



KAPLAN KIRSCH ROCKWELL

Supreme Court Strikes Down Environmental Regulations at Port of L.A.

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On June 13, 2013, the United States Supreme Court struck down certain provisions of a concession agreement between the Port of Los Angeles and trucking companies operating at the Port. In *American Trucking Associations, Inc. v. City of Los Angeles*, the court held that two provisions of the concession agreement are preempted by the Federal Aviation Administration Authorization Act of 1994 (FAAAA). This case is of interest to the airport and aviation industry because the FAAAA preemption provision is very similar to the preemption provision in the Airline Deregulation Act and because airports regulate tenants and users in a similar way to how the Port of L.A. imposed requirements on trucking companies. ACI-NA submitted an amicus brief, prepared by the Firm. The court reversed the District Court and the Ninth Circuit in finding that the requirements were covered by the FAAAA in light of the Port's use of criminal penalties to coerce compliance with the concession agreements.