State of California
AIR RESOURCES BOARD

Resolution 00-44

December 7, 2000

Agenda Item No.: 00-12-2

WHEREAS, Health and Safety Code sections 39600 and 39605 authorize the Board to act as necessary to execute the powers and duties granted to and imposed upon the Board;

WHEREAS, in section 43000 of the Health and Safety Code, the Legislature has declared that the emission of air pollutants from motor vehicles is the primary cause of air pollution in many parts of the state and, in sections 39002 and 39003 of the Health and Safety Code, has charged the Board with the responsibility of systematically addressing the serious air pollution problem caused by motor vehicles;

WHEREAS, on August 27, 1998, following extensive scientific review and public hearings, and consistent with the conclusions of the Scientific Review Panel and the Office of Environmental Health Hazard Assessment, the Board formally identified particulate emissions from diesel-fueled engines as a toxic air contaminant;

WHEREAS, on September 28, 2000, through the adoption of Resolution 00-30, the Board adopted a comprehensive Diesel Risk Reduction Plan that includes the use of low-sulfur diesel fuel, retrofitting of existing engines with PM filters, and reducing by nearly 90 percent PM emissions from all new diesel engines and vehicles;

WHEREAS, on September 24, 1998, through the adoption of Resolution 98-49, the Board called on state, local, and federal agencies to join together to "clean the fleet," through immediate and continuing efforts to replace diesel-fueled school and public transit buses with low-emission alternative-fuel buses, including the provision of necessary infrastructure and technical training;

WHEREAS, among California's fleet of 24,000 school buses are 6,600 pre-1987 model year buses, representing a significant source of diesel particulate matter and oxides of nitrogen emissions;

WHERAS, continued use of 1,900 pre-1977 school buses, which do not meet current federal safety standards, is a public health and safety concern;

WHEREAS, on January 27, 2000, through the adoption of Resolution 00-02, the Board directed staff to work with school districts, the Department of Education, engine and bus manufacturers, the environmental community, and the public to further evaluate the potential health risk to schoolchildren exposed to particulate matter from diesel-fueled school buses, and to report back to the Board on possible measures to reduce that exposure;

WHEREAS, Governor Gray Davis has included $50 million in the Board's Fiscal Year 2000-2001 budget for the implementation of a Lower-Emission School Bus Program to replace high-polluting school buses with new buses and to equip older buses with particulate filters;

WHEREAS, Board staff, in consultation with school districts, affected industries, public agencies and other interested parties, has proposed guidelines for a program, to be implemented by the California Energy Commission (CEC) and local air districts, that would provide grants for new buses and equip older buses with particulate filters;

WHEREAS, Board staff conducted workshops on September 18, 2000, and September 21, 2000, to discuss proposed guidelines for the Lower-Emission School Bus Program;

WHEREAS, environmental organizations, engine and retrofit device manufacturers, school bus vendors, school transportation officials, and other stakeholders provided valuable input at the workshops and through comment letters, phone calls, and via electronic mail;

WHEREAS, the Board has held a duly noticed public meeting to consider the approval of guidelines for the Lower-Emission School Bus Program, and has heard and considered the comments made by representatives of school districts, air districts, affected industries, and other interested persons and agencies;

WHEREAS, based upon the oral and written testimony and robust discussion presented at the December 7, 2000 public meeting, the Board finds that the guidelines proposed by staff, as amended by the Board at the meeting, will reduce schoolchildren's exposure to both cancer-causing and smog-forming pollution, and provide safer school transportation.

WHEREAS, the Board also finds that:

1. the proposed school bus replacement program will fund at least 75 percent of the cost of each new bus, and will require a local match of 25 percent up to a maximum of $25,000 except in hardship cases, as defined by ARB and the CEC.

2. in hardship cases, the proposed school bus replacement program will fund at least 85 percent of the cost of each new bus and require a local match of 15 percent up to a maximum of $15,000;

3. the school bus replacement program (with hardship provisions) will replace about 350 pre-1987 buses, resulting in estimated PM emission reductions of 73 tons and NOx reductions of 870 tons over the next fifteen years.

4. the proposed school bus replacement program, by providing $25 million for alternative fuel buses and $12.5 million for diesel buses, responds to requests from school transportation providers for a choice of fuel options.

5. the retrofit portion of the program would, at a cost of $12.5 million, install particulate filters on about 2000 buses, resulting in estimated PM emission reductions of 151 tons over the next ten years.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the Guidelines for the Lower-Emission School Bus Program, as set forth in Attachment A hereto, incorporated by reference herein.

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Officer to notify school districts of the availability of grant funds for the bus replacement and retrofit programs, and to distribute the guidelines to affected parties.

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Officer to continue working with school transportation officials, the California Energy Commission, air districts, and other stakeholders to ensure that the program is effectively and expeditiously implemented.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to encourage transportation planning agencies to provide additional funds, from sources such as the federal Congestion Mitigation and Air Quality Improvement Program, to accelerate the replacement and retrofitting of older school buses.

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Officer to seek sufficient additional funding from the Legislature to accomplish the program's goals of enhancing children's health and safety by cleaning California's school bus fleet.

I hereby certify that the above is a true and correct copy of Resolution 00-44, as adopted by the Air Resources Board.

Marie Kavan

Marie Kavan, Clerk of the Board