm a second
24 generation tower out of San Mateo County. We operate a
25 fleet of over 150 trucks. We employ over 200 people. The

1 way this law is written today, it would slowly but surely
2 put us out of business. Our business over the years has
3 partnered with the likes of P90 when they were in
4 existence, The San Mateo County Sheriff's office, Life
5 Choices. We've worked very hard to give people without
6 college degrees good livings where they can make an
7 honorable fair living with a retirement, benefits, and an
8 ability to put a roof over their head.

9 While I am all for clean air, I ask you to guys
10 to please revisit this and work with us to find a
11 solution, because as Josh has just said, we do not have a
12 solution for what we're going to do in the near future.
13 And, you know, this is a business I'm very passionate
14 about. I'm a second generation tower. Most of those
15 people have given me their lives and careers and I owe it
16 to them to stand here today and ask all of you to please
17 reconsider the way the law is written today, work with us
18 to find a solution so that I can continue to employ the
19 people that mean so much to me, and my family, and my
20 community.

21 Thank you for your time.

22 BOARD CLERK LEVRINI: Greg Hurner.

23 GREG HURNER: Good morning, Madam Chair, members
24 of the Board. Greg Hurner on behalf of Miller Industries,
25 Inc. Miller makes the towing and rotator bodies that are

1 shipped to California for assembly and sale by independent
2 distributors. From the standard flatbed tows you may see
3 to the large rotators that move Class 8 trucks and
4 semi-trailers off the road, off of I-80 during ice and
5 snow storms. There is no question that towing and
6 recovery vehicles reduce air remissions. UC Berkeley
7 found during the low traffic years of COVID that the
8 freeway service patrol saved over 16 million gallons of
9 fuel and reduced vehicle traffic hours by 9.6 million
10 hours. That's a 1,100 years worth of vehicle time removed
11 from the road.

12 There are over a million incidents a year in
13 California and 3,600 per day. Having adequate supply of
14 tow trucks is important to reducing emissions and the
15 safety of first responders and the public. The longer it
16 takes to clear a crash, the more likely there is another
17 crash. There are also emission saving from the assembly
18 of the newest low-emission CARB-compliant trucks occurring
19 in California. This ensures those being deployed are
20 those lowest emission, because otherwise we're importing
21 used trucks from out of state that don't have to be CARB
22 compliant. Trucks that require -- have higher emissions
23 require more maintenance, but this won't help the freeway
24 service patrol. Freeway service patrol are mandated to
25 use new trucks and are subject to fines and liquidated

1 damages if they don't.

2 Miller Industries, on behalf of the small
3 businesses and employees, would request that we work
4 together to find a solution, grant the same consideration
5 to privately owned and public -- that publicly-owned tow
6 trucks have. We have provided multiple options in our
7 comment letter for the Board's consideration and ask that
8 the Board direct staff to further consider the challenges
9 in the towing and recovery industry and work with the
10 industry to craft the solution and conduct at 15-day
11 comment period if changes are made.

12 We appreciate the time.

13 BOARD CLERK LEVRINI: James Wheeler.

14 JAMES WHEELER: Good morning and thank you. My
15 name is James Wheeler. I'm the President of Municipal
16 Maintenance Equipment. We're here to speak about the
17 amendments and talk about why we think they have fall
18 short, especially for vocational and essential Emergency
19 equipment. First of all, middle stage manufacturers, as
20 Dr. Cliff mentioned briefly and were mentioned in the
21 presentation, not all of those reside in California. And
22 so many vehicles are manufactured body specifically
23 outside of California.

24 A company may order a truck to mount a body.
25 That body may be mounted nine months later. That truck

1 may be delivered to California after that and take 90 days
2 to register. The credits are issued at the time of
3 registration disincentivizes body manufacturers from
4 developing electric technology and it slows down the
5 supply of electric trucks, first of all.

6 Second of all, manufacturers should have the
7 opportunity to purchase 50-state emissions trucks and
8 purchase the offset credits for ACT to continue to deliver
9 and operate. Right now, they don't have that ability. So
10 we could buy the clean emissions. They're willing to buy
11 the credits to offset. We just don't have that method, so
12 all truck sales are running through California truck
13 dealers. And there's a limited supply through California
14 truck dealers, because they're not selling enough
15 electrics yet. So ACT is limiting their ability to supply
16 and there is no national supply currently.

17 Talked about the incentive, right now, it's very
18 minimal. Okay. I also believe that ACT needs to align
19 with ACF, so ACF-protected agencies and ACF-protected
20 vehicles that are not available in ZEV configuration need
21 to be consistent in supply. Currently, the regulation
22 does not allow that.

23 And finally, OEMs that agreed with the Clean
24 Truck Partnership, the manufacturers have a path to add
25 credits to guarantee a supply of ICEs for essential

1 emergency equipment. They're choosing not to in some
2 cases, constricting supply, affecting the ability to
3 deliver these vehicles I would ask that there's
4 accountability for those manufacturers.

5 Thank you.

6 BOARD CLERK LEVRINI: Beck Birch -- excuse me.
7 Frank Wheeler.

8 FRANK WHEELER: Thank you, Madam Chair, Board,
9 and staff of CARB.

10 We're an advocate of clean air. I started in the
11 business 45 years ago providing environmental essential
12 equipment used in government and contractors business. My
13 boys are now running the business. It's a family
14 business. We have 50 employees and 50 families that
15 survive because of it. Right now, we have probably a
16 hundred vehicles that were on order before this law came
17 into play and we can't procure chassis for those vehicles.

18 Earlier, you heard that the chassis manufacturers
19 they control the dispensation of those credits and those
20 credits aren't issued until the truck is delivered. Well,
21 we're waiting two, three years for trucks to show up,
22 because of the lack of supply from COVID 2020 and parts
23 availability. And now the availability of chassis are
24 limited, because of the mandates of conflict between ACT
25 and ACF.

1 What we would like is to see that the essential
2 emergency vehicles that this whole business was founded
3 upon 32 years ago -- 12 years before that I worked for
4 another company that was in this business. We would seek
5 to request that there's a waiver for essential vehicles,
6 emergency vehicles that are provided to city, county,
7 state governments, water agencies, sewer agencies. We
8 went through the PERP regulations. There was a bridge.
9 We could get that done. There is no bridge for vocational
10 trucks of this size and shape. And to convert to electric
11 operated vehicles, it takes time for the engineering and
12 designs to meet up with the on-road designs that are there
13 now.

14 Thank you.

15 BOARD CLERK LEVRINI: Tim Wheeler.

16 TIM WHEELER: My name is Tim Wheeler. Thank you
17 for allowing us to time to speak. I'm also representing
18 Municipal Maintenance Equipment.

19 January 24 has seen a majority of our customer
20 base faced with the challenge of replacing dirty engines
21 in their agencies. Our customers are about 85 percent
22 municipal and running almost exclusively emergency and
23 essential equipment. Our customers through outreach that
24 we've found that they want to replace the units and are
25 really on board, but are struggling in a major way.

1 Despite best efforts in designs by CARB to
2 facilitate partnerships with OE manufacturers, constraints
3 brought on by the ACT and Omnibus regulations are
4 restricting the availability of compliant engines.
5 Cummins in particular is not filling orders and is placing
6 holds on intake due to a lack of supply. From the market
7 segment we represent, the grossest polluters left in our
8 customers' fleets are being forced to stay on the streets,
9 pick up trash, clean sewers, and clean streets.

10 Fleet and city managers are also being faced with
11 incurring fines. They have no mechanism to avoid. We're
12 having that conversation on a weekly basis with high level
13 managements, cities and municipalities. They're very
14 fearful about fines they're going to incur, but have no
15 way to report them. As a group, if we can't find a path
16 to support compliance for emergency and essential
17 vehicles, small businesses like ours are going to suffer,
18 communities throughout the stat are going to suffer, and
19 the air quality is going to suffer.

20 Lastly, I would propose that the data being
21 reported today on the acceleration of adoption of ZEV does
22 not accurately represent our market segment, or the
23 vocational market segment. Trucks -- medium-, heavy-duty
24 trucks that are being accepted and embraced simply are not
25 apples-to-apples comparison with the trucks that we sell

1 that support communities and municipalities. I think it's
2 important to remember that.

3 Thank you.

4 BOARD CLERK LEVRINI: Beck Birch.

5 BECKY BIRCH: Hello my name is Becky Birch. I am
6 also a manager of a small tow truck manufacturing company
7 here locally in Sacramento. I have 13 employees that are
8 under me. And we have followed all of the CARB
9 regulations. We've embraced with the new trucks. And as
10 previously stated, right now there is no truck that is
11 available for us to mount our equipment on there. That
12 lack of product will also then trickle down where we won't
13 have anything to build or sell because people are not
14 going to have the vehicles that's needed to be on the
15 streets.

16 I know everybody has seen traffic on Highway 50.
17 There's no shoulders. Auto Club, FSP, State, city police,
18 they all need those two trucks to clear accidents.
19 Yesterday morning, I counted 27 accidents between the
20 morning till 11 a.m. just here in Sacramento. If we don't
21 have two trucks to clear that, that's blocking traffic,
22 that's more pollution sitting there on the freeways as the
23 cars sit there waiting for that accident to be cleared,
24 which then also causes a train wreck, because more
25 accidents happen, because everybody is looking at that

1 accident.

2 So we understand. We support zero. We just
3 don't have it yet. And so all we're asking is just a
4 little more time to give us a way to keep our business
5 along with our employees' families income coming in until
6 we can actually have a vehicle that we can actually use
7 for the purpose of the towing.

8 Thank you.

9 BOARD CLERK LEVRINI: John Bonsey[sic].

10 JOHN BORST: Good morning, Board members. My
11 name is John Borst. I'm sales a representative for
12 Chevron West, West Coast Towing Equipment, Golden West
13 Towing Equipment. I represent the small business owners,
14 the start-ups. There is no way that these people can
15 afford these newer trucks, zero-emission trucks. These
16 things are going to run over \$250,000. When I first
17 started selling these trucks -- I've been in this business
18 34 years. I've been selling for the last 20 years. I was
19 selling these things at \$65,000. In the 2008, they came
20 into emissions with the exhaust filter system, putting all
21 that stuff on the truck. Then by 2010, they came out with
22 the new systems. These trucks are putting out nitrogen
23 and H2O basically out of the exhaust system. You could
24 literally run them inside the building as we're building
25 them, and not even smell any diesel coming out of these

1 things.

