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WASHINGTON — With the nation’s ability to move imports and exports “in crisis mode,” U.S. Federal Maritime Commissioner Chairman Mario Cordero is urging PierPass to “seriously consider” calls for a moratorium on its fees as congestion at the Los Angeles-Long Beach port complex builds.

The FMC has received complaints that the program is too costly and the program needs to extend its gate hours. The FMC, is the grantee of the West Coast Terminal Operators Agreement that allows the marine terminal operators to run the program. Under the U.S. Shipping Act of 1984, the agency reviews such agreements on whether they bring unreasonable transportation costs, unreasonable decreases in service or both.

“When you look at why PierPass came to be, it was congestion, yes, environmental concerns were part of it, but truly the main thrust was relieving congestion. This is what we should be thinking about today” Cordero told JOC.com.

After speaking with Cordero this afternoon, PierPass President John Cushing said he would convey the message to the program’s members, the 13 marine terminal operators at the port complex. While PierPass will consider Cordero’s urging, Cushing said his first reaction to the phone call was, ‘Why are we addressing the only program that has successfully reduced congestion in Southern California?’

Waiving the traffic fees would provide less of an incentive for shippers to use PierPass’s OffPeak program between 6 p.m. and 3 a.m. on weeknights, and between 8 a.m. and 5 p.m. on Saturdays, Cushing said. PierPass wouldn’t be able to pay for the required additional shifts if fees were waived, he added.

During PierPass’s biannual stakeholder meeting today, the idea of waiving traffic fees got little attention, whereas shippers, container lines and others were more focused on the complexity of LA-LB congestion, particularly the dislocation of chassis, Cushing said.

When asked whether FMC would pressure PierPass to waive the fees, Cordero said it would “behoove (PierPass) to hear from stakeholders and not dismiss their pleas.” Cordero said the “ballpark” amount of time PierPass is being urged to waive fees is about four weeks, the time peak shipping season is expected to last.

Cordero declined to give a “timeframe” on when or whether the agency would respond to a petition from the Harbor Trucking Association seeking the extension of U.S. Customs and Border Protection inspections at LA-LB. The group wants Customs agents to allow deliveries

of containers until 2 a.m., instead of the current cutoff of 1 a.m., and for gates to stay open seven days of week until the cargo backlog is solved. Cordero said he wasn't in favor of any action that would diminish security but noted that it was important that Customs holds didn't unnecessarily wrack up demurrage charges for shippers.

Following hearings in Southern California and Baltimore, FMC commissioners will hear from stakeholders on port congestion issues in Charleston, South Carolina, on Thursday and in New Orleans on Nov. 3. The agency has received requests to hold a hearing in the Midwest, but Cordero isn't sure whether one will take place.

Either way, the FMC will issue a report of its finding from the hearing, with the aim that the analysis will give ports, marine terminal operators and shippers guidance on how to reduce port congestion. Cordero likened the agency's port congestion study to another study it undertook on whether the U.S. Harbor Maintenance Tax was spurring shippers to divert U.S. cargo through Canadian ports. Much of what the study recommended, including giving the ports back all the HMT revenue they collected, was adopted into the Water Resources Reform Development Act, which President Obama signed into law in June. Although ports and shippers were also calling for HMT reform, Cordero said the FMC's role as the nation's maritime regulatory agency helped insure that message got heard in Congress.

"Suffice to say, the making of these comments shows the seriousness the FMC is taking these issues," Cordero said when asked whether the FMC will take further action to curb congestion if the situation worsens.

He said if he could get one thing fixed at LA-LB it would be the dislocation of chassis situation, in which equipment is where it's not needed and isn't located where there is demand. He commended the Port of Long Beach for looking at whether to buy thousands of chassis. Through a 30-day study, the port is looking at not only buying the equipment but also creating an entity to manage and deploy chassis during peak- shipping periods.

Cordero also emphasized the need for drayage drivers to have reasonable and consistent turn times when serving marine container terminals. The congestion also highlights the longer-term need for LA-LB to begin moving toward a 24/7 operation, he said.

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