

BILL ANALYSIS

C.S.H.B. 3469
By: Hochberg
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Clean School Bus Program is an effort to reduce diesel exhaust emissions which pose a unique threat to Texas children. Often tailpipe exhaust dirties the air inside school buses in quantities greater than are found outside the bus. During a typical ride to school, which often involves waiting while the school children board the bus, idling at stop signs or traffic lights, the levels of particulate matter inside a school bus can be four to eight times higher than they are outside the bus. Since children often ride buses to school every day for many years their chronic exposure can translate into higher risks of cancer later in life. The Texas Education Agency reports that during the 2002-03 school year, Texas' public school buses took about 1.2 million children to school each day.

C.S.H.B 3469 directs the Texas Commission on Environmental Quality (TCEQ) to establish and administer the Clean School Bus program to reduce the exposure to school children of diesel exhaust in and around diesel fueled school buses. TCEQ shall provide grants for eligible projects for equipment which reduces diesel exhaust emissions such as catalysts, filters, low sulfur gas and other approved measures.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill expressly grants rulemaking authority to the Texas Commission on Environmental Quality in SECTION 4 of this bill.

ANALYSIS

C.S.H.B 3469 amends the Health and Safety Code to create the Texas Clean School Bus program. The bill authorizes the Texas Commission on Environmental Quality (TCEQ) to adopt guidelines to administer funds for eligible projects. The bill creates Chapter 390 which establishes the Texas Clean School Bus program and provides for which projects may be considered for a grant. Eligible projects include diesel oxidation catalysts, diesel particulate filters, purchase and use of emissions-reducing add-on equipment for school buses, use of qualifying fuel, or other technologies that the TCEQ finds will bring significant emissions reductions. The bill defines requirements for grant application, eligibility, and restrictions on use of grant funds. The bill also sets forth that this chapter will expire in August 2010.

The bill adds the goal of achieving reductions of diesel exhaust from school buses through the Texas Clean School Bus program to the goals of the Texas Emissions Reduction Plan (TERP) and directs the TCEQ and the Comptroller to provide grants for the Texas Clean School Bus program under the TERP.

The bill provides that no more than 1.5 percent of the funds for the Diesel Emissions Reduction Incentive program may be allocated each year for the Texas Clean School Bus program.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute provides that money in the Texas Emissions Reduction Plans (TERP) fund may be allocated to the clean schools bus program only if the money is available after the allocations to achieve emissions reductions under the state implementation plan.

The substitute allows the TCEQ to adopt guidelines to allow a regional planning commission, council of governments, or similar regional planning agency or a nonprofit organization to also apply for and receive a grant to improve the ability of the program to achieve its goals.

The substitute prohibits a recipient of a grant from using the grant to pay administrative expenses.