

2009-2010 Regular Sessions

I N S E N A T E

January 22, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to required use of biodiesel fuel blends in school buses

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative intent. The legislature hereby finds and  
2 declares that school buses operating on diesel fuels transport millions  
3 of New York children daily. Children's bodies are uniquely susceptible  
4 to toxins. Studies have shown that diesel fumes contain particulate  
5 matter which can trigger asthma attacks and other respiratory ailments  
6 in children and that levels of diesel fumes are up to four times greater  
7 inside a bus than ambient levels.

8 The legislature further finds and declares that diesel exhaust is  
9 classified as a probable human carcinogen by many governmental authori-  
10 ties including the state attorney general. In addition, dark particles  
11 from diesel fuel have been found embedded in glacial ice contributing to  
12 rapid melting of polar ice.

13 Therefore, the legislature finds and declares that it is in the inter-  
14 est of the citizens of this state to reduce the use of diesel fuels by  
15 the many school buses used to transport children in this state and  
16 increase the use of alternative low emission fuels.

17 S 2. This act shall be known and may be cited as the "cleaner fuels  
18 school bus act".

19 S 3. Section 3623 of the education law is amended by adding a new  
20 subdivision 3 to read as follows:

21 3. A. THE COMMISSIONER OF TRANSPORTATION IN CONSULTATION WITH THE  
22 COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS REQUIRING ALL OWNERS  
23 OF SCHOOL BUSES, AS DEFINED IN SECTION ONE HUNDRED FORTY-TWO OF THE  
24 VEHICLE AND TRAFFIC LAW, TO REPLACE OR RETROFIT DIESEL OPERATED VEHICLES  
25 TO BE CAPABLE OF OPERATING ON A TWENTY PERCENT OR GREATER BLEND OF BIOD-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD06868-01-9

1 IESEL FUEL AS DEFINED IN THIS SUBDIVISION, SUCH REPLACEMENT OR RETROFIT-  
2 TING TO COMMENCE NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE EFFEC-  
3 TIVE DATE OF THIS SUBDIVISION.

4 B. FOR THE PURPOSES OF THIS SUBDIVISION, "BLEND OF BIODIESEL FUEL"  
5 SHALL MEAN A RENEWABLE, BIODEGRADABLE, MONO ALKYL ESTER COMBUSTIBLE  
6 LIQUID FUEL DERIVED FROM AGRICULTURAL PLANT OILS OR ANIMAL FATS.

7 S 4. This act shall take effect one year after it shall have become a  
8 law.