

Port Bill Keeps on Truckin'

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When Democrats controlled Congress, sponsors of legislation to allow state and cities more authority to regulate trucks using their commercial port facilities tried, without success, to sell the bill as a pro-labor and environment measure. Now that Republicans run the House, the bill's backers are emphasizing its business support — in some quarters. Trucking companies, which don't like the bill, say that it is intended to make it easier for truck drivers to form unions.

The latest version of the bill, introduced in the House this month by New York Democrat **Jerrold Nadler**, would revise the 1980 law that deregulated the trucking industry but allowed Washington to regulate trucks using ports. Specifically, it would create an exemption allowing states and local governments to impose rules on pollution, traffic congestion and highway safety at their ports. That would help cities such as Los Angeles, which in 2008 passed an ordinance requiring that older diesel trucks serving its port be replaced with newer models that pollute less, and that independent truck drivers working the port become employees of trucking companies.



NEW RIDES: Los Angeles wants less-polluting trucks at its busy port. (GETTY IMAGES / DAVID MCNEW)

The latter provision was included, Los Angeles Mayor **Antonio Villaraigosa** said, because independent drivers wouldn't have the resources to afford new rigs.

Labor and environmental groups backing the bill note that businesses such as American Stevedoring and Crowley Maritime, which handle port logistics, support the measure.

The job of cleaning up the ports is simply too big for independent truck drivers, says **Matt Yates**, director of commercial operations for American Stevedoring. "Modernizing the port is a long-term investment that merits real capital and real commitment between port authorities and private businesses, not workers behind the wheel," Yates says.

The trucking industry says that eliminating independent contractors would make it easier for truckers to unionize. "This is quite simply about labor versus management," says **Curtis Whalen** of the American Trucking Associations. He says his group doesn't oppose replacing older trucks, but he doesn't think Los Angeles can require that drivers be company employees. Los Angeles federal district court Judge **Christina Snyder** ruled otherwise last summer, but the trucking associations are appealing.