2 So, we had built the first electric truck through
3 a company called Hummingbird. We took out the Cummins
4 motor out of a, you know, a brand new International truck.
5 We put in the electronic motor -- or electric system in
6 that truck. This thing is absurd with the amount of
7 electric wiring through this thing. This truck sat
8 outside of our shop while we were going to manufacturer a
9 bed to put on this thing. And it got filled with rain
10 water inside that system. It killed the electrical system
11 in this truck. We had to send it back to the
12 manufacturer. They had to rebuild the whole thing and
13 reseal it.

14 Just like your iPhones, they are not waterproof.
15 They are water resistant. These customers that are in
16 rural areas, they cannot operate this truck. It only goes
17 100 miles to do a recovery that could possibly take a
18 couple hours. The PTOs run \$12,000 versus \$2,000 today.
19 They cannot operate these trucks. These small businesses
20 that are family owned are going under. I've watched many
21 of them fail. As I started them, I watched them fail just
22 as fast. Thank you.

23 BOARD CLERK LEVRINI: Kristian Corby.

24 KRISTIAN CORBY: Good morning, Chair Randolph and
25 Board members. My name is Kristian Corby and I'm the

1 Deputy Executive Director of the California Electric
2 Transportation Coalition. CalETC supports the Advanced
3 Clean Trucks Rule, because it's a critical piece of
4 California's strategic to transition our medium- and
5 heavy-duty trucks to zero emission. We'd like to thank
6 the Air Resources Board and staff for their willingness to
7 work with stakeholders on these changes. We support our
8 OEM members, including Stellantis' comments regarding the
9 certification of complete medium- and heavy-duty ZEVs,
10 including the need for lead time.

11 We support the proposal to align the definition
12 of credit and deficit generation based on the delivery for
13 sale in California, which aligns with the light-duty
14 standard. We also support the proposal to have a
15 three-year make-up period. But at this early stage in the
16 market, we recommend allowing NZEVs to cover up to 50
17 percent of the deficit, which would be consistent with the
18 rule allowing NZEVs to generate up to 50 percent of annual
19 compliance.

20 Additionally, we recommend removing or lowering
21 the requirement that OEMs make up 70 percent of their
22 credit shortfall in one year. If an OEM has a shortfall,
23 it's unlikely that that OEM will be able to make up that
24 70 percent of the deficit in one year, and instead we
25 recommend giving them the full three years to make up the

1 shortfall.

2 We greatly appreciate your consideration of our
3 recommendations and commend you on this work to transition
4 California's medium- and heavy-duty trucks to zero
5 emission.

6 Thank you.

7 BOARD CLERK LEVRINI: Brandon Neal.

8 BRANDON NEAL: Good morning. Brandon Neal with
9 Truck Body sales, second generation manufacturer here in
10 Sacramento assembling tow trucks, also with a family
11 affiliation to a towing company in Northern California.
12 Collectively, we have over 35 employees working diligently
13 to provide emergency roadside and law enforcement support,
14 necessary services.

15 Currently, I've gone to a couple different
16 conventions, seminars, presentations, seeking solutions
17 that fit our industry. So far, nothing from the
18 manufacturer level or even, you know, a vocational level
19 fits that need. In the towing industry, you don't know
20 what you're going to be called out for, when you're going
21 to be called out for it, how long you're going to be
22 there, or what additional occurrences may happen.

23 The technology is not in development in any
24 conversation with the manufacturers that I've had to solve
25 that problem currently. They are very focused on the

1 areas that can do the delivery services, the drayage
2 services. Those are the areas that are seeing success, so
3 that's what they're pushing for.

4 Right now, my business in particular has a
5 limited time frame on how much product we have, how much
6 product we can produce. How do we continue to move
7 forward investing in new stuff when even the manufacturers
8 are telling us there's not a solution. We're not working
9 on it yet. Our hope is that can see adoptions to address
10 this and get exemptions for the emergency vehicles that
11 are necessary to keep our society running.

12 Thank you.

13 BOARD CLERK LEVRINI: That concludes our
14 in-person commenters. I will now turn it over to John
15 Moore.

16 BOARD CLERK MOORE: Thank you. We currently have
17 10 commenters signed up to speak through Zoom. I will be
18 calling your name. First, James Fahy, Robert Van Lingen,
19 Jamie Wright, Mariela Ruacho, and James Walsh will be the
20 first five. Please remember to speak slowly so our
21 interpreters can accurately interpret your comments into
22 English.

23 James Fahy, I have activated your microphone.
24 Please unmute and you may begin.

25 JAMES FAHY: Good morning, Chair Randolph and

1 Board members. I'm James Fahy with Mercedes-Benz Research
2 and Development North America. In February, Mercedes-Benz
3 announced the North American launch of the all-new
4 eSprinter. With this launch of our first all electric
5 vehicle in the Class 2b segment, U.S. fleet customers can
6 now help make their fleets more sustainable with an
7 emissions-free battery electric van bearing the
8 Mercedes-Benz star. Mercedes-Benz applauds CARB's effort
9 to champion the ZEV market.

10 As a part of today's ACT amendments,
11 Mercedes-Benz appreciate CARB staff's efforts to
12 streamline certification pathways for medium-duty
13 vehicles. These changes allow for increases efficiency
14 and regulatory compliance and provide important and useful
15 regulatory clarity.

16 Mercedes-Benz also supports the amendments to
17 1963.2(h), which allows the flexibility for incomplete
18 medium-duty vehicles to certify to ACC I and earn credits
19 under ACT, rather than having to meet alternative
20 certification pathways found in the ZEP Cert requirements.
21 However, Mercedes-Benz believes that the same flexibility
22 to certify an incomplete medium-duty ZEV to ACC II and
23 earn credits under ACT should be established in this
24 amendment process. This adjustment would prevent
25 manufacturers from unnecessarily certifying to both

1 requirements for applicable vehicles with the introduction
2 of ACC II in model year 2026.

3 Removing duplicative requirements would
4 streamline development efforts and prevent valuable
5 electrification funds for being diverted from existing
6 projects. An incomplete medium-duty ZEV certified to ACC
7 II would already have to meet range, durability in
8 labeling, standardization, warranty, and other
9 requirements. So there would be no emissions impact or
10 impact to consumers of medium-duty ZEVs.

11 This change to the amendment process would also
12 help bolster the market for medium-duty electric vehicles
13 in California by incentivizing manufacturers to bring them
14 to market through ACT credits, ensuring that important
15 ability to upfit and second stage manufacturer these vans
16 for specific customer and business uses. It also helps
17 support the Advanced Clean Fleets program.

18 That concludes my remarks. Thank you again for
19 staff's hard work in developing this rule and for the
20 opportunity to testify today.

21 BOARD CLERK MOORE: Thank you.

22 Our next commenter is Robert Van Lingen. I have
23 activated your microphone. Please unmute and you may
24 begin.

25 ROBERT VAN LINGEN: Good morning. My name is

1 Robert Van Lingen. I'm from Inglewood, California. We
2 own and operate B&H Inglewood Tow, which as many people
3 know this is a very marginalized community that we serve.
4 I want to thank and fully support all the speakers today
5 including especially the lobbying effort of our industry
6 world leader Miller Industries.

7 We believe that we need to have some sort of a
8 road service industry exemption applied to our industry as
9 others have spoke on. We are asking for an appropriate
10 carbon representative from CARB to represent our industry
11 and explore and address the challenges we face. And as a
12 point of reference, we want to point out that all the
13 electric vehicle manufacturers from cars to heavy trucks,
14 from Tesla to Peterbilt are using existing trucks not
15 electric units to provide service when they fail.

16 In fact, if the technology existed, one would
17 think that these electric vehicle manufacturers would be
18 the first to utilize that technology. It simply does not
19 exist yet. Until that time occurs -- until that time
20 comes, we are simply asking for the consideration to add
21 the road service industry a special exemption till we
22 catch up with the technology to service the motoring
23 public.

24 Thank you.

25 BOARD CLERK MOORE: Thank you.

1 Our next Commenter is Jamie Wright. I have
2 activated your microphone. Please unmute and you may
3 begin.

4 Jamie Wright, are you there?

5 JAMIE WRIGHT: Yes. My name is Jamie Wright.
6 I'm with J&E Truck Service and Towing out of Stockton,
7 California. We're a family owned and operated business
8 and we have been in business for 30 years. We provide a
9 valuable service to the Central Valley and we're asking
10 towing and recovery trucks to be recognized as an Emergency
11 vehicle.

12 We are urging the Board to adopt the Miller
13 Industries' amendment to keep new lower emission trucks
14 assembled and sold in California. Currently, there is no
15 zero-emission chassis that can support the type of work
16 that we do and the amount of hours that we work out on
17 wrecks. So we are asking for your assistance to adopt
18 this amendment to keep all of us small businesses in
19 California up and running.

20 Thank you.

21 BOARD CLERK MOORE: Thank you. Our next
22 commenter is Mariela Ruacho. I have activated your
23 microphone. Please unmute and you may begin.

24 MARIELA RUACHO: Good morning, Chair and Board
25 members. My name is Mariela Ruacho from the American Lung

1 Association.

2 We urge CARB to continue implementing the ACF and
3 we support the transition to zero-emission trucks.
4 California continues to have the worst air in the United
5 States. And ACT will reduce our reliance on diesel fuels,
6 which release these -- release particle pollution
7 smog-forming emissions harmful to human health.

8 The Lung Association and health partners across
9 the country creates -- appreciates staff for their ongoing
10 efforts to ensure successful implementation and delivery
11 of billions in health benefits and save thousands of lives
12 under truck electrification.

13 Thank you.

14 BOARD CLERK MOORE: Thank you.

15 Our next commenter is James Walsh. After James
16 Walsh, we will hear from Sean Van Lingen, Kirk Blackburn,
17 Guillermo Ortiz, Sam Wilson, and Terry Manies.

18 James, I have activated your microphone, please
19 unmute and you may begin.

20 James Walsh, I have activated your microphone.
21 Can you hear us?

22 Okay. We'll come back.

23 Sean Van Lingen, I have activated your
24 microphone. Please unmute and you may begin

25 SEAN VAN LINGEN: Good morning. So my name is

1 Sean Van Lingen. I'm a third generation owner, family
2 business towing company here in the greater Los Angeles
3 area. We currently serve over 30 different police
4 departments here in the greater Los Angeles area. You
5 know, currently, there is -- as many have said, there is
6 no solution for our industry to have zero-emission
7 vehicles. It just -- it's not possible currently.

