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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)

READ FIRST TIME 02/07/20.

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

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that diesel  
7 engine exhaust, as noted by the United States environmental  
8 protection agency, is classified as carcinogenic to humans by the  
9 international agency for research on cancer. This classification,  
10 which links an increased risk of lung cancer with diesel exhaust, is  
11 consistent with an environmental protection agency assessment that  
12 concluded that diesel exhaust is likely to be carcinogenic to humans  
13 by inhalation from environmental exposures. Furthermore, although  
14 diesel exhaust poses health and occupational safety concerns for  
15 adults, diesel emissions exposure can be especially harmful to  
16 children because of their faster breathing rates and developing  
17 respiratory systems. These concerns are especially noteworthy in  
18 school buses and school environments because most school buses in  
19 Washington use diesel engines.

20 The legislature recognizes also that the environmental protection  
21 agency has asked school districts to voluntarily establish idling

1 restrictions for school buses, and that numerous states and  
2 municipalities have adopted antiidling requirements for school and  
3 other buses. The legislature finds that reasonable actions can be  
4 taken by school districts to lessen student and school personnel  
5 exposure to diesel exhaust by reducing unnecessary school bus idling  
6 occurring at or near school facilities.

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

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

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

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

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

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

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

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

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

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

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