

SHB 1243 - H AMD 57

By Representative Sullivan

ADOPTED 03/11/2003

1 Strike everything after the enacting clause and insert the  
2 following:

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

5 The legislature recognizes that:

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

11 (2) Diesel exhaust, in particular, is likely to cause lung cancer  
12 in humans, chronic and acute bronchitis, asthma attacks, and  
13 respiratory illnesses. Children are particularly at risk. One out of  
14 every ten children in our state suffers from asthma. Over four hundred  
15 thousand students in the state risk their health breathing exhaust from  
16 riding diesel-powered buses to school every day;

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

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

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

28 (6) The United States environmental protection agency's new

1 emission standards requiring the use of ultra low sulfur diesel take  
2 effect June 1, 2006, and ultra low sulfur diesel requires the addition  
3 of a lubricant to counteract premature wear of injection pumps;

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

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

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

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

14 (1) The superintendent of public instruction shall select two  
15 school districts to participate in the project. School districts  
16 located in a geographic area listed by the environmental protection  
17 agency as an area of concern for pollution emissions must receive first  
18 consideration for the project.

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

20 (a) During the 2003 school year, at least one of the participating  
21 school districts shall have at least twenty-five percent of the school  
22 bus fleet, or a total of not less than ten buses, fueled with ultra low  
23 sulfur diesel. Emissions testing must be conducted before using ultra  
24 low sulfur diesel, and again after ultra low sulfur diesel has been in  
25 use for at least six months.

26 (b) During the 2004 school year, not less than seventy percent, or  
27 a total of not less than seven, of the buses fueled with ultra low  
28 sulfur diesel during the 2003 school year must be fueled with a blend  
29 of eighty percent ultra low sulfur diesel, by volume, and twenty  
30 percent biodiesel, by volume. Emissions testing must be conducted not  
31 less than six months after adding biodiesel to the ultra low sulfur  
32 diesel.

33 (c) A maximum of one of the participating school districts may, for  
34 the duration of the project, use a blend of twenty percent biodiesel,  
35 by volume, with eighty percent highway diesel, by volume, in at least  
36 seventy-five percent of the school bus fleet, or a total of not less

1 than ten buses. Emissions testing must be conducted before use of the  
2 biodiesel blend, again not less than six months after the biodiesel  
3 blend has been is use, and again at the conclusion of the project.

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

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

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

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

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

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

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

23 NEW SECTION. **Sec. 4.** It is the intent of the legislature that  
24 implementation of this pilot project will not produce a significant  
25 financial burden on participating school districts or the state. The  
26 legislature calls upon the superintendent of public instruction, the  
27 office of community, trade, and economic development, and the  
28 department of ecology to explore alternative means of funding this  
29 pilot project including the use of state or federal grants but  
30 excluding the use of money from the state general fund. In the event  
31 of the inability of the participating school districts to fund this  
32 project, either from their own operating budget, grants, or other local  
33 funding or a combination thereof, the implementation of this act shall  
34 be dependent on securing funds that are not from the state general  
35 fund.

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

3        Correct the title.

EFFECT:        Adds that the legislature recognize: (1) That motor vehicles have a significant effect on the environment and public health; (2) that diesel exhaust may cause respiratory illnesses and lung cancer; and (3) that even with changes in standards for new diesel engines, older school buses will remain in use for some time. Changes the criteria for the pilot project to require only one of the two participating school districts to include 25% or at least 10 buses in the pilot test, and allows one of the participating districts to use a blend of 20% biodiesel for the duration of the project. Directs that the funding for this pilot project not use state general fund moneys.

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