

Item [2000/1000] - Drayage Trucks - Definitions

For purposes of Items [2000/1000] through [2035/1035], the following definitions shall apply:

“ARB” means the California Air Resources Board.

“Authorized Emergency Vehicle” is as defined in Vehicle Code section 165.

“Beneficial Cargo Owner” means (i) any person, company or other entity that is named as shipper or consignee on an ocean common carrier bill of lading issued for merchandise subject to the Clean Truck Fee specified in Item [2030/1030], or any person owning or entitled to the possession of the merchandise, or having a past or future interest in the merchandise; (ii) in the case of negotiable bills of lading, any other person, company or other entity that is a bona fide holder of the bill of lading or who is entitled to receive delivery of the merchandise; and (iii) any other bailor of the merchandise. The term “Beneficial Cargo Owner” does not include ocean transportation intermediaries or forwarders who may appear on the ocean common carrier bill of lading as shipper or consignee, but who are acting as carriers in relation to the underlying Beneficial Cargo Owner.

“CARB Diesel Fuel” is Diesel Fuel certified by ARB as meeting the fuel specification standards set forth at title 13, California Code of Regulations (CCR) section 2280 et seq.

“Compliance Label” is a tag issued by ARB under the Drayage Truck Registry for Drayage Trucks operated at the ports and intermodal rail yards that meet ARB requirements and compliance schedules.

“Dedicated Use Vehicles” are On-Road Vehicles that do not have separate tractors and trailers, including auto transports, fuel delivery vehicles, concrete mixers, mobile cranes and construction equipment.

“Diesel Fuel” means any fuel that is commonly or commercially known, sold, or represented by the supplier as diesel fuel, including any mixture of primarily liquid hydrocarbons – organic compounds consisting exclusively of the elements carbon and hydrogen – that is sold or represented by the supplier as suitable for use in an internal combustion, compression-ignition engine.

“Diesel-Fueled” means a compression-ignition engine fueled by Diesel Fuel, CARB Diesel Fuel, or jet fuel, in whole or part, including liquid natural gas engines using diesel-fuel for pilot ignition.

“Diesel Particulate Matter” or **“PM”** means the particles emitted in the exhaust of Diesel-Fueled compression-ignition engines.

“Drayage Truck” means any in-use On-Road Vehicle with a Gross Vehicle Weight Rating of 33,000 pounds or greater operating on property owned by the Port of

[Los Angeles/Long Beach] for the purpose of loading, unloading or transporting cargo, including containerized, bulk, break-bulk and neo-bulk goods. Drayage Truck does not include Dedicated Use Vehicles, Authorized Emergency Vehicles, Military Tactical Support Vehicles or Yard Trucks.

“Drayage Truck Registry” or **“DTR”** is a database that contains information on trucks that conduct business on Port Property at the Ports of Los Angeles and Long Beach, including:

Owner’s name, address, phone numbers, email address, and fax number;
Drayage Truck and engine make, model, and model year;
Vehicle identification number (VIN), license number and state of issuance;
VDECS equipment

“Gross Vehicle Weight Rating” is defined in Vehicle Code Section 350.

“International Registration Plan” is a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of total distance operated in all jurisdictions.

“Lessee” has the same meaning as in Vehicle Code section 371.

“Military Tactical Support Vehicles” is as defined in title 13, CCR, section 1905.

“On-road” means a vehicle that is designed to be driven on public highways and roadways and that is registered or is capable of being registered by the California Department of Motor Vehicles (DMV) under Vehicle Code sections 4000 et seq., or DMV’s equivalent in another state, province, or country, or the International Registration Plan.

“Optical Character Recognition” or **“OCR”** is a system designed to read and digitize existing On-road vehicle identifiers, such as state license plates, which will enable the Terminal Operator to access the Drayage Truck’s records in the DTR.

“Oxides of nitrogen” or **“NOx”** means compounds of nitrogen and oxygen, including nitric oxide and nitrogen dioxide.

“Ports” means all waterfront property owned by Ports of Los Angeles and Long Beach and the Terminal Island Container Transfer Facility.

“Port Property” means all property owned by the Port of [Los Angeles/Long Beach] within the Harbor District of [Los Angeles/Long Beach].

“Terminal” is any facility on Port Property used for the transfer of cargo from one mode to another, including container terminals, break-bulk terminals, dry bulk terminals and railyards.

