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**FEDERAL MARITIME COMMISSION REQUESTS DISMISSAL OF
CLEAN TRUCKS PROGRAM LAWSUIT**

SAN PEDRO, Calif. – June 16, 2009 –The Federal Maritime Commission (FMC) has changed its position on its lawsuit that sought to stop certain aspects of the Clean Truck initiatives underway at the Port of Los Angeles and neighboring Port of Long Beach. The FMC has requested dismissal of the case in a filing today in the U.S. District Court for the District of Columbia. If Judge Richard Leon grants the motion, the FMC’s court case against the Clean Trucks Program will be over.

“I am pleased that we can move forward with our Clean Truck Program without interference,” said Los Angeles Mayor Antonio Villaraigosa. “We hope and expect the FMC to similarly resolve its pending investigation so that we can all put these matters behind us and continue our work to green the Port.”

“We’re pleased with the removal of the FMC’s challenges to our program,” added Port of Los Angeles Executive Director Geraldine Knatz, Ph.D. “Our Clean Truck Program is ahead of schedule with successful turnover of the older fleet. Today, more than 5000 2007-compliant trucks are handling over 50 percent of the container hauls at our Port.”

Background

The Clean Trucks Program is a comprehensive environmental, safety and security initiative. The Clean Trucks Program immediately bans trucks built before 1989, the first year of diesel pollution control; and by 2012, bars any truck that doesn’t meet the cleanest 2007 emission standards.

When fully implemented in 2012, the Clean Trucks Program will remove over 16,000 older diesel trucks from the roads and reduce harmful emissions by 80 percent. Current data shows that the replacement of older trucks is well ahead of the ban schedule.

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FMC requests dismissal of CTP lawsuit

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Despite critics' predictions, the Clean Trucks Program is rolling forward successfully. Launched on October 1, 2008, the Clean Trucks Program began producing immediate environmental benefits to Southern California residents by removing 2,000 of the oldest, most polluting diesel trucks from the road. It has achieved close to 100% compliance from Licensed Motor Carriers, attracted new companies to begin service and put hundreds of new clean trucks into service at the Ports while creating no disruption in cargo movement

The Concession Program and Concession Agreement are integral to achieving the Clean Truck Program's goals. The Concession Agreement creates, for the first time, contractual relationships between the Port and the licensed motor carriers (LMCs) that access Port property for the purpose of transporting cargo – activities that directly impact the environmental, safety and security conditions on Port land.

The Concession Program makes Concessionaires accountable for the safety and maintenance of trucks and safety training of drivers, thereby improving the public safety conditions operating on Port property. The Concession Program closes the security gap that currently exists on Port property, by correlating drivers, trucks, cargo and the responsible licensed motor carriers.

The Clean Trucks Fee and exemptions, incentives, and lease/purchase subsidies work together as a comprehensive program to encourage rapid deployment and efficient replacement of dirty trucks in the most ambitious air pollution clean-up initiative in the nation.

The Port of Los Angeles is America's premier port and has a strong commitment to developing innovative strategic and sustainable operations that benefit the economy as well as the quality of life for the region and the nation it serves. As the leading seaport in North America in terms of shipping container volume and cargo value, the Port generates 919,000 regional jobs and \$39.1 billion in annual wages and tax revenues. A proprietary department of the City of Los Angeles, the Port is self-supporting and does not receive taxpayer dollars. The Port of Los Angeles – A cleaner port. A brighter future.

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