

28 **Monies Appropriated in this Bill:**

29 This bill appropriates:

- 30 ▶ as an ongoing appropriation, \$700,000 from the General Fund for the fiscal year
- 31 2008-09.

32 **Other Special Clauses:**

33 This bill takes effect on July 1, 2008.

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **63-55-219**, as last amended by Laws of Utah 2006, Chapters 82 and 187

37 ENACTS:

38 **19-1-406**, Utah Code Annotated 1953

39 **41-6a-1308**, Utah Code Annotated 1953



41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **19-1-406** is enacted to read:

43 **19-1-406. Clean School Bus Grant Program Restricted Account.**

44 (1) As used in this section, "clean school bus" has the same meaning as defined in 42
45 U.S.C. Sec. 16091.

46 (2) There is created within the General Fund a restricted account known as the Clean
47 School Bus Grant Program Restricted Account.

48 (3) The account shall be funded from the following sources:

49 (a) appropriations to the account by the Legislature;

50 (b) private contributions to the account; and

51 (c) interest on account monies.

52 (4) The department shall use account monies to provide matching funds for grants
53 awarded to local school districts for the purchase or retrofit of clean school buses by the United
54 States Environmental Protection Agency.

55 Section 2. Section **41-6a-1308** is enacted to read:

56 **41-6a-1308. School bus idling restrictions -- Exceptions -- Penalty -- Civil penalty.**

57 (1) An operator of a school bus:

58 (a) shall turn off the bus or vehicle engine upon stopping at a school or within 100 feet

- 59 of a school; and
- 60 (b) may not:
- 61 (i) turn the bus or vehicle engine on more than two minutes before beginning to depart
- 62 from a school or from within 100 feet of a school; and
- 63 (ii) cause or allow a bus or vehicle to idle at any location greater than 100 feet from a
- 64 school for:
- 65 (A) more than five consecutive minutes; or
- 66 (B) a period or periods aggregating more than five minutes in any one hour.
- 67 (2) This section does not apply for the period or periods which idling is necessary
- 68 while stopped:
- 69 (a) for an official traffic control device;
- 70 (b) for traffic conditions over which the operator has no control, including:
- 71 (i) at the direction of a peace officer;
- 72 (ii) when idling is necessary to ascertain that:
- 73 (A) the school bus is in safe operating condition and equipped as required by law; or
- 74 (B) all equipment is in good working order, either as part of the driver's daily vehicle
- 75 inspection or as otherwise needed;
- 76 (iii) when idling is necessary for testing, servicing, repairing, or diagnostic purposes; or
- 77 (iv) when idling is necessary to operate:
- 78 (A) a lift or other piece of equipment designed to ensure safe loading, unloading, or
- 79 transport of persons with one or more disabilities; or
- 80 (B) to operate defrosters, heaters, air conditioners, or other equipment to ensure the
- 81 comfort, safety, and health of the operator or passengers, or as otherwise required by law.
- 82 (3) (a) An operator of school bus that violates a provision of this section is guilty of a
- 83 class C misdemeanor.
- 84 (b) In addition to the penalty described in Subsection (3)(a), an operator of a school bus
- 85 that violates a provision of this section is subject to a minimum civil penalty of \$100.
- 86 Section 3. Section **63-55-219** is amended to read:
- 87 **63-55-219. Repeal dates, Title 19.**
- 88 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2009.
- 89 (2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2012.

- 90 (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2009.
91 (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2009.
92 (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
93 2009.
94 (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July
95 1, 2010.
96 (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
97 2008.
98 (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2016.
99 (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2009.
100 (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2010.
101 (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,
102 2012.
103 (12) Section 19-1-406, Clean School Bus Grant Program Restricted Account, is
104 repealed July 1, 2018.

105 **Section 4. Ongoing appropriation for Clean School Bus Grant Program Restricted**
106 **Account.**

107 As an ongoing appropriation subject to future budget constraints, there is appropriated
108 from the General Fund for fiscal year 2008-09, \$700,000 to the Clean School Bus Grant
109 Program Restricted Account to provide matching funds for grants awarded by the United States
110 Environmental Protection Agency to local school districts for the purchase or retrofit of clean
111 school buses.

112 **Section 5. Effective date.**

113 This bill takes effect on July 1, 2008.

Legislative Review Note
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Office of Legislative Research and General Counsel