8 Second thing I wanted to touch on is that there
9 is a carve-out and exemption for government-owned
10 emergency vehicles including government-owned towing and
11 recovery trucks. So, I'm asking that you take
12 consideration for our industry for somebody who runs
13 towing and recovery trucks, that we follow the same rules
14 that you have already carved out for government-owed
15 towing and recovery trucks. We should be no different.
16 When there's an emergency on the side of the road, we are
17 called to assist stranded motorists. We are called to
18 assist police departments, fire departments, whatever the
19 need may arise. So I'm asking that you -- you know, you
20 look into this and you also include us in that -- in that
21 exemption.

22 You know, lastly, I just want to say, like I
23 said -- like I started this conversation with, we've been
24 in business for 76 years and this regulation will simply
25 put us out of business. A third generation family

1 business has been run for 76 years is few and far between
2 in this state. And I would hate to see a regulation like
3 this put a third generation family-owned business out of
4 business, but quite simply it will.

5 Thank you for your time.

6 BOARD CLERK MOORE: Thank you. I'll try again
7 with James Walsh. I have activated your microphone.
8 Please unmute and you may begin.

9 JAMES WALSH: Hi. My name is James Walsh and I
10 represent Golden West Towing Equipment in Fullerton,
11 California, as well as West Coast Towing Equipment in
12 Sacramento, California. Our primary business is the upfit
13 and build of Class 6, 7, and 8 chassis body configurations
14 for the towing and recovery industry.

15 We have, since they implemented CARB, been on
16 board with the transition to following what CARB's
17 objectives were, which is to cycle out all of these heavy
18 polluting vehicles. We have been a partner in that
19 process from hybrids to the gamut, from every
20 organization, from freeway service patrol, all of the
21 aspects that are in place in order to help the air quality
22 in the state of California.

23 The problem we're faced with, as you've heard
24 repeatedly, is we do not have a vocational platform in
25 which to move forward with our product line. The

1 ramifications for this is that the users that we now serve
2 are going to continue to use the heavy polluting vehicles
3 that you seek to have removed from the equation in order
4 to reach your goals. So it's counterproductive in our
5 industry, which is all scope of the entire state. It
6 affects all of your marginal communities. That's who we
7 hire. That that's who we employ. That's who all of our
8 customers employ. So the ramifications are statewide.
9 And we are going to have the unintended consequence of
10 causing more pollution by creating an environment where we
11 can't give them an option to take the next step.

12 And that concludes my commentary on this and
13 thank you for your time.

14 BOARD CLERK MOORE: Thank you.

15 Our next commenter is Kirk Blackburn. I have
16 activated your microphone. Please unmute and begin.

17 KIRK BLACKBURN: Good morning. Kirk Blackburn
18 here on behalf of the California Tow Truck Association,
19 which is known nationally as Emergency Road Service
20 Coalition of America or ERSCA. CTTA is the largest towing
21 non-profit association in the world representing near a
22 thousand emergency roadside responders and towing
23 companies within California and throughout the country.
24 CTTA shares the concerns about the ACT Regulation that
25 were expressed from Miller Industries, which manufactures

1 much of the towing and recovery equipment used by CTTA's
2 members.

3 As explained, the mandates contained in the ACT
4 Rule will drastically impact the availability of tow
5 trucks in the sale -- for sale in the state. As there are
6 currently no known commercially available ZEV tow trucks
7 for sale capable of performing the same work done by
8 traditional tow trucks, no clear indication that any
9 manufacturers have plans to develop any such ZEV tow
10 trucks any time in the near future, the lack of
11 availability for any tow truck -- of any tow trucks
12 creates a dire problem for the tow industry and motoring
13 public that we serve.

14 Without a sufficient number of tow trucks on
15 California's roads, accidents, breakdowns, and impacts --
16 impounds will remain uncleared, the number of secondary
17 accidents increase, the amount of emissions from idling
18 vehicles increase, and loss productivity from increased
19 traffic will hit the state's economy. To put these
20 prices --

21 BOARD CLERK MOORE: Kirk, you're speaking
22 extremely fast. Can you slow down just slightly. We'll
23 extend your time slightly too.

24 KIRK BLACKBURN: Thank you. I'll repeat that
25 last statement. With a sufficient number of tow trucks on

1 California's roads, accidents, breakdowns, and impounds
2 will remain uncleared, the number of secondary accidents
3 will increase, the amount of emissions from idling
4 vehicles increase, and lost productivity from increased
5 traffic will hit the state's economy. To avoid this
6 crisis, CTTA also encourages CARB to include in the ACT
7 Rule an exemption for tow equipment.

8 Thank you for your attention to this critical
9 issue directly impacting roadside responders, and the
10 motoring public that they serve.

11 BOARD CLERK MOORE: Thank you. Our next
12 commenter is Guillermo Ortiz. I've activated your
13 microphone. Please unmute and you may being.

14 GUILLERMO ORTIZ: Hello. Good morning, Chair
15 Randolph, and CARB Board members, and staff. My name is
16 Guillermo Ortiz and I represent the Natural Resources
17 Defense Council. I'm their medium- and heavy-duty
18 vehicles lead.

19 I'm here today in support of the Advanced Clean
20 Trucks Regulation, which sets achievable targets for the
21 delivery of new zero-emission medium- and heavy-duty
22 vehicles that gradually increase each year. Alongside the
23 Advanced Clean Fleets Rule, the ACT will gradually
24 transition the State's transportation system away from
25 dirty diesel trucks and ultimately put an end to diesel

1 death in environmental justice communities.

2 In addition, the rule includes measures to help
3 manufacturers comply with the new requirements, such as
4 rewards for early action and flexibility mechanisms to
5 count extra ZEV sales for one vehicle type towards meeting
6 the standards for another. This allows manufacturers to
7 meet the requirements even if one vehicle model is not
8 progressing towards electrification as quickly as another.

9 In addition, there are already over 450 existing
10 zero-emission bus and heavy truck models that are
11 commercially available in the U.S. today covering almost
12 every truck class, duty cycle, and use case. As
13 technology advances, we'll see even more options
14 especially for long-haul and heavy-load applications. And
15 there seems to be a conflation of the ACT amendments being
16 discussed today with concerns around the ACF to which I
17 would say that CARB is efficiently processing fleet
18 reports for ACF purchases and handling exemption and
19 extension requests ensuring everything is safe and
20 transparent.

21 The ACF also includes both generous extensions
22 and exemptions for fleets that act in good faith but face
23 challenges, whether it is due to a lack of appropriate
24 model availability, delay in vehicle delivery, delays in
25 infrastructure construction, and in cases where necessary

1 electricity to support depot charging is not available,
2 there is flexibility within the rule. So -- and I would
3 like to conclude is that I would like to hope to see the
4 EPA expedite the approval of CARB's pending waiver
5 request.

6 Thank you for your time.

7 BOARD CLERK MOORE: Thank you.

8 Our next commenter is Sam Wilson. After Sam
9 Wilson, we will hear from Kamy Modarres and Jessica
10 Trigueros.

11 Sam Wilson, I have activated your microphone.
12 Please unmute and you may begin.

13 SAM WILSON: Good morning, Chair Randolph, Board
14 members, and staff. Thank you for the opportunity to
15 speak with you all today. My name is Sam Wilson. I'm a
16 Senior Vehicles Analyst with Union of Concerned Scientists
17 based here in Oakland, California.

18 The ACT is a vital supply-side foundation of the
19 much needed accelerated transition towards a cleaner,
20 healthier, and more equitable, and economically sound
21 freight system. Furthermore, ACT bolsters the feasibility
22 of other critical air quality and climate regulations like
23 ACT's demand-side sibling the Advanced Clean Fleets Rule,
24 which Guillermo so eloquently described. We're pleased to
25 see that CARB staff are proposing amendments to ACT that

1 enhance its feasibility and flexibility without
2 sacrificing the environmental and health benefits of the
3 rule. To realize these vital benefits of the regulation,
4 we need it to be successful in the real world.

5 Along these lines, we request that staff and the
6 Board take a close look at the language proposed around
7 secondary vehicle manufacturers. We believe that as
8 written, the language may present a loophole for bad actor
9 secondary manufacturers allowing them to essentially
10 convert new zero-emission vehicles to alternative fueled
11 combustion models. While today's economics would likely
12 prohibit this situation, we can't be certain of the
13 future.

14 However, I am certain that creating a potential
15 compliance loophole is absolutely not the intention of the
16 staff or the Board. And I would request that clear
17 language prohibiting such actions be included in the final
18 regulatory language. I'd be happy to speak with staff or
19 Board members individually or together regarding my
20 comments and the specific request. And again, thanks for
21 the time today and your continued support of fact-based
22 regulations that promote a healthy environment,
23 sustainable, and equitable communities and a vibrant
24 economy.

25 Thanks again.

1 BOARD CLERK MOORE: Thank you.

2 Our next commenter is Kamy Modarres. As a
3 reminder our speaker comment period sign-up has closed as
4 of 10:16, as a reminder.

5 So I have activated your microphone, Kamy
6 Modarres. Please unmute and you may being.

7 KAMY MODARRES: Good morning and thank you for
8 your work to make cleaner air. My name is Kamy Modarres,
9 President of the Southern California Tow Equipment. This
10 is a family-owned business started 1998 with 24 employees.
11 My background is civil engineering/transportation from
12 University of Nebraska. I move to California in 1982. I
13 owned a couple of towing companies from '82 to '94. I'm
14 one of the first freeway service patrol contractors when
15 it was a pilot program.

16 We all know the importance of mobility and
17 traffic congestion on the public and commerce. As the
18 provider of towing equipment to freeway service patrol
19 contractors for the next contracts to start in 2024, we
20 are having problems providing any chassis for them to use
21 in the contract as of today.

22 As a business owner, I have inventory to build
23 tow trucks for another maybe five months max. And after
24 that, you're going to be laying off and may be forced to
25 close our doors for good.

1 Towing vehicles are safety vehicles and we don't
2 want to lose this industry to other states with used low
3 mileage tow trucks. If businesses move out of state, I
4 estimate about 500 million lost in sales tax revenue to
5 State of California and it would be very difficult to get
6 it back. Please adopt the Miller Industries amendment to
7 keep new lower emission trucks assembled and sold in
8 California for now. Thank you for your time.

9 BOARD CLERK MOORE: Thank you. Our final
10 commenter is Jessica Trigueros. I have activated your
11 microphone. Please unmute and you may begin.

12 JESSICA TRIGUEROS: Good morning and thank you
13 for letting me speak. My name is Jessica Trigueros. I
14 work for Tow Industries out of Los Angeles, California.
15 We have been in business for over 40 years. We upfit Tow
16 trucks from light-duty to heavy-duty. We supply completed
17 tow trucks for freeway service patrol contracts,
18 California Highway Patrol, auto clubs, and law
19 enforcement, and also to the public.

