

Introduced by Senator Emmerson

March 15, 2012

Senate Concurrent Resolution No. 76—Relative to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SCR 76, as introduced, Emmerson. Vehicular air pollution: school buses.

This measure would urge the State Air Resources Board to exempt school buses from a specified regulation until there is full funding available through the Lower-Emission School Bus Program. The measure also would urge the State Air Resources Board to focus all its efforts on using funds from the Lower-Emission School Bus Program in addition to obtaining new funding to replace the oldest school buses that do not have seat belts and do not have any emissions controls to limit the dangerous diesel particulate matter and oxides of nitrogen.

Fiscal committee: yes.

- 1 WHEREAS, School transportation in the state is the safest mode
- 2 of ground transportation; and
- 3 WHEREAS, School districts and school transportation providers
- 4 in the state care deeply about the health and safety of the pupils
- 5 that they serve; and
- 6 WHEREAS, The State Air Resources Board has adopted Section
- 7 2025 of Title 13 of the California Code of Regulations, commonly
- 8 known as the Truck and Bus Regulation; and
- 9 WHEREAS, School buses are one of the classes of on-road,
- 10 heavy duty, diesel vehicles that are required to comply with the
- 11 regulation; and

1 WHEREAS, The State Air Resources Board has mandated
2 school districts to retrofit school buses manufactured after April
3 1, 1977, pursuant to the Truck and Bus Regulation, and has
4 provided limited funding under the Lower-Emission School Bus
5 Program to complete the retrofits, with school districts required
6 to provide matching funds; and

7 WHEREAS, The required funding match is much greater for
8 school districts that want to purchase natural gas and other
9 alternative fueled school buses; and

10 WHEREAS, The State Air Resources Board has not provided
11 full funding to school districts to reimburse the school districts for
12 the retrofit mandate under the Truck and Bus Regulation, the school
13 bus replacement mandate for school buses manufactured before
14 April 1, 1977, under the Truck and Bus Regulation, and the
15 Proposition 1B (Highway Safety, Traffic Reduction, Air Quality,
16 and Port Security Bond Act of 2006) funding match mandate under
17 the Lower-Emission School Bus Program; and

18 WHEREAS, The State Air Resources Board was never given
19 explicit statutory authority or explicit authority by the voters to
20 require match requirements of school districts; and

21 WHEREAS, School transportation funding in the state has been
22 severely underfinanced for the past 27 years, pays for less than 45
23 percent of the overall operational costs, and currently is facing an
24 additional 20 percent funding cut; and

25 WHEREAS, Many school districts are severely burdened with
26 the largest funding cuts seen in a generation, and many school
27 districts are reducing or eliminating school transportation service;
28 and

29 WHEREAS, Those decisions have forced many pupils to use
30 far more dangerous modes of travel to school; and

31 WHEREAS, The pressure to comply with the State Air
32 Resources Board's regulations without a full funding mechanism
33 is additionally forcing school districts to park buses and eliminate
34 service; and

35 WHEREAS, This action unwittingly creates more exhaust
36 emissions because more pupils ride in single automobiles; now,
37 therefore, be it

38 *Resolved by the Senate of the State of California, the Assembly*
39 *thereof concurring,* That the Legislature urges the State Air
40 Resources Board to exempt school buses from Section 2025 of

1 Title 13 of the California Code of Regulations until there is full
2 funding available through the Lower-Emission School Bus
3 Program; and be it further

4 *Resolved*, That the State Air Resources Board is urged to focus
5 all its efforts on using funds from the Lower-Emission School Bus
6 Program in addition to obtaining new funding to replace the oldest
7 school buses that do not have seat belts and do not have any
8 emissions controls to limit the dangerous diesel particulate matter
9 and oxides of nitrogen; and be it further

10 *Resolved*, That the Secretary of the Senate transmit copies of
11 this resolution to the author for appropriate distribution.