

## **Fleet Sales West, LLC**

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November 18, 2024

Oregon Environmental Quality Commission  
Chair Matt Donovan  
700 NE Multnomah Street, Suite 600  
Portland, Oregon 97232

**Support: November 21, 2024 Commission Meeting**  
**Item G: Temporary Rulemaking for the Clean Trucks Rules**

Dear Commissioners,

As a small business owner who provides towing and recovery services in Oregon and California, I would like to convey my support for delaying the implementation of Oregon's Heavy-Duty (HD) Omnibus rules until the 2027 model year, when California harmonizes emissions standards with the federal government.

One does not need to look any further than California to see the consequences of heavy-duty electric and omnibus truck regulations that are not functioning as intended. Due to the lack of HD truck chassis, no more tow trucks will be built or sold in California in the coming months. In 2024, tow truck upfitters were allocated zero engines from the largest manufacturer of tow truck engines and only around 25% of the total chassis from all manufacturers from a normal year of demand. Moreover, towing and recovery trucks constitute about 1% of all heavy-duty truck sales in California.

The failure of California's regulations, hailed as the national climate change model, will devastate millions of Californians who require roadside services, including Freeway Service Patrol programs that provide free emergency services. This is a program where the University of California, Berkeley has documented the fuel savings to consumers, reduced time in traffic, and reduced air emissions. Undermining a program that is demonstrated to contribute to air quality improvements and economic benefits to consumers and the state does not advance the public interest and undermines climate goals.

While the California Air Resources Board (CARB) adopted amendments to its Advanced Clean Trucks (ACT) regulations on October 24, 2024, there are no assurances that the amendments will stimulate the importation of HD trucks in a timely fashion. Moreover, California has no mechanism to track truck sales monthly to determine whether the rule changes are having any

measurable impact or simply increasing the importation of used higher emission tow trucks from other states – which are unlimited under the California rule.

Lastly, CARB failed to amend its Omnibus rules, which staff has identified as the primary cause of declining truck inventories, instead relying on enforcement discretion. It is untenable for businesses to be required to operate in violation of the law and to rely on the government's 'grace' not to enforce it. This disrupts our ability to seek capital investment, operating funds, and insurance coverage.

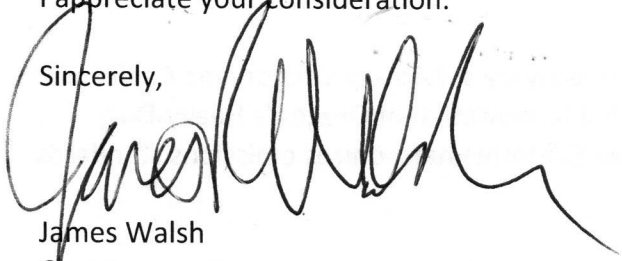
CARB was aware of the risks when it adopted its rules, as evident from the fact that it exempted emergency vehicles, including government-owned towing and recovery trucks. However, because these exemptions were only applied to some towing and recovery trucks, the future of 4,700 California small businesses is still being determined.

California serves as a canary in a coal mine, and Oregon would be wise not to replicate its errors. Oregon can achieve its climate change goals without threatening small businesses, jobs, and roadside services. However, regulations should only be enacted when they are technologically and economically feasible.

I have attached letters and a petition CARB considered at its October 24, 2024 meeting.

I appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Walsh', written over a large, faint circular stamp or watermark.

James Walsh  
Owner

Encl: California Legislator letter  
Towing/Recovery truck owner petition