20 As you've heard today, there is no solution for
21 electrical vehicles with our bodies. We are very limited
22 to the vehicles that we have to build for this year.
23 We're -- sorry. We urge the Board to adopt the Miller
24 Industries amendment to help us keep our doors open. With
25 no inventory coming in, we're going to have to close our

1 doors down, lay off employees, and not be able to produce
2 any more trucks.

3 Thank you guys for letting me speak.

4 BOARD CLERK MOORE: Thank you.

5 That concludes the Zoom commenters who signed up
6 to speak during the comment percent.

7 Madam chair, back to you.

8 CHAIR RANDOLPH: Okay. Thank you very much.

9 I -- before I turn the mic over to my colleagues,
10 I -- you know, I heard a couple different issues around --
11 that sort of are conflating a couple different rules. And
12 so I guess I just want to do a bit of level set and have
13 staff kind of walk through some of the basic structure of
14 the rules and how it's comparable to these types of
15 vehicles and companies.

16 EXECUTIVE OFFICER CLIFF: Thank you, Chair
17 Randolph. Yeah, as you said, there are several rules at
18 issue here, ACT, which amendments are being considered
19 today, the Advanced Clean Fleets Regulation, and
20 separately the Omnibus Regulation, which is a reg that
21 we're already implementing.

22 So I just wanted to thank all of the commenters,
23 in particular the Wheeler family, with whom I've had many
24 conversations and the tow truck folks that have come in
25 today to explain some of the challenges that they're

1 facing.

2 I just wanted to note a couple of things. One,
3 we're talking about the Advanced Clean Trucks Regulation
4 today, not Advanced Clean Fleets. Advanced Clean Fleets
5 actually regulates larger fleets of those that are 50 or
6 greater trucks, or more than \$50 million in revenue. And
7 even then, the regulations don't impact the tow truck type
8 of fleet until 2027.

9 And then, of course, if there isn't availability,
10 as you know, those regulations have provisions in them to
11 accommodate that, so other flexibilities. So not
12 dismissing any of the concerns that we've heard today, but
13 I wanted to just indicate that generally speaking, we're
14 talking about very large fleets and there's some delay in
15 when those would impact the fleets. As well, some of the
16 State and local governments that own these tow trucks are
17 actually not impacted. You heard that from some of the
18 commenters. So those that are owned by bridge districts,
19 for example, would not be impacted by the regulations.
20 They are exempt.

21 The Advanced Clean Trucks Regulation affects only
22 manufacturers. So most of the -- most of the stakeholders
23 that you heard from today are actually not impacted
24 directly by the Advanced Clean Trucks Regulation. But
25 indirectly, there are some supply challenges and you've

1 heard in particular from the Wheelers about some of the
2 challenges that they've faced in getting supply from
3 manufacturers, as a result of constraints that seem to be
4 placed on them by the OEMs who have not taken advantage of
5 some of the flexibilities. That, you know, is something
6 that staff is continuing to evaluate.

7 And I think with that, I'm going to turn it to
8 Jack Kitowski to give maybe a little bit more detail about
9 the regulations and these various things, because there
10 are several things that you heard today. And so I think
11 it would be helpful to clarify a few of those.

12 So, Jack.

13 MSCD CHIEF KITOWSKI: Yeah. Thanks, Dr. Cliff.

14 So Jack Kitowski, Chief of the Mobile Source
15 Control Division.

16 You know, let me -- let me start. As we were
17 saying, there isn't a forcing of zero emission in this
18 category. Many of the folks were talking about the
19 challenges. There still is time for zero-emission
20 vehicles to come in this category. Long term, we
21 absolutely expect them to come into this category. The
22 Advanced Clean Truck Regulation, the regulation which we
23 are proposing some flexibility amendments today for the
24 manufacturers, is based on sales percentages. And at this
25 point -- and those sales percentages provide flexibility

1 therefore for the manufacturers to decide which vehicles
2 are the best ones to bring forward now, which ones to hold
3 back on.

4 For this year -- this is the first year of
5 implementation of that regulation. For this year, the
6 percentage requirements is only five percent or nine
7 percent of their vehicles depending on the weight
8 category. So they sell, you know, 95 to 91 percent
9 combustion vehicles. And then they -- then they're
10 required to sell the remainder as ZEVs or buy credits
11 associated with that.

12 We are hearing from the tow truck folks. We are
13 certainly hearing from MME on supply challenges. The
14 scale of those challenges at this point I think are
15 important to try and put into perspective. For MME, we
16 have -- we have heard that the -- their man -- one of the
17 manufacturers that they deal with primarily, Daimler, is
18 limiting sales due to -- limiting the sales of their
19 combustion vehicles primarily due to the fact that they
20 don't have sufficient ZEV credits in ACT.

21 So there is the situation -- a real situation
22 they're dealing. That manufacturer has several choices.
23 They could run a deficit and make it up. And, in fact,
24 part of the recommendations of the staff proposal today
25 allow that extension from one year to three years, as part

1 of the Clean Truck Partnership we signed last year.

2 Now, ideally, I would like to think, all right,
3 if we're giving manufacturers more time to make up a
4 deficit, they would feel more comfortable running that
5 deficit, and therefore maybe they would open up more
6 combustion sales for MME, and that would provide more
7 opportunities there. I can't guarantee that that would be
8 an ideal situation. But they can also purchase credits.
9 And from what I understand, the Daimler situation, it
10 would take about 50 ZEV credits to make -- to make them
11 whole. There are -- from our latest information, there
12 are over 10,000 ZEV credits available, if they wanted to
13 purchase those credits. So the availability of credits
14 isn't an issue. These are -- these are manufacturer issue
15 choices.

16 The tow trucks are a little more nuanced.
17 They've developed -- they've submitted a proposal you've
18 heard about. The Miller proposal is actually, I think,
19 three different ideas on exempting tow trucks, analogous
20 to what you might do for a fire or police department.
21 Right now, we're relying on the California Vehicle Code
22 for identifying those vehicles and that's what we put in
23 our regulation. We'd have some challenges with using that
24 criteria and extending it beyond the final -- we'd have
25 some challenges with doing that and how the ramifications

1 of that would extend to other regulations and the
2 consequences of that.

3 And as you -- as you know, we worked hard last
4 year with a lot of state and local industries on what an
5 emergency vehicle is, in the ACF Regulation, what are
6 emergency regulations. You've got electrical. You've got
7 water situations, sewer. Our internet is an emergency
8 situation sometimes. So it's really hard to, you know,
9 limit that classification and expand it, because many
10 things are important services. And I'm not saying that
11 the tow trucks aren't. They generally perform a very
12 important service, but it's cleaner for us to rely on the
13 California Vehicle Code as a definition for emergency
14 vehicles.

15 With regard to their situation, I -- they've
16 talked about exemption from the Advanced Clean Truck Rule.
17 I think if -- I think it's more nuanced than that. I
18 think they do have issues also with Omnibus and we are
19 still working with them. If it were entirely an Advanced
20 Clean Truck issue and related to availability of credits
21 for that, we think less than 200 credits would solve their
22 problem again.

23 So again, the Advanced Clean Truck is not a
24 regulation in and of itself that's holding up the limiting
25 of these vehicles. It's not -- there are plenty of

1 opportunities available. We're working with the
2 manufacturers and trying to provide whatever flexibility
3 we can to make sure there are opportunities for industries
4 like MME and the tow truck upfitters to be able to take
5 advantage of the flexibility that's already in the
6 regulation.

7 CHAIR RANDOLPH: Okay. So to be clear, so we
8 have one issue with the, you know, combustion chassis. So
9 we'll talk about that as part of the conversation. I just
10 want to drill down on one more thing, which is there was a
11 lot of concern expressed that there are no zero-emission
12 tow truck options. So I just want to kind of -- you
13 talked about the 2027 being sort of the first compliance
14 timeline, but could you just elaborate a little bit on
15 that.

16 MSCD CHIEF KITOWSKI: Right. So the -- there
17 would be -- at this point, within the Advanced Clean Fleet
18 Rule, as Dr. Cliff mentioned, it is a requirement that
19 would apply to fleets of 50 or more in the tow truck
20 industry or \$50 million. And for the weight category that
21 is tow trucks, the first compliance date is 10 percent of
22 their fleet would need to be zero-emission in 2027. And
23 so that is the first time we have a specific requirement
24 on the fleet in that weight category.

25 But even with that, if, in fact, the unique

1 characteristics of the tow truck industry, either the
2 build-out as they were talking about and how the various
3 equipment hangs on the -- on the chassis or the duty
4 cycle, if either one creates issues, they can apply for
5 exemptions and they would be entitled to those exemptions,
6 so they could continue to buy a combustion vehicle.

7 CHAIR RANDOLPH: Okay. Thank you. All right.

8 Board members.

9 Dr. Pacheco-Werner.

10 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.

11 I want to start by thanking everyone that came and gave
12 public comment today and all those who have reached out to
13 us about the current challenges that businesses face. I
14 want to thank staff and our industry partners for getting
15 the place where we are today. We have come a long way
16 together and I'm excited about the future of trucking as
17 California leads the way in providing the cleanest truck
18 options worldwide.

19 I am, however, concerned about what we have heard
20 from stakeholders, about OEMs and the people with little
21 to no options, because they are not taking advantage of
22 the current flexibilities, such as buying credits to make
23 combustion vehicles that are needed for these essential
24 services in our state. That part is not feeling like a
25 partnership to make the transition a success.

1 I would request, Chair, that we take some time
2 before approving these flexibilities to ensure we are
3 truly paving a path for a successful transition together.
4 While the partnership is between CARB and industry, CARB
5 represents the people and we need to ensure their best
6 interests in this transition and in this partnership.

7 Thank you again, staff, for your work, and thank
8 you, Chair

9 CHAIR RANDOLPH: All right. Thank you.

10 Board Member Guerra.

11 BOARD MEMBER GUERRA: Thank you very much, Madam
12 Chair. Appreciate this. First, I just want to thank
13 staff for the amount of time they've taken on this issue
14 and also getting to where we are right now on these
15 particular amendments. And I appreciate, you know, Chair,
16 for you also level setting here, making sure that we're
17 not conflating multiple issues, because we do have an
18 obligation for this particular hearing on this particular
19 item on ACT.

20 And all that -- all that to say is that where
21 we're moving is necessary. And in our Sacramento region
22 here, appreciate the American Lung Association's
23 presentation today or -- and the recent report showed that
24 in our air basin, we're still at an F. We still have
25 significant both particulate and ozone issues. And I want

1 to thank also the presenters here from the towing industry
2 who came here I think very earnest in their willingness to
3 achieve the goals we're trying to achieve, and they're
4 just asking for a method to get there, a way to get there.
5 And I -- and I want to thank them for that point. In the
6 beginning our conversation embracing that this is where --
7 the direction we're going.

