

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1243

Chapter 64, Laws of 2003

58th Legislature
2003 Regular Session

BIODIESEL PILOT PROJECT

EFFECTIVE DATE: 7/27/03

Passed by the House March 11, 2003
Yeas 81 Nays 12

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 9, 2003
Yeas 46 Nays 0

BRAD OWEN

President of the Senate

Approved April 18, 2003.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1243** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

April 18, 2003 - 3:39 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1243

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

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

READ FIRST TIME 02/07/03.

1 AN ACT Relating to a biodiesel pilot project; adding new sections
2 to chapter 28A.160 RCW; creating a new section; and providing an
3 expiration date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.160
6 RCW to read as follows:

7 The legislature recognizes that:

8 (1) The use of motor vehicles has a significant impact on the
9 environment and public health of the state of Washington. Motor
10 vehicles account for more than half of all air pollutants, almost sixty
11 percent of total carbon dioxide emissions, and a significant portion of
12 toxic contaminants in Washington state;

13 (2) Diesel exhaust, in particular, is likely to cause lung cancer
14 in humans, chronic and acute bronchitis, asthma attacks, and
15 respiratory illnesses. Children are particularly at risk. One out of
16 every ten children in our state suffers from asthma. Over four hundred

1 thousand students in the state risk their health breathing exhaust from
2 riding diesel-powered buses to school every day;

3 (3) Although stringent standards established by the United States
4 environmental protection agency for new diesel engine technology will
5 take effect with the 2007 model year, a significant majority of diesel-
6 powered school buses now in use in the state will continue to be used
7 for the next thirteen or more years;

8 (4) Using biodiesel in place of, or blended with, petroleum diesel
9 reduces emissions of carbon monoxide, hydrocarbon, particulates, and
10 air toxics from new or existing diesel engines;

11 (5) Using ultra low sulfur diesel, along with after-market
12 emissions control devices, significantly reduces fine-particle,
13 hydrocarbon, and nitrogen oxide emissions from existing diesel engines;

14 (6) The United States environmental protection agency's new
15 emission standards requiring the use of ultra low sulfur diesel take
16 effect June 1, 2006, and ultra low sulfur diesel requires the addition
17 of a lubricant to counteract premature wear of injection pumps;

18 (7) Biodiesel provides the needed lubricity to ultra low sulfur
19 diesel, in addition to reducing harmful emissions;

20 (8) It is the intent of the legislature to study the effects of
21 using ultra low sulfur diesel with biodiesel.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.160
23 RCW to read as follows:

24 The superintendent of public instruction shall conduct a pilot
25 project on the use of biodiesel with ultra low sulfur diesel in school
26 buses powered by compression-ignition engines. The pilot project must
27 begin in September of 2003.

28 (1) The superintendent of public instruction shall select two
29 school districts to participate in the project. School districts
30 located in a geographic area listed by the environmental protection
31 agency as an area of concern for pollution emissions must receive first
32 consideration for the project.

33 (2) The pilot project shall meet the following requirements:

34 (a) During the 2003 school year, at least one of the participating
35 school districts shall have at least twenty-five percent of the school
36 bus fleet, or a total of not less than ten buses, fueled with ultra low

1 sulfur diesel. Emissions testing must be conducted before using ultra
2 low sulfur diesel, and again after ultra low sulfur diesel has been in
3 use for at least six months.

4 (b) During the 2004 school year, not less than seventy percent, or
5 a total of not less than seven, of the buses fueled with ultra low
6 sulfur diesel during the 2003 school year must be fueled with a blend
7 of eighty percent ultra low sulfur diesel, by volume, and twenty
8 percent biodiesel, by volume. Emissions testing must be conducted not
9 less than six months after adding biodiesel to the ultra low sulfur
10 diesel.

11 (c) A maximum of one of the participating school districts may, for
12 the duration of the project, use a blend of twenty percent biodiesel,
13 by volume, with eighty percent highway diesel, by volume, in at least
14 seventy-five percent of the school bus fleet, or a total of not less
15 than ten buses. Emissions testing must be conducted before use of the
16 biodiesel blend, again not less than six months after the biodiesel
17 blend has been is use, and again at the conclusion of the project.

18 (d) Issues related to the maintenance, including but not limited to
19 fuel economy, changes in fuel filters, and other maintenance issues
20 related to the use of ultra low sulfur diesel and biodiesel must be
21 recorded.

22 (3) The superintendent of public instruction shall submit a report
23 of findings to the legislature by September 1, 2005.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.160
25 RCW to read as follows:

26 The definitions in this section apply throughout sections 1 and 2
27 of this act unless the context clearly requires otherwise.

28 (1) "Biodiesel" means a mono alkyl ester of long chain fatty acids
29 derived from vegetable oils or animal fats for use in compression-
30 ignition engines and that meets the requirements of the American
31 society of testing and materials specification D 6751 in effect as of
32 January 1, 2003.

33 (2) "Ultra low sulfur diesel" means petroleum diesel in which the
34 sulfur content is not more than thirty parts per million.

35 (3) "Highway diesel" means petroleum diesel in which the sulfur
36 content is not more than five hundred parts per million.

1 NEW SECTION. **Sec. 4.** It is the intent of the legislature that
2 implementation of this pilot project will not produce a significant
3 financial burden on participating school districts or the state. The
4 legislature calls upon the superintendent of public instruction, the
5 office of community, trade, and economic development, and the
6 department of ecology to explore alternative means of funding this
7 pilot project including the use of state or federal grants but
8 excluding the use of money from the state general fund. In the event
9 of the inability of the participating school districts to fund this
10 project, either from their own operating budget, grants, or other local
11 funding or a combination thereof, the implementation of this act shall
12 be dependent on securing funds that are not from the state general
13 fund.

14 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act expire
15 September 1, 2005.

 Passed by the House March 11, 2003.

 Passed by the Senate April 9, 2003.

 Approved by the Governor April 18, 2003.

 Filed in Office of Secretary of State April 18, 2003.