

March 16, 2010

On the Waterfront: New York is on board with LA truck plan

By Kristopher Hanson

New York has formally joined Los Angeles in support of sweeping changes to America's port trucking industry and the working conditions of drivers.

Chris Ward, executive director of the Port Authority of New York-New Jersey, said Monday that Los Angeles's clean-truck model is the most reasonable long-term approach to tackle port pollution, safety and security risks.

Ward's announcement puts the mayors and port leaders of the nation's largest cities on the same page as they push Congress for a new look at trucking deregulation laws first passed in 1980.

Mayors Michael Bloomberg and Antonio Villaraigosa have asked lawmakers to consider amending the Federal Aviation Administration Authorization Act as a way to ensure taxpayers that port profits aren't continually required to subsidize new clean-truck purchase and maintenance costs down the line.

As it is now, deregulation allows companies to classify roughly 90 percent of port truckers as "independent owner-operators," leaving a work force of mostly low-income drivers responsible for new truck purchases, insurance, maintenance, fuel and other costs.

New trucks cost \$100,000 or more.

Instead, the cities want trucking companies to own and maintain their port-bound rigs in exchange for access to city-owned marine terminals.

"We are working on the FAAAA bill to find additional federal regulations that would allow us to use effective regulatory tools," Ward said. "We're committed to a national strategy along with the Port of L.A."

In essence, Ward, Bloomberg, Villaraigosa and others want to shift the burden of new-truck purchases away from drivers and onto companies, who typically have better credit and more capital.

In fact, most studies show port truckers can barely afford the rent.

A study by Rutgers University shows contract drivers in New York-New Jersey earn about \$11 per hour after expenses like fuel, tires and general upkeep, similar to wages in Long Beach, Los Angeles, Oakland, Miami and other major seaports.

But New York and L.A.'s approach is strongly opposed by retailers, motor carriers and shipping firms, who are challenging the plan in federal court, where a trial is scheduled for April.

Still, the concession plan maintains support among a growing number of port authorities and cities trying to tackle pollution problems with limited funds.

"(Supporters) want Congress to ensure antiquated laws don't allow the deep-pocketed shipping and trucking industries to get a free ride while low-wage workers and taxpayers foot the bill to meet air-quality regulations," said Paul Karr, an organizer with the Coalition for Clean and Safe Ports.