8 But I do have these concerns and any of us who
9 sit on this Board who sit on air districts also sit as
10 board members to our sewer districts. We also sit as
11 board members to our flood control districts. And I do --
12 and again, I don't want to conflate these issues, but I --
13 this is more of maybe direction to staff and figuring out
14 what our path forward could be, because many times it's
15 these different rules and the ambiguity of laws and
16 regulations and different silos of government at different
17 levels that cause someone say who is working in an
18 assembly facility who is impacted by the shake in the
19 industry, and that person loses their job while we try to
20 figure out exactly what needs to happen to achieve our not
21 only economic goals, but more importantly our public
22 health goals.

23 One of the areas that the -- you know, I happen
24 to also Chair our Sacramento Transportation Authority,
25 which is also our Sacramento Abatement Vehicle Service

1 Authority. And so for us, you know, we don't -- this
2 authority, which is all of our city and our county board
3 of supervisors and our councilmembers, this authority
4 doesn't own towing -- tow truck vehicles. They work with
5 the local industry and individual business operators to
6 basically address and ensure that, one, we have good
7 throughput, that we have safety on our roadways, and when
8 the unfortunate situation of an accident does occur, that
9 they respond quickly and support our first responders in
10 that effort.

11 So, you know, Madam Chair, I think, you know,
12 here -- I guess where I'm concerned I, one, I'm supportive
13 of moving where we are on ACT forward. I do think
14 accountability to the OEMs who are not participating is an
15 important thing to consider today, but I'd like to see or
16 maybe a response from staff about, you know, two aspects.
17 There's one, there's a towing industry aspect on how we
18 can look at finding a way to consider their issue or
19 specifically focusing on this issue, because it is a
20 particular niche group here. And then from a municipal
21 standpoint, you know, whether it's our sewer districts, or
22 our water districts, or our control districts, many times
23 these heavy-duty vehicles have specialized equipment on
24 them, and we know that that's not the larger market, but
25 it is essential equipment that we need for municipalities.

1 I think that has another issues that needs to be
2 resolved as well. And that may be in the Omnibus
3 Regulations. But I would like just to hear, you know,
4 discussion from staff or at least a response on those
5 aspects. One, how do we put accountability on OEMs, but
6 also how would do we respond to the challenges here?

7 And I do want to thank, you know, Wheeler family
8 also and Dr. Cliff for spending so much time on this. I
9 know the -- you know, like any small business that I've
10 talked to, when they're spending their time, you know,
11 working with local governments, that's time they're not
12 spending on their business, so -- and that's not their
13 primary business. Lobbying is not their primary business.
14 They're just trying to figure out how to comply with the
15 regulations. So let me stop there, Madam Chair and ask --
16 see if staff can respond to a path forward, even though --
17 even if maybe looking at giving the Executive Officer some
18 level of authority on a very focused point of view.

19 CHAIR RANDOLPH: Okay. I'm going to do two quick
20 things first. I forgot to close the record to this item,
21 so I need to do that. And then I think maybe what I'll do
22 is maybe hear from the rest of the Board members, because
23 I feel like some of the issues are going to be similar.
24 So staff make a note of Board Member Guerra's questions,
25 and then we'll kind of go through them all at the end.

1 Okay. I will close the record on this agenda
2 item. If it is determined that additional conforming
3 modifications are appropriate, the record will be reopened
4 and a 15-day Notice of Public Availability will be issued.
5 If the record is reopened for a 15-day comment period, the
6 public may submit written comments on the proposed
7 changes, which will be considered and responded to in the
8 Final Statement of Reasons for the regulation. Written or
9 oral comments received after this hearing date, but before
10 a 15-day notice is issued will not be accepted as part of
11 the official record on this agenda item. The Executive
12 Officer may present the regulation to the Board for
13 further consideration if warranted. And if not, the
14 Executive Officer shall take final action to adopt the
15 regulation after addressing all appropriate conforming
16 modifications.

17 Okay. With that out of the way, I will turn it
18 over to any other Board members who would like to speak.

19 Dr. Shaheen.

20 BOARD MEMBER SHAHEEN: Thanks so much, Chair. So
21 I'd like to also start by thanking staff for all their
22 hard work on the proposed amendments and all your time
23 briefing me on this item. I'd also like to thank all of
24 the stakeholders who provided written comments and
25 provided also verbal comments. I really appreciate and

1 understand the importance of the towing industry to
2 mobility. Towing vehicles, as one of our commenters said,
3 are safety vehicles, and they are critical to mobility,
4 but clean air is also critical to our state.

5 So getting to a place of common ground I think is
6 very critical here. I wanted to share that I'm a recent
7 Board member. And one of the very first actions I got to
8 participate in was a toast at Asilomar to the Clean Truck
9 Partnership. And it was a really proud day for me as a
10 new Board member to see CARB coming together with 11
11 partners from the private sector. So great pride, but you
12 can imagine that when I was briefed on this item, that I
13 was a bit disappointed. And that is something many of my
14 colleagues have shared is disappointment with this
15 partnership and a desire to move forward.

16 But as a researcher and a data analyst, I want to
17 ask the staff just a few questions about credits. So,
18 Jack, I really appreciate the background on there being
19 10,000 credits available as well as a great deal of
20 flexibility. We heard about that from NRDC as well. So
21 creating a lot of drama and stress here is something that
22 I really want to get to the bottom of. How many credits
23 have been purchased by manufacturers to date and how many
24 manufacturers have purchased those credits? Could someone
25 please address those questions?

1 MSCD AIR RESOURCES SUPERVISOR ARNEJA: Hi. Paul
2 Arenja. So at this point, there's been one credit
3 transaction of 200 credits, so once -- oh. And there have
4 been some additional transfers from manufacturers
5 producing medium-duty vehicles to move credits towards the
6 light-duty program out to the Advanced Clean Trucks
7 program.

8 BOARD MEMBER SHAHEEN: And so just a quick
9 follow-up, just an operational follow-up question is. So
10 if credits have been purchased, so these 200 credits, how
11 does this impact the truck towing companies if ZEVs are
12 not actually available for purchase? How does that
13 operation work. What would 200 credits buy in materials
14 of alleviating the pressures that they're currently
15 feeling.

16 MSCD AIR RESOURCES SUPERVISOR ARNEJA: So in that
17 case, it would depend on -- a little bit on the weight of
18 class of vehicles broadly with the number of credits
19 produced that it will give the manufacturers more options
20 on selling combustion powered vehicles. So as Jack
21 mentioned earlier, the requirements are between five and
22 nine percent for different vehicles, which means if they
23 are getting credits for 200 vehicle -- 200 credits, which
24 we can just say for now is 200 vehicles, 200 ZEVs, that
25 could allow for up to 2,000 combustion powered vehicles.

1 So it just helps them out in the ratio and making sure
2 that they can sell more combustion powered vehicles by
3 getting the credits for the equivalent ZEVs.

4 BOARD MEMBER SHAHEEN: Thank you for that follow
5 up. I have just one additional question for staff. So
6 one of the comments that was in the docket was from the
7 American Auto Policy Council. And they were inquiring
8 about staff's plans to confirm acceptable manufacturer
9 test procedures on documentation for determining all
10 electric range used in the near zero-emission vehicle
11 credit calculation. Can someone please address that
12 question?

13 MSCD AIR RESOURCES SUPERVISOR ARNEJA: Yeah.
14 Sure. So as part of the Advanced Clean Trucks Program,
15 manufacturers can sell zero-emission vehicles or near
16 zero-emission vehicles, which would be a plug-in hybrid
17 that meets a minimum all electric range requirement. So
18 the manufacturer would earn these NZEV credits based on
19 the electric range of the vehicle. So we've been working
20 with manufacturers over the past months to -- this is the
21 first time we're seeing these vehicles being produced and
22 just trying to look into the test procedures to see
23 what's -- how they should be properly testing the vehicles
24 and measuring the range. So that's an ongoing
25 conversation and it has been productive, but we're just

1 trying to figure out the best way and if any modification
2 needed how we would go about those.

3 BOARD MEMBER SHAHEEN: Thank you for the
4 follow-up, Paul. And I'm looking forward to our upcoming
5 conversation about partnerships.

6 CHAIR RANDOLPH: Board Member Hurt.

7 BOARD MEMBER HURT: Thank you, Chair. I also
8 want to thank those who have made comments and reached out
9 to discuss how this impacts their work and just future
10 zero emission transformation that we're under right now.
11 And also, thanks to those for my home town of San Mateo.
12 Thanks for coming out here. I think it's really important
13 that we do celebrate, that there are other states that
14 have adopted this rule, and that we are two years ahead of
15 what was a goal and a plan. These are all important great
16 outcomes and work that's been done in this space.

17 I also think it's great that we have this truck
18 partnership for our shared future together, but how do we
19 ensure a hundred percent compliance and continue to grow a
20 quote/unquote partnership is really important for me to
21 understand.

22 And when I look at where we are today, I hope
23 that we don't use a broad brush approach, that we really,
24 as someone said earlier, are more nuanced about how we
25 capture those who are impacted and help them in this

1 transformation. There have been a number of folks who
2 have talked about the very specific industry and towing.
3 And I see them as emergency vehicles, essential vehicles,
4 although they may be outside of the code that you're using
5 to make these decisions. I also think about marginalized
6 communities who often use these towing trucks and what
7 this impact has to them. And from all that I heard,
8 because there are questions around availability, supply,
9 control, it seems like a vote on this is just not right.
10 It's not ready, and that we need to work more with sectors
11 and industries like the towing industry to make sure that
12 they are a part of the transformation that we are trying
13 to move forward in.

14 And I do appreciate folks, you know, declaring
15 their support for clean air, but I will also say that
16 inaction is not a possibility. So I hope staff works with
17 this industry as well as others to see what are reasonable
18 ways to move forward, so again we're all moving forward
19 together.

20 I had questions around credits. So I appreciate
21 Dr. Shaheen's comments and I'll -- I'd like to learn more
22 about that, I'm sure others do too, about how flexible or
23 non-flexible the crediting piece is around availability
24 and supply, and how they're being used in this
25 partnership, and if not, why. Just some of the real world

1 issues that surround crediting. I hope we can just inform
2 the public and ask more about.

3 And I try to get to the essential piece of this
4 really quickly, but can someone speak to like what's the
5 cog in the process right now us moving forward? It's
6 around availability and supply. Are we really talking
7 about what manufacturers are willing to do and not do and
8 what are those criteria or pieces that are helping them
9 make that decision and how can we help them in that
10 increase in supply and availability. I think the fact
11 that other states have adopted this speaks to them moving
12 closer to increasing supply. But until more and more do,
13 what can we do as California to, whether it's a carrot or
14 a stick, create options for people?

