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**HOUSE BILL 2387**

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

**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 limits 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 requirements to lessen the exposure of students and school personnel to diesel emissions from school bus engines;

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

(c) Except as provided in subsection (2) of this section, require district compliance by September 1, 2022;

(d) 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

(e) 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 additional requirements to limit the exposure of students and school personnel to diesel emissions from school buses. School districts may also maintain, enforce, and modify locally adopted requirements enacted before the effective date of this section if those requirements: Substantially conform with and do not diminish or otherwise impair rules adopted under this section; or exceed requirements established by rule in accordance with this section.

(3) 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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