

1-1 By: Hochberg (Senate Sponsor - Zaffirini) H.B. No. 3457  
1-2 (In the Senate - Received from the House May 9, 2007;  
1-3 May 10, 2007, read first time and referred to Committee on  
1-4 Education; May 16, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
1-6 May 16, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3457 By: Zaffirini

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to idling the diesel engine of a school bus while the bus  
1-11 is parked at a public school or school event.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 34, Education Code, is amended by adding  
1-14 Section 34.0041 to read as follows:

1-15 Sec. 34.0041. IDLING BUS DIESEL ENGINE AT SCHOOL OR SCHOOL  
1-16 EVENT PROHIBITED. (a) In this section, "idling" means allowing an  
1-17 engine to run while the motor vehicle is not engaged in forward or  
1-18 reverse motion.

1-19 (b) Except as provided by Subsection (c), the driver of a  
1-20 school bus equipped with a diesel engine may not allow the idling of  
1-21 the bus engine while the bus is parked at a school or school event.

1-22 (c) Subsection (b) does not prohibit the idling of a school  
1-23 bus diesel engine:

1-24 (1) for the minimum time necessary to heat or cool the  
1-25 bus before departure, provided that the engine is turned off when a  
1-26 student is embarking or disembarking; or

1-27 (2) as necessary to accommodate the physical needs of  
1-28 a student who receives special education services, regardless of  
1-29 whether students are embarking or disembarking.

1-30 SECTION 2. Section 34.0041, Education Code, as added by  
1-31 this Act, applies beginning with the 2007-2008 school year.

1-32 SECTION 3. This Act takes effect immediately if it receives  
1-33 a vote of two-thirds of all the members elected to each house, as  
1-34 provided by Section 39, Article III, Texas Constitution. If this  
1-35 Act does not receive the vote necessary for immediate effect, this  
1-36 Act takes effect September 1, 2007.

1-37 \* \* \* \* \*