15 So again, I don't think this is ready for a vote.
16 I do want to thank staff for all the work that they've
17 done on this. I think we do need to be more nuanced about
18 how this impacts particular industries that are essential
19 that support marginalized communities and can also be
20 labeled as emergency vehicles in some form or fashion.

21 Thank you.

22 CHAIR RANDOLPH: Okay. I am going to -- before I
23 have staff answer that question, I'm going to call on
24 Supervisor Perez, who has been waiting to comment as well.

25 BOARD MEMBER PEREZ: Can you hear me?

1 CHAIR RANDOLPH: Yes.

2 BOARD MEMBER PEREZ: All right. Thank you, Madam
3 Chair, and thank you, colleagues for quite a bit of great
4 points that have been made by all of you. And I echo
5 quite a bit of those sentiments from each and every one of
6 you. And I obviously want to thank staff for getting us
7 this far. And all -- obviously, all the hours you put
8 into this. This is not easy. By far, it's not easy.

9 But I also want to make sure I also thank the
10 folks from the industry, the tow truck industry
11 specifically, for making the trip and those that called.
12 But for those that made the trip to Sacramento, you know,
13 that takes a lot of time, effort, money, resources. And
14 obviously this impacts you in so many different ways.
15 That's the reason why you're there, but nonetheless you
16 are there and you're engaging in the democratic process by
17 voicing your concerns, and I can definitely appreciate
18 that.

19 I think for me right now just to get to the point
20 is that I don't think this is ready. I'm not ready to
21 support this, not yet. Although a lot of good work has
22 been done. There's a lot of questions still that have not
23 been answered I think. And, you know, I do wonder about
24 the outreach and how long was that outreach? Did we
25 ensure that industry down, including the tow truck

1 industry sat down, with staff to think these things
2 through? How many sit-downs did we have with folks? I
3 think that's important.

4 I also want to say that, you know, a lot of
5 people were talking about the technology doesn't exist, or
6 for that matter the infrastructure, meaning the actual
7 roads that we use are not ready, and who knows when they
8 will be ready and I get that.

9 It's like we have to work on that simultaneously,
10 I understand that. Now, one thing I want to make clear is
11 that I didn't hear from any of the folks that brought up
12 concerns that they were not in support of clean air. None
13 of them said that, you know, they don't want clean air for
14 their families, for their communities, for California.
15 They all said they want to get there. But what stood out
16 for me was that they asked for more time and I do wonder
17 how much time is that? You know, how much more time can
18 we -- do we need in order for staff, for industry, for the
19 folks that are in our communities to have this discussion
20 to answer every single question that came up? I live in a
21 rural area, for example, and someone from rural California
22 spoke up. And there are points in my area in which, yes,
23 they will take about 50 miles, maybe 75 to get somewhere
24 before you can actually gas up, let alone charge up.

25 I'm also a person of color and I know that I have

1 colleagues that are up there on the dais and folks that
2 spoke up that are folks of color. And ultimately, at the
3 end of the day how do we share that they are not left
4 behind? How do we ensure that the working class, the
5 working poor, people of color or not have an opportunity
6 to walk beside us. Now, I'm not sure we're going to get
7 to a hundred percent. I get that. I don't know what 80
8 percent means or 90 percent. I think we're trying to get
9 to a hundred percent, but meaning satisfaction. It's very
10 difficult to get a hundred percent satisfaction when we
11 talk about policy, especially something like this that's
12 very controversial.

13 But I do have those concerns around the small
14 moms' and pops' shops, the small business owner. I think
15 it's important that we think through that and not
16 impose -- although, work has been done, and maybe imposed
17 is too much of a word, but impose amendments that
18 potentially don't make sense for some of these folks.

19 The issue of incentives came up. I can
20 appreciate that point as well. Costs, even if these
21 trucks did exist, we're talking about what, 200, 250
22 thousand dollars each. I think folks talked about, rather
23 than one year, a three year to make up for the shortfall
24 of inventory. I think I heard someone say about the
25 chassis and the need for that to be developed,

1 manufactured.

2 So, you know, there's just a lot of different
3 points that were made. And who knows if some of these are
4 right, or some of these are wrong, or who knows if they're
5 inflated. Maybe they are, maybe they're not. But I think
6 ultimately at the end of the day, I'd like to see a list
7 of all these questions and all these questions addressed.
8 And I want to make sure ultimately that we have folks from
9 our communities engaged and we come back and circle back
10 around and vote on this in the future.

11 Thank you, Madam Chair for your indulgence, and
12 my colleagues, and those their in the public.

13 CHAIR RANDOLPH: Thank you very much.

14 Board Member De La Torre.

15 BOARD MEMBER DE LA TORRE: Thank you. I know
16 these two issues are conflated, ACT and ACF. I want to be
17 really clear that today we're talking about ACT, which is
18 on the manufacturers. And because this is on the
19 manufacturers, I want to highlight a couple of things.
20 One, I've heard that the prices of these zero-emission
21 trucks in the EU are lower than the prices we're paying in
22 California. And that, if true, is very problematic. We
23 are putting a lot of money through out incentive programs
24 into these trucks. And clearly, we're not seeing the
25 benefit of reduced battery prices that we're seeing in the

1 passenger vehicle market that are the same battery packs.
2 So if we're seeing improvements on the passenger side,
3 that should be carrying over, and I know they're different
4 companies, except for some corporate shenanigans, but they
5 are not passing through those lower battery costs onto the
6 zero-emission trucks, and that is troubling to me.

7 And I think one thing we could do, you know, it's
8 a free market and everybody is always talking about the
9 benefits of the free market, I think we should post our
10 HVIP purchase orders on our website, so that people can
11 see what the prices are. And so a firm -- trucking firm
12 one can see what trucking firm two got in their pricing.
13 Let's have some transparency. Clearly, what we are doing
14 to this point is not pushing the prices down and we have a
15 direct interest in bringing those prices down, because of
16 this regulation, ACT, and then its partner ACF, which I'm
17 not going to talk about, because that's not what we're
18 talking about today.

19 But I think some transparency is long overdue.
20 We're not seeing that kind of movement that we want to
21 see. And so I don't know about the staff's ability to do
22 that, to work with our partners in HVIP to make that
23 happen, but I think that's a step that is long overdue
24 to -- something has to give. And I think the transparency
25 between the difference, if it exists between EU prices and

1 California prices, and posting these purchase orders to
2 see what the pricing is on the trucks.

3 Thank you.

4 CHAIR RANDOLPH: Okay. Thank you.

5 I -- oh, okay. Board Member Takvorian.

6 BOARD MEMBER TAKVORIAN: Thank you, Chair.

7 Okay. Just quickly, I want to agree with many of
8 the comments that have been made by my colleagues. And in
9 general, I think I would agree that we're not -- we're not
10 there yet, that we're not ready. And I just want to raise
11 an issue that actually hasn't come forward, because we are
12 talking about ACT and we're not really drilling down in
13 terms of impacts on communities. And I really appreciate
14 staff's work and also the tow truck industry's involvement
15 prior to this hearing and here today. But when I do a
16 quick Google search of where tow truck companies are and I
17 just know this, because that's where I live, they're in
18 the most impacted communities. And that's not an
19 allegation. It's just true, that that's where tow truck
20 companies are. They do their maintenance there. They go
21 and come from those facilities, increasing diesel
22 pollution where it's already the worse, and they employ
23 many folks from disadvantaged communities.

24 So we need to solve this problem is what I would
25 really heartily say. And if delay is the way we need to

1 get there, then I'd fully support that. We have a lot of
2 public health impacts as a result of diesel pollution. I
3 really don't support delaying a transition of tow trucks
4 to electric, to zero-emission, and I think we do have the
5 technology and I'm concerned about the comments that have
6 come forward that say that technology doesn't exist at
7 all. The troubling part is it does exist and it's not
8 being made available. And so that's what I think we --
9 that's the knot we have to untie.

10 And so I'll just stop there and say I hope that
11 we can do the work that we need to do to stay on the ACT
12 timeline and really do justice to the issues that have
13 been raised today.

14 Thank you.

15 CHAIR RANDOLPH: Thank you, Board Member
16 Takvorian. I really appreciate that, that basic point
17 that we need to keep moving forward, you know, with
18 these -- with both ACT and ACF, as we continue to kind of
19 work through these problems.

20 Okay. I have one specific question and then I
21 kind of want to sort of frame up what we need to hear from
22 staff on, and it relates to CalETC's comments. I was
23 curious, because there was -- you know, Kristian mentioned
24 something about the near zero and increasing the -- you
25 know, the 70 percent makeup. And so I just -- I haven't

1 really thought about that issue, and so I was just
2 wondering if staff would have any specific response to
3 that question.

4 EXECUTIVE OFFICER CLIFF: I think it would help
5 if you repeated it. I didn't quite catch the cap issue.

6 CHAIR RANDOLPH: Well, I didn't fully understand
7 it either which just, which is why I was asking you.

8 (Laughter).

9 EXECUTIVE OFFICER CLIFF: We're also looking at
10 each other here, so...

11 CHAIR RANDOLPH: Yeah, but as I understood it
12 is -- and, you know, maybe we should just ask Kristian.
13 We don't usually call commenters back up, but I just
14 didn't quite fully understand it. But as I -- as I
15 thought -- as my notes indicate, it seemed like there was
16 a difference between the makeup percentage from near ZEVs
17 versus ZEVs, but Kristian maybe you could make -- you
18 could repeat it.

19 KRISTIAN CORBY: Yeah, sure. Sure.

20 So it's my understanding, and this is a little --
21 it was a little complicated, but I'm trying to follow some
22 of the comments that our OEM members made, but so there's
23 two parts. The first is that within the three-year
24 make-up period, we were recommending that NZEVs are
25 allowed to cover up to 50 percent of the deficit, which

1 is -- would be equivalent to what the rule allows, which
2 is -- allows them to sell up to 50 percent of NZEVs to
3 have compliance. But I think -- and I think right now,
4 it's allowing them to use either 20 or 30 percent of ZEVs
5 instead of 50 percent.

6 CHAIR RANDOLPH: Okay.

7 KRISTIAN CORBY: And then for the make-up period,
8 the rule uses 30 percent. It's sort of like a -- it's
9 worded a little oddly, I have to admit. It's like a 30
10 percent deficit. They have to make up at least 30 percent
11 of a previous deficit, which would essentially force them
12 to make up 70 percent of their credit shortfall in the
13 first year.

