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**SUBSTITUTE HOUSE BILL 2387**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** House Education (originally sponsored by Representatives Kilduff, Ybarra, Leavitt, Fitzgibbon, Callan, Shewmake, Ormsby, Wylie, Doglio, and Pollet)

AN ACT Relating to limiting the exposure of public school students and school personnel to diesel emissions from school bus engines; adding a new section to chapter 28A.160 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature recognizes that diesel engine exhaust, as noted by the United States environmental protection agency, is classified as carcinogenic to humans by the international agency for research on cancer. This classification, which links an increased risk of lung cancer with diesel exhaust, is consistent with an environmental protection agency assessment that concluded that diesel exhaust is likely to be carcinogenic to humans by inhalation from environmental exposures. Furthermore, although diesel exhaust poses health and occupational safety concerns for adults, diesel emissions exposure can be especially harmful to children because of their faster breathing rates and developing respiratory systems. These concerns are especially noteworthy in school buses and school environments because most school buses in Washington use diesel engines.

The legislature recognizes also that the environmental protection agency has asked school districts to voluntarily establish idling restrictions for school buses, and that numerous states and municipalities have adopted antiidling requirements for school and other buses. The legislature finds that reasonable actions can be taken by school districts to lessen student and school personnel exposure to diesel exhaust by reducing unnecessary school bus idling occurring at or near school facilities.

The legislature, therefore, intends to direct the superintendent of public instruction to adopt rules to limit the exposure of students and school personnel to diesel emissions from school bus engines. The legislature intends for the rules to be reflective of a statewide school bus fleet that is predominantly diesel powered, and responsive to subsequent technological and fuel source advancements that will result in fewer diesel emissions from school buses.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.160 RCW to read as follows:

(1) By September 1, 2021, the office of the superintendent of public instruction, in consultation with the department of ecology and the department of health, shall adopt rules to limit the exposure of students and school personnel to diesel emissions from school bus engines. In developing and adopting the rules, the office of the superintendent of public instruction shall solicit input from interested parties, including persons with relevant expertise in health and transportation issues. Rules adopted under this section must:

(a) Establish best practices on the idling of school bus engines while the buses are on school property or are otherwise engaged in providing student transportation, and may include other provisions to lessen the exposure of students and school personnel to diesel emissions from school bus engines. Best practices established by the office of the superintendent of public instruction in accordance with this subsection (1)(a) must be based on practices that have been implemented in one or more school districts prior to the adoption or revision of the rules;

(b) Include potential exemptions, including exemptions necessary for weather conditions, health and safety issues, and vehicle maintenance;

(c) Be included in any version of the school bus drivers handbook of the office of the superintendent of public instruction revised and published after September 1, 2021; and

(d) Be revised periodically, especially in response to idle reduction technologies and alternative fuel sources that are or may be employed in school buses in Washington.

(2) School districts may adopt policies and procedures to implement rules adopted in accordance with this section.

(3) On September 1, 2022, and every two years thereafter, school districts shall report to the office of the superintendent of public instruction on their efforts to limit the exposure of students and school personnel to diesel emissions from school bus engines. The office of the superintendent of public instruction shall summarize the information provided by school districts under this subsection (3) and post it on their web site for the purpose of identifying best practices that districts may employ in their ongoing efforts to limit the exposure of students and school personnel to school bus emissions.

(4) For the purposes of this section, "school bus" or "bus" means a diesel-powered motor vehicle that is used regularly to transport children to and from school or in connection with school activities. "School bus" or "bus" includes vehicles owned and operated by the school district and private carrier buses operated as school buses, but does not include buses operated by common carriers in urban transportation of school children.

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