

By: Patrick, et al.

H.B. No. 4208

A BILL TO BE ENTITLED

AN ACT

relating to idling the diesel engine of a school bus while the bus is parked at a public school or school event.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 34, Education Code, is amended by adding Section 34.0041 to read as follows:

Sec. 34.0041. IDLING BUS DIESEL ENGINE AT SCHOOL OR SCHOOL EVENT PROHIBITED. (a) In this section, "idling" means allowing an engine to run while the motor vehicle is not engaged in forward or reverse motion.

(b) Except as provided by Subsection (c), the driver of a school bus equipped with a diesel engine may not allow the idling of the bus engine while the bus is parked at a school or school event.

(c) Subsection (b) does not prohibit the idling of a school bus diesel engine:

(1) for the minimum time necessary to heat or cool the bus before departure, provided that the engine is turned off when a student is embarking or disembarking; or

(2) as necessary to accommodate the physical needs of a student who receives special education services, regardless of whether students are embarking or disembarking.

SECTION 2. Section 34.0041, Education Code, as added by this Act, applies beginning with the 2009-2010 school year.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2009.