14 CHAIR RANDOLPH: Okay.

15 KRISTIAN CORBY: So it sort of front-loads the
16 needs to make up that deficit in the first year. And my
17 understanding is the way that would work is it would force
18 them to make up 70 percent in that first year. And what
19 we're suggesting is that just allow them to make up that
20 deficit over all three years instead of front loading
21 making up that deficit.

22 CHAIR RANDOLPH: Okay. Thank you. So it sounds
23 like you -- this might be something if it sounds like
24 there's some consensus that maybe we don't want to take
25 action today, but maybe you guys could take a look at that

1 and sort of let the Board know kind of what the response
2 to that is.

3 But circling back to kind of the bigger issues
4 here, you know, I guess I just want to be clear what we
5 are and are not solving for in this discussion, right?
6 The main challenge that, you know, what we're -- what this
7 Board action is is amending ACT to make -- you know, to
8 make modifications to provide additional flexibilities for
9 the manufacturers to comply. However, we have a -- you
10 know, a robust crediting program in ACT that allows
11 manufacturers to sort of plan out how they are going to
12 both meet their combustion engine requirements in ACT and
13 Omnibus, but also meet their requirements in ACT to bring
14 increasing numbers of zero-emission vehicles to the
15 market.

16 And the situation we have now is that we are
17 hearing from these upfitters and tow truck companies that
18 these chassis are not being made available and the
19 manufacturers are not taking advantage of the
20 flexibilities that we have provided them in ACT that were
21 very carefully constructed.

22 So I think we need to understand, is that true?
23 Is that really the state of play? Because that's what it
24 seems like. If it is the state of play, that's very
25 concerning. To Board Member Guerra's point and to Board

1 Member Hurt's point, you know, I think it might be useful
2 to perhaps kick this to the next meeting and have the
3 Board think about -- I mean, have staff think about, you
4 know, what is really happening in the industry, are there
5 any tweaks that we need to be thinking about to encourage
6 more of the cleaner combustion product to be available
7 while we are still -- while we are moving towards the zero
8 emission targets in ACT.

9 What this action is not doing and would not come
10 back if this action comes back to the Board at its next
11 meeting is this is not an amendment to ACF. This is not
12 any change to ACF. We would not be tackling directly the
13 question of tow trucks and how they're categorized in ACF.
14 That is a separate issue that's not related to this item.

15 I think it's important for staff to keep talking
16 to the industry and keep figuring out, you know, how
17 things are playing out. But, you know, there's an
18 intersection between these two rules where if the
19 manufacturers were fully taking advantage of their
20 flexibilities in ACT and bringing product to market, tow
21 truck companies would have the opportunity to access the
22 trucks they need, the combustion trucks they need. And so
23 I just want maybe staff to take a beat and see if there's
24 anything we can do to ensure that that happens.

25 Separately, as Jack mentioned, you know, there

1 are flexibilities within ACF that the companies need to be
2 thinking about things, you know, questions around vehicle
3 availability, whether or not there are vehicles that are
4 available for their use case. You know, it's -- would
5 be -- I think it's important for staff to have that
6 interaction with the industry, so they know what those
7 options are and are able to avail themselves of those
8 options.

9 In both of these rules, the Board provided a lot
10 of input and staff provided a lot of input -- I mean, and
11 staff worked a lot with stakeholders to build these
12 flexibilities and to make sure they were usable. And I
13 think that's -- that's kind of -- we need to make sure
14 that communication is happening and that the OEMs, as they
15 think about their obligations under ACT are making
16 products available for their customers. These are their
17 customers. They should want to serve their customers.
18 And at the same time as Advanced Clean Fleets moves
19 forward, we want to make sure that there's good
20 communication between fleets and staff about the options
21 that are available to them, and about the timing that's
22 available to them, and make sure they're aware of their
23 obligations.

24 It's -- you know, sometimes the information that
25 gets passed from one company to another company or one

1 dealer to another dealer may not always be the accurate
2 information. So we want to make sure that there's
3 accessible interaction between the industry and staff.

4 Okay. That's -- those are my thoughts. Staff,
5 do you have any additional thoughts about how to tackle
6 these problems and some of the path -- the bigger picture
7 issues that the Board members have raised.

8 EXECUTIVE OFFICER CLIFF: Yes. Thank you, Chair
9 Randolph. So first, I would like to ask a question and
10 just confirm. You indicated to bring this back to the
11 next meeting. I think we'd like some flexibility to -- on
12 timing just to ensure that we have a chance to regroup
13 and, you know, bring it back to a future meeting
14 understanding that, you know, we have APA to comply with.
15 I just wanted to confirm that's okay.

16 CHAIR RANDOLPH: Yes.

17 EXECUTIVE OFFICER CLIFF: Not necessarily next
18 meeting.

19 CHAIR RANDOLPH: Yes, a future meeting --

20 EXECUTIVE OFFICER CLIFF: Thank you.

21 CHAIR RANDOLPH: -- you know, whenever staff
22 feels like it's right.

23 EXECUTIVE OFFICER CLIFF: Thank you very much.
24 And I'll just note, you did close the record, so in that
25 intervening time comments that do come in, we're not

1 considering that as part of the record and wanted to just
2 reiterate that for those purposes. I know staff will be
3 thinking about that.

4 I also just wanted to note that there are
5 thousands of credits available in ACT. So there isn't an
6 issue of lack of credits for manufacturers. Certainly,
7 business decisions of each manufacturer is something that
8 they individually can make. I am very concerned. I heard
9 from Board Member De La Torre about prices in the EU
10 potentially being much lower than in California and some
11 suggestions for how to handle that issue. So that's one
12 accountability issue that we want to dig into a little bit
13 more. Very much appreciate that.

14 And also, to the extent that manufacturers are
15 not taking advantage of pre-existing flexibilities, why?
16 We're not totally clear on that. It was very important to
17 hear that issue. What I thought I understood from MME and
18 the wheelers who testified today is that even if they are
19 bringing credits forward and saying, great, we'll buy a
20 combustion engine and we'll buy a credit under ACT, that's
21 still not good enough for manufacturers. That's
22 concerning. This isn't the manufacturers buying the
23 credit. So I want to understand that issue a little
24 better. I'll certainly be following up with the Wheelers.
25 We talk very frequently. So I have their number. They

1 have my number. But also, the manufacturers who had
2 indicated that that was a problem for them, and, you know,
3 more generally want to kind of understand these issues, so
4 engaging with tow truck folks on what specific issues
5 they're facing.

6 And at the end of the day, this regulation, the
7 ACT Regulation and these particular amendments that we
8 proposed don't directly impact those businesses from which
9 we heard today. Nevertheless, there are related impacts
10 that I think it's important, as the Board has noted, that
11 we need to get that information back.

12 And then I think, you know, just the multitude of
13 issues that we're hearing, we don't want to leave the
14 impression that we have a problem in California related to
15 getting zero-emission trucks or that somehow zero-emission
16 trucks aren't available, or we need to slow down any of
17 our other rules. As I said, we're way ahead of schedule
18 in terms of deploying zero-emission trucks in California
19 two years ahead of schedule for what's required by the
20 manufacturer mandate and there are thousands of credits
21 available.

22 So that's not really the issue that we're -- that
23 we're facing here. It -- there are business decisions
24 that are at play, but I just wanted to reiterate that the
25 rules are working, and, in fact, we're seeing really great

1 advancement one in six new truck sales are zero-emission.
2 They might not be available in every category. We have
3 flexibilities for that. They might not be available right
4 now. We have flexibilities for that. There may not be
5 infrastructure. We have flexibilities for that. So staff
6 have kind of thought through all of these issues. So I
7 don't want there to be a general concern about the rules
8 more broadly. This constraint on combustion product as it
9 relates to how the rules work together is something that
10 we're continuing to work through and that will be the
11 specific issue that we'll be evaluating and bringing back
12 to the Board.

13 CHAIR RANDOLPH: Okay. Great. Do you feel like
14 you have your questions answered, Board Member Guerra?

15 BOARD MEMBER GUERRA: Thank you, Madam Chair. I
16 think so. And so I think that maybe the question is more
17 on process, because, you know, one, it's moving forward,
18 how do we move forward here. And if these other issues
19 are issues that would need to happen in other parts of the
20 regs to fine-tune, does that mean we move forward today?
21 Of course, I think to Board Member De La Torre's point,
22 the flexibilities -- or others that have mentioned,
23 flexibilities are there and not being used, then do we
24 move forward today at all and look at our June meeting to
25 actually answer those questions before we move. Again,

1 not trying to confuse the Omnibus Rule, or ACF and ACT.

2 So that's general -- but thank you, staff. I
3 think you answered most of my questions. There were more
4 about what's the best process moving forward.

5 CHAIR RANDOLPH: Okay. I think -- it sounds to
6 me like the consensus is that on this item we will have
7 staff do some work and some fact gathering, and some
8 understanding of what's really happening and then bring it
9 back to us to a future meeting, not necessarily the next
10 one, and at the same time, of course, continue the
11 outreach that staff is doing with fleets on the ACF Rule
12 as well, and continue those conversations with the tow
13 truck companies and the upfitters.

14 Do we need -- Ellen, do we need to take a motion
15 to do that or is just -- okay. We're find with the
16 consensus.

17 Okay. So that is the last agenda item for the
18 open part of the meeting. We will now move to open
19 comment for those who wish to provide a comment regarding
20 an item of interest within the jurisdiction of the Board
21 that is not on today's agenda. The clerk will call on
22 those who have submitted a request-to-speak card. And if
23 you are joining us remotely and wish to comment on items
24 not on the agenda, please click the raise-hand button or
25 dial star nine now.

1 Board clerk, will you please call those who've
2 signed up.

3 BOARD CLERK LEVRINI: Thank you, Madam Chair. We
4 have two -- (clears throat). Excuse me. We have two
5 commenters who have turned in a request-to-speak card and
6 wish to speak at this time. We will be showing a list of
7 the next -- of the two commenters on the screen, so you
8 can be prepared to come up to the podium. Public sign-up
9 closure will be at 11:55. I apologize in advance if I
10 mispronounce any names.