“Terminal Operator” is the entity with contractual authority from the Port of [Los Angeles/Long Beach] to operate a Terminal.

“Radio Frequency Identification Device” or “RFID” is an electronic device with a unique identification number, installed on a Drayage Truck which will enable the Terminal Operator to access the Drayage Truck’s records in the DTR.

“Vehicle” is as defined in Vehicle Code Section 670.

“Verified Diesel Emission Control Strategy” or “VDECS” is an emission control strategy that has been verified pursuant to the “Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines” in Title 13, California Code of Regulations, commencing with section 2700, and incorporated by this reference.

“Yard Truck” means an off-road mobile utility vehicle used to carry cargo containers with or without chassis; also known as utility tractor rig (UTR), yard tractor, yard goat, yard hostler, or prime mover.

Item [2005/1005] - August 1, 2008 Gate Access Deadline

By August 1, 2008, at 8:00 a.m., all Terminal Operators shall have installed RFID or OCR readers at all truck processing gates or have obtained written consent from the Port of [Los Angeles/Long Beach] to use an alternative means of accessing Drayage Truck records in the DTR before allowing Drayage Truck access to the Terminal. A Compliance Label issued by ARB is an acceptable alternative means of controlling truck access to any Terminal.

Item [2010/1010] - October 1, 2008 Drayage Truck Deadline

Beginning October 1, 2008, at 8:00 a.m., no Terminal Operator shall permit access into any Terminal in the Port of [Los Angeles/Long Beach] to (1) any Drayage Truck of model year 1988 or older, or (2) any Drayage Truck that cannot be verified as compliant with this Item [2010/1010] deadline by reference to the Drayage Truck’s records in the DTR, as set forth in Item [2005/1005].

Item [2015/1015] - January 1, 2010 Drayage Truck Deadline

Beginning January 1, 2010, at 8:00 a.m., no Terminal Operator shall permit access into any Terminal in the Port of [Los Angeles/Long Beach] to (1) any Drayage Truck that is not equipped with: (a) a 1994 – 2003 model year engine certified to California or federal emission standards, and a level 3 VDECS which achieves a minimum 85% reduction in PM emissions and a minimum 25% reduction in NO_x emissions; or (b) a 2004 or newer model year engine certified to California or federal emission standards, or (2) any Drayage Truck that cannot be verified as compliant with this Item [2015/1015] deadline by reference to the Drayage Truck’s records in the DTR, as set forth in Item [2005/1005].

Item [2020/1020] - January 1, 2012 Drayage Truck Deadline

Beginning January 1, 2012, at 8:00 a.m., no Terminal Operator shall permit access into any Terminal in the Port of [Los Angeles/Long Beach] to (1) any Drayage Truck that is not equipped with an engine that meets or exceeds 2007 model year California or federal heavy-duty Diesel-Fueled On-Road emission standards, or (2) any Drayage Truck that cannot be verified as compliant with this Item [2020/1020] deadline by reference to the Drayage Truck's records in the DTR, as set forth in Item [2005/1005].

Item [2025/1025] – June 30, 2008 Drayage Truck Registry

1. Drayage Trucks seeking entry upon Port Property on or after October 1, 2008, shall have been registered on the DTR database by June 30, 2008 or ninety-one days prior to the date of entry, whichever is later. Registration on the DTR Database shall be on forms and with supporting documentation as may be required by the Port to provide required information in verifiable form.

2. In the event of a change in the information provided for registration on the DTR Database with respect to a Drayage Truck, the registration shall be amended within ten calendar days of the change on forms and with supporting documentation as may be required by the Port.

Item [2030/1030] Clean Truck Fee

Beginning June 1, 2008 at 8:00 a.m., a Clean Truck Fee of \$35 per twenty foot equivalent unit shall be assessed on containerized merchandise entering or leaving the Ports by Drayage Truck. The Clean Truck Fee shall not be assessed on any containerized merchandise entering or leaving the Ports by rail or on any containerized merchandise moved between two Terminals within the Ports. The Clean Truck Fee shall be paid by the Beneficial Cargo Owner.

Item [2035/1035] Clean Truck Fund

The first Terminal Operator to handle any containerized merchandise subject to the Clean Truck Fee shall collect and remit the Clean Truck Fee to the Port of [Long Beach/Los Angeles], and the monies shall be used by the Board of Harbor Commissioners exclusively for replacement and retrofit of Drayage Trucks serving the Ports of Los Angeles and Long Beach.