

SENATE AMENDMENTS TO SENATE BILL 824

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

April 27

1 On page 1 of the printed bill, line 2, after “emissions;” delete the rest of the line and line 3 and
2 insert “and declaring an emergency.”.

3 Delete lines 4 through 27 and insert:

4 “Whereas exposure to diesel particulate pollution causes myriad health effects, including the
5 exacerbation of asthma symptoms and early death from heart disease and various cancers; and

6 “Whereas children are especially vulnerable to the negative health effects of diesel particulate
7 pollution because their lungs are still in the developmental phase and they breathe, on average, 50
8 percent more air per pound of body weight than adults; and

9 “Whereas in 2007 the Environmental Quality Commission established a goal to reduce excess
10 lifetime risk of cancer due to exposure to diesel engine emissions to no more than one case per
11 million individuals by 2017, but Oregon is far from achieving that target; and

12 “Whereas the health impacts and premature deaths caused by diesel particulate pollution have
13 an annual economic impact of more than \$3 billion in this state; and

14 “Whereas 17 Oregon counties have ambient levels of diesel particulate pollution that are con-
15 sidered harmful to health; and

16 “Whereas new diesel engines and older diesel engines retrofitted with particulate filters can
17 reduce diesel particulates by up to 95 percent as compared to diesel particulate emissions from
18 older, dirty diesel engines that are not retrofitted; and

19 “Whereas the attrition rate of older, dirty diesel engines without retrofits is too slow to ade-
20 quately curb emissions in a timely manner and earlier adoption of the new federal diesel standards
21 will protect public health; and

22 “Whereas a strategy to shorten the timeline for adoption of the new federal diesel standards
23 requires a combination of regulations and incentives; and

24 “Whereas the problem of diesel particulate pollution in this state is exacerbated when engines
25 are allowed to idle unnecessarily; and

26 “Whereas despite state statutory requirements to limit the risk from diesel particulate pollution
27 to children by 2013, only 42 percent of school buses are using clean diesel technology in Oregon
28 today; now, therefore.”.

29 On page 2, delete lines 2 through 45 and delete pages 3 through 7 and insert:

30 “**SECTION 1. (1) The Task Force to Investigate a Clean Diesel Program is established,**
31 **consisting of 19 members appointed as follows:**

32 “(a) **The President of the Senate shall appoint two members from among members of the**
33 **Senate.**

34 “(b) **The Speaker of the House of Representatives shall appoint two members from among**
35 **members of the House of Representatives.**

1 “(c) The Governor shall appoint 15 members as follows:
2 “(A) One member representing cities or counties.
3 “(B) One member representing the Department of Transportation.
4 “(C) One member representing large trucking companies.
5 “(D) One member representing small trucking companies.
6 “(E) One member representing a labor organization that represents members of the
7 public health sector.
8 “(F) One member representing a labor organization that represents members of the
9 building trades.
10 “(G) One member representing large contracting companies.
11 “(H) One member representing small contracting companies.
12 “(I) One member representing the mining and aggregate industries.
13 “(J) One member from a health advocacy organization that has a focus in air quality.
14 “(K) One member from an environmental advocacy organization.
15 “(L) One member representing the Department of Environmental Quality.
16 “(M) One member representing the Oregon Health Authority.
17 “(N) One member representing the Oregon Pupil Transportation Association.
18 “(O) One member representing a labor organization that represents transportation em-
19 ployees for school districts.
20 “(2) The task force shall explore and recommend a strategy for implementing a clean
21 diesel program in Oregon that will serve to accomplish the goal outlined in ORS 468A.793. In
22 developing the strategy required by this subsection, the task force shall:
23 “(a) Conduct an assessment of the costs, funding structures and funding options, in-
24 cluding public and private funding options, for the short-term and long-term stability of a
25 clean diesel program in Oregon for both on-road and nonroad vehicles;
26 “(b) Investigate establishing a registration program for nonroad vehicles and related is-
27 sues, including but not limited to strategies for the establishment of a registration fee and
28 a registry, and issues associated with administering the registration program;
29 “(c) Determine the feasibility of regulating on-road diesel emissions;
30 “(d) Assess the effectiveness of current diesel programs in this state and applicable fed-
31 eral programs;
32 “(e) Determine a timeline for implementation of a clean diesel program;
33 “(f) Investigate state and federal restrictions on developing a clean diesel program;
34 “(g) Explore the impacts of idling and find solutions to minimize idling;
35 “(h) Examine the health impacts of diesel particulates in urban and rural areas;
36 “(i) Review the categories of uses of diesel engines and determine the practicality of
37 retrofitting or replacing diesel engines within those categories;
38 “(j) Review and determine the volume of emissions for each of the diesel categories;
39 “(k) Review the economic impact of diesel replacement or retrofitting on large and small
40 businesses and within various industry segments where appropriate;
41 “(L) Review the normal industry replacement rates of vehicles and equipment;
42 “(m) Prioritize categories of engines in need of retrofit or replacement by placing the
43 highest priority on accomplishing the greatest environmental and health benefits;
44 “(n) Assess strategies for assuring quicker compliance with state goals for school bus
45 engine retrofits and replacements; and

1 “(o) Consider appropriate exemptions from any standards adopted under a clean diesel
2 program.

3 “(3) A majority of the members of the task force constitutes a quorum for the trans-
4 action of business.

5 “(4) Official action by the task force requires the approval of a majority of the members
6 of the task force.

7 “(5) The task force shall elect one of its members to serve as chairperson.

8 “(6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
9 ment to become immediately effective.

10 “(7) The task force shall meet at times and places specified by the call of the chairperson
11 or of a majority of the members of the task force.

12 “(8) The task force may adopt rules necessary for the operation of the task force.

13 “(9)(a) The task force shall submit a preliminary report in the manner provided by ORS
14 192.245, and may include recommendations for legislation, to the interim committees of the
15 Legislative Assembly related to environment and natural resources no later than September
16 15, 2015.

17 “(b) The task force shall submit a final report in the manner provided by ORS 192.245,
18 and may include recommendations for legislation, to the interim committees of the Legisla-
19 tive Assembly related to environment and natural resources no later than September 15,
20 2016.

21 “(10) The Legislative Administrator shall provide staff support to the task force.

22 “(11) Members of the task force who are not members of the Legislative Assembly are
23 not entitled to compensation, but may be reimbursed for actual and necessary travel and
24 other expenses incurred by them in the performance of their official duties in the manner
25 and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-
26 tions of the task force shall be paid out of funds appropriated to the Legislative Adminis-
27 trator for purposes of the task force.

28 “(12) All agencies of state government, as defined in ORS 174.111, are directed to assist
29 the task force in the performance of its duties and, to the extent permitted by laws relating
30 to confidentiality, to furnish such information and advice as the members of the task force
31 consider necessary to perform their duties.

32 “SECTION 2. Section 1 of this 2015 Act is repealed on December 31, 2016.

33 “SECTION 3. This 2015 Act being necessary for the immediate preservation of the public
34 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
35 on its passage.”.