

# HOUSE BILL REPORT

## ESHB 1243

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**As Passed House:**

March 11, 2003

**Title:** An act relating to a biodiesel pilot project.

**Brief Description:** Establishing a biodiesel pilot project for school transportation.

**Sponsors:** By House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Sullivan, Wood, Crouse, Morris and Schoesler).

**Brief History:**

**Committee Activity:**

Technology, Telecommunications & Energy: 1/29/03, 2/4/03 [DPS].

**Floor Activity:**

Passed House: 3/11/03, 81-12.

**Brief Summary of Engrossed Substitute Bill**

- Establishes a pilot project for two school districts testing the use of biodiesel along with ultra-low sulfur diesel fuel in school buses for the 2003 and 2004 school years.

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### HOUSE COMMITTEE ON TECHNOLOGY, TELECOMMUNICATIONS & ENERGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Morris, Chair; Ruderman, Vice Chair; Sullivan, Vice Chair; Crouse, Ranking Minority Member; Nixon, Assistant Ranking Minority Member; Blake, Bush, Hudgins, Kirby, Romero, Tom, Wallace and Wood.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Anderson, DeBolt, Delvin and McMahan.

**Staff:** Pam Madson (786-7166).

**Background:**

Biodiesel is a non-petroleum diesel fuel produced from renewable sources such as vegetable oils, animal fats, and recycled cooking oils. It can be blended at any

percentage with petroleum diesel or used as a pure product (neat diesel). Other states have adopted policies and incentives to encourage the use of biodiesel.

Biodiesel is registered as a fuel and fuel additive with the U.S. Environmental Protection Agency and has completed health effects testing requirements of the Clean Air Act. The American Society of Testing and Materials (ASTM) has issued a standard for all biodiesel bought and sold in the United States (Specification D 6751). Blended biodiesel is in use in Washington to fuel some passenger cars and municipal vehicles.

Ultra-low sulfur diesel fuel is a specially refined diesel fuel that has lower sulfur content than regular on-highway diesel. The sulfur content ranges from 15 to 30 parts per million. Regular diesel has a maximum of 500 parts per million of sulfur.

The U.S. Environmental Protection Agency is requiring that all on-highway diesel fuel must meet the ultra-low sulfur diesel standards beginning in 2006.

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### **Summary of Engrossed Substitute Bill:**

For the school year beginning September 2003, the Superintendent of Public Instruction must conduct a pilot project using biodiesel along with ultra-low sulfur diesel (ULSD) in diesel engine school buses.

The pilot project must include two school districts. Priority is given to districts located in geographic areas identified by the Environmental Protection Agency as areas of concern for pollution emissions.

Conditions of the pilot project for the selected districts include the following:

- ULSD must be used in 25 percent of the school bus fleet for the district or in at least 10 buses for at least one of the pilot districts during the 2003 school year;
- Emissions must be tested prior to the use of ULSD and again six months after commencing use;
- ULSD must be used with 20 percent biodiesel during the 2004 school year in 75 percent, or at least seven, of the school buses that used ULSD in the 2003 school year and one participating district may use a blend of 20 percent biodiesel for the entire pilot period;
- Emissions must be tested after six months of using the biodiesel additive; and
- Maintenance issues must be recorded.

The Superintendent of Public Instruction must report findings from the pilot project to the Legislature by September 1, 2005.

Funding for the pilot project may not use state general fund moneys.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** This bill is part of a package of bills that is designed in a comprehensive fashion to help farmers, improve air quality, and create jobs. Diesel fuel is a significant contributor to air pollution. There are fuels and technologies to make diesel fuel dramatically cleaner. By 2006 ultra-low sulfur diesel will replace current diesel fuel for on-highway use. Diesel fumes from school buses are toxic to the air and to the children who are transported in them. Reducing the air pollutants from vehicular fuel emissions will help reduce health conditions that are exacerbated by air pollutants, particularly for children. One problem is the lack of funding for school districts to increase the use of ultra-low sulfur diesel. There may be sources of funds available from grants that support demonstration projects.

**Testimony Against:** None.

**Testified:** (In support) Representative Sullivan, prime sponsor; Dennis McLerran, Puget Sound Clean Air Agency; Linda Graham, Puget Sound Clean Cities Coalition; Jim Armstrong, Spokane County Conservation District; Graeme Sackrison; Robert Pregulman, Washington Public Interest Research Group; Sam Bryant; Donna Ewing, League of Women Voters, Washington; Tony Usibelli, Washington State Department of Community, Trade and Economic Development; and Heather Rhoads-Weaver, Northwest Sustainable Energy for Economic Development.

(Neutral) Dan Riley, Tesoro.