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## **Nearly 115 Environmental, Business, Labor, Consumer & Community Advocates Send Letters to Key Transportation Leaders in Congress to Call for Amendment to Modernize Trucking Law**

### **On Earth Day, Unlikely Alliance Reveals Trucking Industry's Real Environmental Record Despite PR Ploy To 'Green' Their Public Image**

Washington, DC – In letters sent today to Rep. Jim Oberstar (D-MN), Rep. John Mica (R-FL), and other transportation and ranking Members of Congress, 113 organizations and stakeholders nationwide urged federal lawmakers to help protect the most effective initiative to clean up port truck pollution in the nation. Together, the signers represent over 12 million Americans and are as diverse as the oldest, largest, and most influential grassroots [environmental organization](#); a multi-service [port operator](#) and transportation service provider worth \$60 million in annual revenue; and the nation's largest [union](#) of transportation and logistics workers. *[For a letter copy and full list, click [here](#).]*

On May 5<sup>th</sup> members of a Transportation & Infrastructure House subcommittee chaired by Rep. Pete DeFazio (D-OR) will hold a Congressional hearing to explore the benefits of the Port of Los Angeles' Clean Truck Program, a [U.S. EPA award-winning policy](#) developed under the leadership of Mayor Antonio Villaraigosa. Mayors in Seattle, Oakland, New York, Newark, and Broward County, FL want to emulate this model to create green jobs, protect public health, and spur economic development.

“We believe providing local public ports with the tools they need to reduce deadly diesel pollution and public road hazards caused by the port trucking industry requires updating the Federal Motor Carrier Act,” the letters read. “We support the Port of Los Angeles' Clean Truck Program and consider it a national model for how to effectively clean up dirty diesel trucks while creating good jobs and a safer, more economically prosperous and efficient system.”

The unprecedented alliance further challenged a Virginia-based trucking lobby that represents less than five percent of Southern California port cargo haulers for its multi-million dollar lawsuit to permanently dismantle the LA Clean Truck Program. The industry group's case cites 30-year-old law in a trial that began in U.S. District Court this week.

“Such local innovation should be encouraged instead of being faced with federal preemption and litigation from special business interests like the American Trucking Associations (ATA),” the letters continued.

The U.S. EPA estimates that 87 million Americans reside in port areas that are not meeting basic federal public health standards. Pollution from port trucks is a major culprit in damaging public health by significantly increasing cancer risk, cardiac disease and

respiratory diseases like asthma. The port trucking market has devolved into a system in which drivers are labeled “independent” by their employers to force these workers to assume the costs and liabilities of owning a truck. Port drivers only earn \$10-11/hr, a recent Rutgers study [found](#), while truck payments and maintenance cost [thousands of dollars](#) each month. These economics boil down to terminals, highways and truck routes filled with old, poorly maintained vehicles that pump deadly diesel toxins into the air.

In 2008, the Port of Los Angeles enacted the landmark Clean Truck Program which put 6,600 new emissions-compliant vehicles on Southern California roads and reduced toxic diesel rig emissions by 80 percent years ahead of schedule. The program established key requirements that transfer responsibility for truck ownership and maintenance from individual drivers to capitalized companies. In return for complying with environmental standards, legitimate trucking firms received powerful financial incentives and subsidies to help jump-start a cleaner and alternative-fuel market.

But due to the ATA litigation, affected drivers at polluted ports nationwide – precariously hired and exploited under the guise of “independent contractor” – will be required to assume massive debt to purchase new trucks in order to keep their jobs. Sensitive to its anti-environmental reputation, the ATA is now trying to rebrand itself as a clean-air champion by claiming they support the ports’ goals. The letters detailed the group’s public, political and legal opposition to several major environmental initiatives.

“The ATA claims have zero credibility because the truth is, they have fought federal truck emissions standards proposed by the U.S. EPA over the past 20 years,” said Amy Goldsmith of the New Jersey Environmental Federation. “They oppose federal climate-change legislation. They teamed up with the oil industry in California to declare low-carbon fuel standards unconstitutional. Sure, the ATA supports clean trucks, as long as workers and taxpayers foot the entire bill.”

Goldsmith noted that as recently as last month the ATA state affiliate publicly threatened to sue over the Port Authority of New York and New Jersey’s simple ban on pre-1994 dirty trucks. Citing federal preemption, Tom Adamski, Chairman of the New Jersey Motor Truck Association’s Bi-State Harbor Carriers Conference, told a [trade outlet](#) they would “take appropriate action to deal with this. If that means an injunction, we will pursue that.”

The Port Authority, along with the Port of Oakland, and the Port of Los Angeles – which together handle over a third of the nation’s container volume each year – have asked Congress to modernize antiquated statutes of the Federal Motor Carrier Act to clarify that local port officials can fully and legally implement clean truck programs, which also improve efficiency, safety and security enforcement.

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*The **Coalition for Clean & Safe Ports** is a partnership of environmental, public health, community, labor and faith organizations that promote sustainable economic development at West Coast ports. We are working to make the port trucking system a less polluting, more competitive generator of good quality jobs for harbor-area residents. The **Coalition for Healthy Ports** is the sister alliance working to create cleaner, greener ports in New York and New Jersey. We are over 100 organizations strong nationwide. For more information, visit <http://cleanandsafeports.org/>*