



Association of
BI-STATE
MOTOR CARRIERS

263-D Distribution Street, Port Newark, NJ 07114

October 2, 2020

TO: NJDEP/NJPACT njairrulesmobile@dep.nj.gov

FROM: Lisa Yakomin, President
The Association of Bi-State Motor Carriers

RE: Reducing CO2 Emissions: Drayage Trucks

Last month, the NJDEP/NJ PACT (Protecting Against Climate Threats) held a series of meetings in which they discussed proposals being considered to reduce emissions in New Jersey. I attended the afternoon session on September 10th, “Reducing CO2 Emissions: Drayage Trucks,” and appreciated the opportunity to participate and engage with others on this important topic.

As the NJDEP prepares its proposals for stricter emissions policies and regulations to reduce emissions, I ask that you carefully and thoughtfully consider the feedback provided below, which is being submitted on behalf of the Bi-State’s Intermodal Trucking Members—more than 170 member firms who are responsible for moving a majority share of the freight at the Port of New York & New Jersey.

DRAYAGE TRUCKS COMPRISE A SMALL SHARE OF NJ’S TRUCK FLEET—AND MOST ARE ALREADY LOWER-EMISSION VEHICLES

According to the NJDEP presentation, of the 100,000 medium to heavy weight vehicles in NJ, only 15,000 of them are drayage trucks—yet this is the group being targeted most aggressively by the emissions-reduction proposals being considered.

According to August 2020 figures from the Port Authority of NY & NJ, there were 8,819 trucks that called upon the port during that month of record-breaking volumes, and more than 64% of those trucks were engine model year 2007 or newer. Two-thirds of all truck trips made in August were done by 2007 EMY or newer vehicles. Our industry is being unfairly targeted.

Environmental activists often claim that Port Trucks are the vehicles specifically responsible for “polluting the air in our neighborhoods”. However, according to the Northeast Newark Regional Truck Study conducted by the PANYNJ in 2015, of the trucks observed entering and exiting the Ironbound section of Newark, only a very small fraction of them—just 5.1%—were port trucks. Port trucks are often blamed for pollution that is being caused by other sources, and we respectfully request that the NJDEP acknowledge the factual data that supports this, and refrain from targeting drayage trucks for aggressive over-regulation.

It is also important to note that the Association of Bi-State Motor Carriers has been doing its part to promote environmental stewardship with our member companies for many years: our active Street Turn Forum saves thousands of trips to and from the port each year, and to date, over 850 trucks have been upgraded through the PANYNJ’s Truck Replacement Program.

NEW JERSEY IS *NOT* CALIFORNIA

During the meeting on September 10th, DEP representatives repeatedly expressed a desire to mirror the types of strict emissions regulations being enacted in California, with aggressive implementation timelines that prioritize regulations and policy changes that would directly impact Drayage Trucks. It was also stated that New Jersey officials “are leaning heavily on California for guidance.”

Unfortunately, I felt that there was not enough attention paid to the fact that New Jersey is a very different state than California, with very different issues that must be considered before recommendations are set forth. For example:

-- There is little to no competition for freight hauling on the West Coast, due to the sheer size of California, but that is certainly not the case for New Jersey. On the East Coast, we are in direct competition with numerous other nearby ports, including Philadelphia, Boston, Baltimore, and Savannah. Adding cumbersome regulations on drayage trucks puts the Port of NY & NJ at a competitive disadvantage at a time when we are already competing with other ports for drivers and freight. Any restrictions or policies that make it more expensive to do business at the Port of NY & NJ will result in a loss of market share, negatively impacting the billions of dollars in tax revenues and hundreds of thousands of jobs generated by the port industry each year.

-- Current model EV Trucks are much heavier than Diesel Trucks—10,000 pounds heavier—because of the weight added by the battery. If all Drayage trucks in NY/NJ are converted to EVs, it will have a detrimental impact that will lead shippers to route their cargo elsewhere in order to save money and maximize efficiency. Shippers would have to significantly reduce the amount of cargo loaded in each container in order to offset the extra weight of the EV truck battery, making it much more expensive to do business here. Instead, shippers will simply route their freight to one of the other nearby East Coast ports, where they can ship their goods using fewer containers. This will result in a significant and permanent loss of market share, revenue losses, and job losses that New Jersey can ill afford. Those shippers that do continue doing business here will require more containers to haul their goods, resulting in more truck trips to the terminals, along with increased traffic, congestion, and non-exhaust emissions.

-- New Jersey does not have anything even remotely close to the level of funding that would be necessary in order to replace the current trucking fleet with Electric Vehicles, yet the NJDEP is proposing a target date for all drayage trucks to be 100% Zero Emission by 2035. This is an unrealistic and unreasonable deadline, especially given the large number of Independent Owner Operator truckers who haul freight here in New Jersey.

-- California ports have two work shifts (AM & PM), while NY/NJ only has one shift during the day. Therefore, the time window for charging electric trucks here in NJ would be narrower, putting significant strain on the state's existing electrical grid.

--Any proposals for phasing out diesel trucks must include studies and data assessments done here in NJ, so that we can have full transparency on how these timelines would specifically impact New Jersey, both financially and operationally.

-- The weather in NJ is different than the weather on the West Coast. Studies have shown that in cold weather, typical of what we see during NY/NJ winters, EV Trucks cover 20% less mileage per charge than they do in warmer weather. We cannot risk having trucks getting stranded during the winter months, when delivering goods & supplies are most challenging and the risks posed by breakdowns are the highest.

