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Bill Seeks to Curb Polluting Mexican Trucks **Vehicles would not be allowed to travel in California unless they met U.S. standards.**

By Miguel Bustillo and Marla Dickerson, Times Staff Writers

Concerned that a U.S. Supreme Court ruling this month clears the way for thousands of smoke-spewing Mexican trucks to enter the country, a California lawmaker has introduced legislation that would bar them from traveling throughout the state unless they met federal air pollution standards.

Supported by environmentalists and California truckers, the bill, by Assemblywoman Fran Pavley (D-Agoura Hills), is sure to rekindle a decade-long dispute over the North American Free Trade Agreement's contributions to pollution in this country, an issue that has ruffled U.S.-Mexico relations.

The measure would require that Mexican trucks meet the same federal air pollution standards for their model year as their U.S. counterparts in order to come through California. Mexican trucks, like those in the United States, typically run on diesel fuel, but many are older and have less-sophisticated pollution controls.

Pavley said she would not attempt to require the trucks to meet California's tougher state air pollution standards, which could make the legislation vulnerable to legal attacks. But legal experts predicted that a law requiring Mexican trucks to meet federal pollution standards would also face legal challenge.

"We're doing everything we can to reduce air pollution in this state, and these [Mexican trucks] could really set us back," Pavley said. "They represent a huge public health risk. I don't think it was the goal of NAFTA to add an estimated 50 tons of harmful emissions into our airshed each day. We will look very carefully at what we can do in California, but we think we can certainly require them to meet the same standards as U.S. trucks."

The South Coast Air Quality Management District, which is tasked with reducing air pollution for 16 million people in Los Angeles, Orange, Riverside and San Bernardino counties, estimated that Mexican trucks would add 50 tons of pollution a day to the region's air.

That amount is more than the area's 350 largest industrial sites combined. However, some researchers have dismissed such projections as alarmist, arguing that the Mexican trucks likely to go into the long-haul business in the United States are newer, more efficient models.

Gov. Arnold Schwarzenegger has not taken a position on Pavley's measure, but the lawmaker and environmental groups have met with Schwarzenegger administration officials to discuss the issue.

Some Mexican truckers, who have watched the United States throw up one legal barrier after another, expressed little surprise that California might present a new hurdle.

"It's all political," said Guillermo Berriochoa, who owns a trucking company north of Mexico City. "It's another way to keep the Mexicans out."

Leonardo Gomez Vargas, director general of the National Private Transport Assn., a Mexico City-based industry group, said the measure had more to do with U.S. trucking companies wanting to protect their profit margins than with preserving the environment.

"We have a modern fleet and very high quality standards," Gomez said. "There are economic interests that don't want vehicles from Mexico to enter the United States. This is just another barrier to keep us from competing."

After NAFTA was enacted in 1994, President Clinton refused to lift a restriction that prevented Mexican trucks from coming into the country beyond the immediate border area, citing safety and environmental concerns. The decision angered proponents of the trade agreement, who said that it was supposed to bring about the free movement of commercial vehicles across borders.

Three years ago, President Bush announced he would allow Mexican trucks and buses to enter the United States as long as they met federal safety standards. The decision prompted a lawsuit by environmentalists and California truckers and labor unions.

The Supreme Court ruling this month sided with Bush and threw out a lower court order that had blocked the trucks from entering the country on grounds that they would worsen pollution in areas of the Southwest that already suffer from bad air quality.

More than 4 million trucks enter the United States from Mexico every year, but they are now required to stay within 20 miles of the border. The federal government estimates the latest court decision would allow up to 34,000 more Mexican trucks to enter the United States and travel farther into the country.

Some business groups on both sides of the border welcome the increased truck traffic, saying it should lead to lower shipping costs. But smaller trucking firms in both countries are wary of the competition. Meanwhile, environmental groups and some state officials worry Mexican truck emissions would make it more difficult to meet clean air standards in already smoggy cities such as Los Angeles.

"We welcome the opening of the borders for Mexican trucks, but they need to be as clean as our trucks or they will have a devastating impact on our cities," said Gail Ruderman Feuer, an air pollution attorney for the Natural Resources Defense Council, a sponsor of Pavley's bill.

"Mexico did not have emissions standards for these trucks until 1993, and their trucks tend to be older and dirtier. Even if you buy a new Mexican truck today, it would be substantially dirtier than a similar truck bought in the United States."

Stephanie Williams, vice president of the California Trucking Assn., said the legislation would still leave an uneven playing field for the state's truckers, because they must comply with state environmental standards considerably more stringent than federal ones. But given the legal constraints of NAFTA, she said, it may be the best that state officials can do.

"This is a huge threat to the state of California, and I'm for anything that does something about pollution from Mexican trucks, Williams said. "It's not the best thing to do, but it may be the only legal thing we can do, and I'm sick of losing lawsuits."

Bustillo reported from Los Angeles and Dickerson reported from Mexico City.