Good afternoon, members of the committee. My name is Kyle Burleson and I’m the director of state advocacy for the American Waterways Operators, which is the advocate, resource, and united voice for the tugboat, towboat and barge industry.

The towing industry appreciates Chair Cortese for hearing this bill and for Assemblymember Bains for championing workplace safety for mariners.

As I shared at Assembly Chair Mike Gipson’s hearing at the Port of San Francisco in November, the barge and towing industry is the most sustainable mode of freight transportation, with rail producing 43% more greenhouse gas emissions than barge transportation, and trucks producing over 800% more.

California should be very proud of its maritime importance, ranking third across the country in waterborne commerce by ton. Two hundred and thirty-nine million tons of freight move by vessels in California each year, creating more than $12 billion in economic activity.

Our members footprint in California stretches from San Diego to Northern California and the inland port system, too.

It’s with this backdrop that we are asking you to pass AB 1122 in the name of workplace safety.

With the recent changes to the Commercial Harbor Craft Rule, our industry has spoken up all along the way that there is an odd and potentially dangerous provision that needs correcting. Unfortunately, CARB has ignored our pleas so we are turning our voice to you. And we are joined by the three most prominent unions that work within the towing industry, including the Masters, Mates & Pilots, Marine Engineers Beneficial Association, and the Inland Boatmen’s Union. It also bears mentioning that the California Labor Federation has pledged its support to this bill.

We are asking that before Diesel Particulate Filers (or “DPFs”) are required to be installed that a standard safety process is followed. Whenever new equipment is installed on a vessel, a third-party auditor vets the product to ensure it is safe and will not catch fire under duress. For whatever reason, CARB has bypassed these safety experts.

If DPFs sound familiar to you, it might because of the fires they have started on school buses and semitrucks.

These DPFs need careful consideration because of their infamous history and the size and stability concerns they create on towing vessels. Imagine trying to stick two VW bugs on a tugboat. That’s what we are talking about here.

In our 80 year history, our trade association has never asked a legislature to intervene to protect lives onboard a vessel, but that is what is needed because CARB did not act before and we do not expect them to prioritize mariner and workplace safety in the future.

Thank you for your time and I’d be happy to answer any questions.