11 The first is Greg Hurner.

12 GREG HURNER: Thank you, Madam Chair and members
13 of the Board and staff. I had a different issue, but we
14 resolved that earlier, so -- but I do want to clarify, and
15 I know this is not on the record, but just clarify a
16 couple of points. We are not talking about ACF in our
17 concerns. Not saying ACF can't be an issue in the future,
18 but we know there are flexibilities in that. Most of the
19 4,700 tow truck companies in California are not subject to
20 the ACF. This is about getting chassis right now and
21 fulfilling, you know, obligations to the freeway service
22 patrol, the work that they do there and stuff. This is,
23 you know -- and I understand it's complicated. I've been
24 talking to staff since November at the first workshop. So
25 this is -- this is -- and I really appreciate their time

1 and the open discussions that we have had about this
2 issue. And I understand there's other dynamics going on,
3 as Dr. Cliff has pointed out. But we stand ready to work
4 with that.

5 We also, in each of our three suggestions, didn't
6 ask the Board to designate us as emergency vehicles. We
7 just asked to be provide relief. We know that it would
8 take a statutory change to go back and designate, it says
9 emergency vehicles. So we didn't ask the Board to take
10 that step. We just are asking for towing and recovery
11 vehicles for now not to count against the deficits that
12 the manufacturer generates. And that's why we truly
13 believe that we can do it under this ACT Rule. If we just
14 don't count these deficits against manufacturers right
15 now, we can get all the chassis we want. Miller has all
16 the chassis we want, as long as they don't bring them to
17 California.

18 And, you know, it's just creating a really
19 difficult dynamic for these employees and stuff. These
20 are going to be the same employees that are assembling ZEV
21 trucks for the future. But if we can't bridge that to get
22 to that, they're going to lose the jobs now, and that's
23 what we're trying to solve.

24 Thank you.

25 BOARD CLERK LEVRINI: Evan Edgar.

1 EVAN EDGAR: Thanks. Board members, I'm Evan
2 Edgar, the compost cowboy. I've missed you for the last
3 couple months when you guys went dark. I have my comment
4 letter on file with CARB. As you know, I represent
5 organic waste haulers and we produce our own fuel that's
6 carbon negative for 1383 and we provide an essential
7 public service every day.

8 The LAO had a report out that says California
9 will not meet the 2030 climate goals. We know that. And
10 with the ACF rules and with the California grid power mix,
11 the greenhouse gases from the heavy-duty fleet may shrink
12 about 45 percent by 2040. That's CARB numbers, so from 40
13 million metric tons down to 18 and that's a good play.
14 But the ACF Rule is what's chilling the RNG industry,
15 because we have no place to take our biomethane and we
16 have diesel trucks being purchased, renewable diesel
17 surging, and we're not going to make our near-zero
18 NOx sum -- or NOx sum with all this diesel coming out.

19 You have chilled the refuse industry from going
20 carbon negative with near-zero NOx fleets and it's
21 indicative. I ran a model for the 16,000 refuse fleets in
22 the industry. We've been decarbonizing since 2000.
23 Twenty-four years we've been decarbonizing and we've been
24 making good headway. And we are today with
25 carbon-negative fuel minus 100 average, we have reduced by

1 one million metric tons.

2 So what the ACF is doing is forcing us to be
3 carbon positive. We are re-carbonizing the refuse
4 industry. Today, I'm carbon negative. And by playing out
5 the ACF by 2042, we're going to carbon positive using the
6 California grid to power these battery electric vehicles.

7 So in summary, you guys are forcing us to
8 re-carbonize our fleets to be positive instead of sending
9 biomethane and sending biomethane to hard to de-carbonize
10 industry. A part of the ACF Rule, you had a commitment to
11 work with us on what to do with biomethane. We haven't
12 heard a word. We've didn't make biomethane for a tomato
13 plant elsewhere, we made biomethane for our -- for our own
14 fleet.

15 So my question who is -- who killed the
16 carbon-negative fleet? Who killed the carbon-negative
17 fleet? Was it CARB, was it environmental justice, or was
18 it the blood battery industry?

19 I don't know.

20 BOARD CLERK MOORE: Thank you. We have currently
21 four commenters signed up to speak on Zoom.

22 Our commenters are Claire Broome, Zan Dubin, Marc
23 Carrel, Jamie Wright.

24 Claire Broome, I've activated your microphone.
25 Please unmute and you may begin.

1 CLAIRE BROOME: Thank you very much. Chair
2 Randolph, members of the Board. I'm Claire Broome
3 representing 350 Bay Area. I wanted to start by thanking
4 the Board for directing the staff to spend additional time
5 on the Low Carbon Fuel Standard regulations. This is an
6 essential program for meeting California's climate goals.
7 In addition to thanking you for the additional time, I do
8 want to emphasize, as somebody who's done modeling
9 professionally, models are approximations. They're not
10 straightjackets. And I would particularly hope that the
11 Board can assure that consideration of models such as that
12 developed by the Environmental Justice Advisory Committee
13 and its consultants be considered and appropriate scrutiny
14 on the validity of modeling that's been used. I hope that
15 we'll emphasize getting to zero emission rather than
16 spending, in my opinion wasting, 27 billion on combustion
17 strategies such as biomethane and corn ethanol, which
18 should be capped.

19 Thank you very much for your consideration.

20 BOARD CLERK MOORE: Thank you.

21 Our next commenter is Zan Dubin. I have
22 activated your microphone. Please unmute and you may
23 begin.

24 Zan Dubin, are you there?

25 ZAN DUBIN: Yes. Can you hear me now?

1 BOARD CLERK MOORE: Yes.

2 ZAN DUBIN: Thank you. Good morning, Board
3 members. I'm Zan Dubin.

4 You may have heard that Disneyland will convert
5 the gas cars at its Autopia ride to electric. I led the
6 campaign that brought this about with coverage from the LA
7 Times. We applaud Disneyland, but the park has said it
8 will electrify cars by fall 2026. Complaints about
9 Autopia's emissions are rife. When we filed a complaint
10 with AQMD, an inspector told us that a Disneyland
11 environmental engineer told her that he had received
12 previous complaints.

13 An Autopia employee told me he gets headaches. I
14 read it's very common for Autopia managers to get employee
15 transfer requests accompanied by doctors' notes, and that
16 employees get hazard pay. Headaches are one of the most
17 common symptoms of poisoning from carbon monoxide.
18 Vehicles being its greatest outdoor source. Proximity and
19 timing are key and Autopia employees stand next to the
20 cars for extended periods during their eight-hour shifts.
21 Is CO causing the headaches and doctors' notes or is it
22 something else about the fuel and emissions from some 100
23 vehicles running bumper to bumper nearly non-stop.

24 Even Prop 65 warns against lingering in outdoor
25 gas stations. Marc Carrel of Breathe SoCal informed

1 Disneyland that the cars emissions are a threat not only
2 to Autopia employees and its thousands of riders, but to
3 people in surrounding communities. We filed a complaint
4 about Autopia with CARB last year. Despite follow-up,
5 CARB never responded. When will CARB measure the air
6 quality at Autopia. If it won't, how will it ensure the
7 public, Autopia employees and riders, and communities in
8 the locale that it is safe to keep Autopia running for
9 another 30 months.

10 Thank you very much.

11 BOARD CLERK MOORE: Thank you.

12 Our next commenter is Marc Carrel. I have
13 activated your microphone. Please unmute and you may
14 begin

15 MARC CARREL: Good morning, Madam Chair and
16 members. I serve as President and CEO of the
17 environmental health non-profit Breathe Southern
18 California. A few years ago, my family and I visited
19 Disneyland to experience a day at the happiest place on
20 earth. Toward the end of our visit, we decided to go on
21 the Autopia ride, which could charitably be called the
22 smelliest ride on earth. I was stunned by the fact that a
23 ride in Disneyland's Tomorrowland was using outmoded
24 four-stroke internal combustion engines run on gasoline.
25 It's just not very futuristic.

1 The Autopia ride opened in 1955 as a
2 representation of the future of American highways. But
3 the future as seen from 1955 is very different from the
4 future as seen from 2024. We now know that gas powered
5 cars pollute the air, and electric vehicles serve as
6 sustainable alternatives. Waiting in line for 30 pins
7 before getting on the ride, put my family and all the
8 other patrons in the line -- in the line of fire from the
9 many autos spewing smelly fumes from their four-stroke
10 engines.

11 It was enough to give us a head -- all a
12 headache. Ironically, the entire Disneyland Resort does
13 not allow smoking or vaping, but it's Autopia ride emits
14 many of the same harmful chemicals that people inhale when
15 smoking. After that visit, I wrote a letter to Disney's
16 leadership, as Zan mentioned, recommending that Disneyland
17 land replace the Autopia gasoline powered cars with
18 electric cars. Making their vehicles electric would
19 remove a large source of Disneyland's dangerous carbon and
20 criteria pollutant emissions inhaled directly by guests
21 and Disney employees. It would also reduce pollution
22 related health risks to children who form a significant
23 portion of riders as well as those living in nearby
24 communities, such as Anaheim, Santa Ana, Orange, and more.

25 I was pleased when Disneyland recently announced

1 it would convert Autopia going all electric ride.
2 Unfortunately, it's not happening soon enough. I urge the
3 Board to direct staff to look into this matter and urge
4 Disney to upgrade sooner, so that we can get healthy air
5 from Disneyland.

6 Thank you.

7 BOARD CLERK MOORE: Thank you.

8 Our next commenter is Jamie Wright. I've
9 activated your microphone. Please unmute and begin.

10 JAMIE WRIGHT: Yes. So we're urging the Board to
11 adopt the Miller Industries' amendment. If we are unable
12 to pass this amendment today, many of the companies who
13 spoke today that actually manufacture their -- for the tow
14 companies in California will be out of business. So to my
15 understanding, they do not have a zero-emission chassis
16 that is available to operate the body of a tow truck. So
17 if this amendment is not passed, we will not have new tow
18 trucks available for sale in California.

19 And I understand there's a lot of other things
20 that go into this, but we are just asking you guys to
21 adopt the Miller Industries' amendment, so that we are
22 able to purchase new tow trucks and it won't stop the sale
23 in California of the new tow trucks, which if you guys are
24 able to pass this amendment, we will be able to do that.
25 Otherwise if this is not passed, all of those companies go

1 out of business. So that's just what we're asking.

2 Thank you.

3 BOARD CLERK MOORE: Thank you. That concludes
4 the Zoom commenters.

5 CHAIR RANDOLPH: All right. Thank you very much.
6 The Board will now adjourn into closed session.

7 (Off record: 11:38 a.m.)

8 (Thereupon the meeting recessed
9 into closed session.)

10 (Thereupon the meeting reconvened
11 open session.)

12 (On record: 12:33 p.m.)

13 CHAIR RANDOLPH: The Board has readjourned to the
14 open meeting from closed session. No reportable action
15 was taken in closed session. This meeting of the
16 California Air Resources Board is now readjourned.

17 (Thereupon the Air Resources Board meeting
18 adjourned at 12:33 p.m.)

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