



News Release

Port of Long Beach Settles Clean Trucks Lawsuit Trucking association agrees to streamlined registration process

October 19, 2009



The Port of Long Beach has settled a lawsuit brought by the American Trucking Association (ATA), resolving the final legal challenge to its year-old Clean Trucks Program. One of the Port's most ambitious environmental initiatives, the program is already cutting truck-related pollution significantly and aims to reduce emissions 80 percent by 2012 or earlier.

"The Clean Trucks Program is one of the biggest steps we've taken to improve air quality, and I'm happy to see that the Port and the ATA have resolved these legal issues so that we can move forward together," said Long Beach Mayor Bob Foster.

"This is a critical milestone for the program, reaching consensus with an important industry partner," said Nick Sramek, president of the Long Beach Board of Harbor Commissioners. "With this settlement, the Port of Long Beach and the ATA have agreed to move forward, together, on a Clean Trucks Program that works to safeguard the environment while contributing to economic growth and jobs."

"ATA has always strongly supported the environmental objectives of the Port and supports strict compliance with and adherence to all safety and security laws and regulations," said ATA President and CEO Bill Graves. "We never disagreed with (Long Beach's) objectives, only with certain provisions of the Concession Agreement which we believed were unnecessary for the accomplishment of those objectives." Graves also noted that ATA has long supported the concept of truck inspections on Port property as the most effective method of monitoring and ensuring regulatory compliance.

Long Beach's Clean Trucks Program, which recently celebrated its first year anniversary, already has led to the introduction of nearly 5,000 "clean," low-emission trucks serving the Port. More than half of all the cargo moved in and out of the Port is now carried by trucks that meet strict 2007 federal emission standards. By January 1, 2010, almost all trucks working at the Port will meet the 2007 standard coming close to the goal of an 80 percent reduction two years early.

After the initiative was launched, the ATA filed a lawsuit challenging the program's Concession Agreement, which established clean air, safety and maintenance requirements on trucking companies that operated at the Port. A federal court judge enjoined some aspects of the concession agreement.

With the settlement, approved October 19 by the Long Beach Board of Harbor Commissioners, the Port will replace the Concession with a Registration Agreement. Once the settlement is approved by the federal court hearing the lawsuit, the Port will post the Registration Agreement for trucking companies to sign and submit.



“The change will streamline our program,” said Sramek. “At the same time, under the new registration system, the Port of Long Beach will have the tools to strictly monitor and enforce its Clean Trucks Program and the Program’s truck emission reductions. It will also be positioned to enforce fully all of its security and safety related regulations.”

Under the new Registration Agreement, trucking companies would agree to comply with environmental, safety and security requirements, in exchange for registration to perform drayage services at the Port. They would need to register their trucks in the Port’s Drayage Truck Registry and equip them with radio frequency identification tags. With more than 900 trucking companies and more than 16,900 trucks already registered with the Port and equipped with RFID tags, the new system would mean that trucking companies already working under the concessions would need only to sign and submit the new registration agreement to continue to work at the Port.

Under the Concession Agreement, the Port could withhold permission even if trucking companies met the environmental, safety and security requirements – although Long Beach never invoked those provisions.

The ATA lawsuit also targeted the Port of Los Angeles’ program. The Port of Los Angeles is not a party to the settlement between the ATA and the Port of Long Beach.

In June, the Federal Maritime Commission withdrew a separate lawsuit and an administrative proceeding against the clean trucks initiatives at the Port of Long Beach and Port of Los Angeles.

The Clean Trucks Program progressively bans older trucks, replacing them with newer trucks. Pre-1989 trucks are no longer allowed at the Port and beginning January 1, 2010, 1993 and older trucks will be banned. By 2012, only trucks meeting the 2007 federal emission standards will be allowed to operate at the Port.

For more information, visit the Port’s clean trucks web portal at <http://www.polb.com/cleantrucks>.

Contacts: - Art Wong, Port Assistant Director of Communications, (562) 590-4123 office, (526) 619-5665 cell, or wong@polb.com.