

HOUSE BILL REPORT

HB 2387

As Reported by House Committee On: Education

Title: An act relating to limiting the exposure of public school students and school personnel to diesel emissions from school bus engines.

Brief Description: Limiting the exposure of public school students and school personnel to diesel emissions from school bus engines.

Sponsors: Representatives Kilduff, Ybarra, Leavitt, Fitzgibbon, Callan, Shewmake, Ormsby, Wylie, Doglio and Pollet.

Brief History:

Committee Activity:

Education: 1/20/20, 2/6/20 [DPS].

Brief Summary of Substitute Bill

- Directs the Office of the Superintendent of Public Instruction (OSPI) to adopt rules to limit the exposure of students and school personnel to diesel emissions from school bus engines.
- Authorizes school districts to adopt policies and procedures to implement the rules.
- Requires school districts to provide biannual reports to the OSPI on their efforts to limit the exposure of students and school personnel to diesel emissions from school bus engines.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Santos, Chair; Dolan, Vice Chair; Paul, Vice Chair; Bergquist, Callan, Ortiz-Self, Stonier, Thai, Valdez and Ybarra.

Minority Report: Do not pass. Signed by 6 members: Representatives Steele, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Caldier, Corry and Rude.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Without recommendation. Signed by 1 member: Representative Harris.

Staff: Ethan Moreno (786-7386).

Background:

Federal and state requirements govern the equipping and safe operation of public and privately owned school buses used for student transportation. For example, federal requirements establish safety and emission standards for school buses, while state requirements govern the training and qualifications of school bus drivers.

The Office of the Superintendent of Public Instruction (OSPI), in meeting its obligation to adopt rules to govern bus drivers, publishes the School Bus Driver Handbook. The handbook includes numerous requirements related to the safe operation of school buses by qualified personnel. The handbook also includes provisions related to limiting engine idling to reduce the possibility of harmful exposure to school bus emissions.

The United States Environmental Protection Agency (EPA) has developed recommendations to reduce the health risks associated with exposure to diesel exhaust from school buses, including recommending that school districts:

- establish guidelines to reduce idling time and related emissions;
- work closely with bus companies and bus drivers to implement the guidelines; and
- work closely with bus companies to retrofit buses with pollution controls and to purchase the cleanest new buses.

The EPA also operates a Clean School Bus national idle reduction campaign that is designed to help communities reduce emissions from older diesel school buses. Participation in the program is voluntary, but numerous states and municipalities have adopted requirements for reducing engine idling.

Summary of Substitute Bill:

By September 1, 2021, the OSPI, in consultation with the Department of Ecology and the Department of Health (DOH), must 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 OSPI must solicit input from interested parties, including persons with relevant expertise in health and transportation issues.

The adopted rules must:

- establish best practices on the idling of diesel school bus engines while the buses are on school property or are otherwise engaged in providing student transportation, and may include other provisions to lessen the exposure of students and school personnel to diesel emissions from school bus engines. Best practices established by the OSPI must be based on practices that have been implemented in one or more school districts prior to the adoption or revision of the rules;

- include potential exemptions, including exemptions necessary for weather conditions, health and safety issues, and vehicle maintenance;
- be included in any version of the OSPI's School Bus Drivers Handbook revised and published after September 1, 2021; and
- 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.

On September 1, 2022, and every two years thereafter, school districts must report to the OSPI on their efforts to limit the exposure of students and school personnel to diesel emissions from school bus engines. The OSPI must summarize the information and post it on their website for the purpose of identifying best practices that districts may employ in their ongoing efforts to limit the exposure of students and school personnel to school bus emissions.

Substitute Bill Compared to Original Bill:

The substitute bill makes the following changes to the original bill:

- requires the rules that the OSPI is directed to adopt in the underlying bill to establish best practices (rather than limits) on the idling of school bus engines, and specifies that the best practices established by the OSPI must be based on practices that have been implemented in one or more school districts prior to the adoption or revision of the rules;
- removes provisions requiring school district compliance with the rules and provisions authorizing districts to adopt more strict requirements and to employ previously enacted requirements, and instead authorizes districts to adopt policies and procedures to implement the rules; and
- directs school districts, on September 1, 2022 and every two years thereafter, to report to the OSPI on their efforts to limit the exposure of students and school personnel to diesel emissions from school bus engines, and requires the OSPI to post this information on their website for purposes of identifying best practices that districts may employ.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The vast majority of the state's school bus fleet, 82.8 percent, is powered by diesel engines. The exhaust is a health risk and can create health problems. Diesel exhaust causes respiratory problems, is a known carcinogen, and is particularly hazardous for kids. The legislation shines a brighter light on the exposure issue, follows in the lead of other states, and includes common sense exemptions. This legislation, through the reduction of

school bus idling, offers health and environmental benefits, and reduces fuel consumption and engine wear.

This legislation requires the adoption of rules and will protect students, school employees, and surrounding communities. This bill will also help bus drivers. Some schools have air intakes by the areas where buses load and unload, so reducing idling will also improve indoor air quality.

A 2001 study found that passengers inside a school bus breathe four times the diesel exhaust than passengers in neighboring cars—this exceeds risk limits for cancer. Improved academic performance is linked to reduced emissions exposure. This bill will result in a substantial reduction to air pollution and will help with climate change.

Some school districts have anti-idling policies and this bill could provide uniformity through rulemaking of the OSPI.

(Opposed) None.

(Other) The DOH prepared a health impact review for the bill and found evidence that it will result in some number of school districts implementing school bus idling restrictions that could reduce environmental exposure to diesel exhaust on school property, improve health outcomes and reduce inequities for some populations. A 2014 study indicated that diesel is the most harmful air pollutant affecting human health in Washington. Children, people with heart and lung diseases, and older adults are more likely to be impacted by exposure to particulate matter.

Questions exist regarding how the OSPI will ensure district compliance with the legislation.

Persons Testifying: (In support) Representative Kilduff, prime sponsor; Lucinda Young, Washington Education Association; Vlad Gutman-Britten, Climate Solutions and Washington State Labor Council; and Rick Chisa, Public School Employees of Washington.

(Other) Tyler Muench, Office of the Superintendent of Public Instruction; and Lindsay Herendeen, State Board of Health.

Persons Signed In To Testify But Not Testifying: None.