-- Fast charging is also limited during cold weather in order to protect the EVs battery. This would hinder the ability to charge trucking fleets quickly and efficiently during Winter months, presenting challenges to NJ that do not exist for our West Coast counterparts, and putting our supply chain fluidity at risk.

BURDENSOME EXPENSES FOR THOSE WHO CAN LEAST AFFORD IT

-- A large majority of the drayage truckers who pull freight at the PONYNJ are Independent Owner Operators—hard-working small business owners who will be burdened with taking on a large amount of debt in order to finance the switch to an Electric Truck, which currently costs 4 times more than an energy-efficient diesel truck costs. We are already experiencing a serious driver shortage in NY/NJ, and burdensome financial obligations will worsen that problem, as truckers can simply leave and work at any of the other ports along the Eastern seaboard with their existing truck.

-- According to the NJ Dept. of Labor, the TLD industry comprises the largest share of New Jersey's minority workforce, including the largest share of Black workers and the largest share of Hispanic workers, more than any other industry in our state. And, according to the latest PANYNJ statistics, approximately 70% of drayage drivers are Independent Owner Operators. If the NJDEP targets the Drayage Industry for conversion to EVs ahead of everyone else, such policies would disproportionately harm minority-owned small businesses, a group that is already marginalized and faces discrimination.

-- This expensive proposal for implementing aggressive emissions policies and unreasonable deadlines for converting to EVs comes at the *worst possible time* for the intermodal trucking industry: during a global pandemic that has sparked a devastating economic recession, coupled with a gas tax increase on Oct. 1, 2020 that ranks New Jersey at the 4th highest fuel tax in the nation, along with significant toll hikes on the NJ Turnpike, Garden State Parkway, bridges and tunnels. Toll rates for the turnpike increased by 36% beginning Sept. 13, toll rates on the parkway went up 27%, and toll rates for five-axle trucks increased by nearly 40% on the Atlantic City Expressway.

GRID CAPACITY CONCERNS AND LACK OF FUNDING FOR UPGRADES

-- No one has done an accurate assessment on whether or not NJ's electrical grid can handle 15,000 drayage trucks charging at the same time. We must have a clear picture of the potential impact on the state's electrical grid, and whether or not it can handle the demand if these proposals are made mandatory.

-- According to the [American Council for an Energy Efficient Economy](#), "for electric 18-wheelers, chargers may need up to 2 MW of power each," which "will require changes to primary and secondary power distribution systems (feeders that deliver power to distribution transformers and to end customers) and substation upgrades. For large loads, a new substation may be needed."

-- The California Electric Transportation Coalition did a study on power requirements for electric truck and e-bus charging stations. It found that loads greater than 5 MW need both substation and distribution line upgrades. Costs can run \$10 million or more per site.

-- The State of New Jersey recently approved legislation that allows the state to borrow more than \$9 billion in order to address unprecedented funding shortfalls caused by the COVID-19 pandemic. NJ simply cannot afford to fund the grid upgrades that will be necessary until we are clear of this economic crisis.

NON-EXHAUST EMISSIONS ARE NOT ADDRESSED BY ANY OF THE NJDEP PROPOSALS

None of the information presented by the NJDEP or NJPACT addressed one of the most grave concerns affecting our environment today: dangerous particulate matter that is generated from tire wear, brake wear, road surface wear, and road dust released into the air during on-road vehicle usage, known as Non-Exhaust Emissions (NEEs).

According to a 2019 report conducted in the UK by the government's Air Quality Expert Group (AQEG), NEEs are "a very serious and growing environmental problem, one that is being exacerbated by the increasing popularity of large, heavy vehicles such as SUVs, and growing demand for electric vehicles, which are heavier than standard cars because of their batteries." As stated previously, this would force shippers to reduce the weight of their loads for each container coming into NJ, requiring more containers to ship their goods, resulting in more truck trips to move their goods through our port, and much higher costs. In other words: converting NJ's fleet of diesel drayage trucks to EV trucks will actually make NEEs *worse*, not better.

According to the report, NEEs “constitute the majority of primary particulate matter from road transport, 60 percent of PM2.5 and 73 percent of PM10.” The AQEG recommended that Zero-Emission vehicles—including EVs—be “immediately recognized as a source of ambient concentrations of airborne particulate matter.”

We believe that the intense focus on replacing drayage diesel trucks with EVs is ill-advised, and ultimately, will *increase* NEEs, resulting in an adverse impact on New Jersey’s air quality--the very opposite of what these proposals are supposed to accomplish. Other emissions sources must also be considered and addressed before any proposals are finalized and put forth.



The Association of Bi-State Motor Carriers welcomes the opportunity to actively engage with the NJDEP/NJPACT, participating in discussions on how to reduce emissions and addressing climate threats in New Jersey. Unfortunately, the meeting hosted on September 10th was the first time anyone from our organization—the leading representative for intermodal motor carriers at the Port of NY & NJ—was afforded the chance to provide direct feedback on the proposals being considered by the NJDEP and NJPACT. We respectfully request that the Bi-State continue to be included in the dialogue going forward, and be given a platform to share the valuable and much-needed perspective of New Jersey’s intermodal trucking community. We are committed to assisting in the process of addressing Climate Change, and look forward to working with you in the months ahead.

Sincerely,

Lisa Yakomin, President
Association of Bi-State Motor Carriers