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**October 22, 2024**

The Honorable Liane Randolph  
California Air Resources Board  
1001 I Street Sacramento  
California 95814

**RE: Agenda Item: 24-5-5  
Amendments to the Advanced Clean Trucks (ACT) regulations**

Dear Madam Chair and Members of the Board,

California towing and recovery drivers prioritize motorists' safety by providing reliable roadside assistance 24/7, supporting first responders, and clearing road accidents or mechanical failures.

When the California Air Resources Board adopted Governor Gavin Newsom's Advanced Clean Trucks (ACT) and Heavy Duty Omnibus (Omnibus) regulations, which call for phasing out gas and diesel engines and replacing them with electric engines and further emission reductions, no one could have imagined the direct threat to the livelihood of small businesses that assemble towing bodies to truck chassis, and those who provide towing services to millions of California motorists.

With the ACT and Omnibus regulations going into effect this past January, California's towing and recovery truck industry cannot replace its existing diesel truck fleet with electric chassis when truck manufacturers have not developed electric alternatives that meet a tow truck's range, performance, and safety standards. And without the ability to continue to sell 2023 compliant engines, the industry has no options to keep new trucks being assembled and sold in California.

By the end of the year, the inventory of diesel truck chassis and tow bodies will be depleted, and the California small businesses that attach tow bodies to truck chassis will go

out of business, laying off their employees. In turn, towing services will not be able to sustain their fleets when existing trucks reach the end of their service life.

There is no relief in sight. Truck manufacturers have been unable to develop a suitable electric tow truck prototype that can meet California's requirements, let alone be readied for full-scale production. Since towing/recovery trucks constitute less than 1 percent of the commercial truck market and have high energy demands, there is speculation that producing towing and recovery trucks is not the priority for truck manufacturers – not now, at least.

Recognizing that towing and recovery trucks provide emergency services, the California Air Resources Board (CARB) exempted government-owned towing and recovery trucks from these regulations. Ironically, the regulations allow the importation of older, higher-emission diesel trucks from other states. Exemptions for some trucks, but not all, and regulatory loopholes do not benefit the environment or an industry desperate for a solution that will protect their livelihoods.

Moreover, the regulations also threaten the Freeway Patrol Service (FPS) program, a state and local transportation program that contracts with private towing companies to provide roadside service to over 650,000 motorists a year at no cost. These tow trucks that roam California freeways typically rescue stranded motorists within 10-15 minutes, reducing the threat of secondary accidents. By clearing freeways of stalled or wrecked vehicles quickly, the program reduces 9,642,968 wasted hours in traffic, 16,576,262 gallons of fuel used, and 160,609 tons of carbon emissions annually. Since FPS trucks must be new or have very low mileage at enrollment, it will become increasingly more challenging for the program to secure contracts with private towing companies.

On behalf of our members, we urge CARB to protect these valued small businesses, jobs, and motorists and, through the FPS program, continue to reduce carbon emissions until electric tow truck chassis are manufactured to the performance standards required to serve California motorists.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Taylor". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tim Taylor  
Legislative Director  
National Federation of Independent Business (NFIB)