

# SENATE, NO. 2357

## AN ACT TO IMPROVE SCHOOL CAMPUS AIR QUALITY

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Chapter 10 of the General Laws is hereby amended by adding the  
2 following section:-

3 Section 75. There shall be established and set up on the books of the  
4 commonwealth a separate fund to be known as the Environmental Education Fund.  
5 Amounts credited to the fund, including any state, federal or private funds received  
6 through fine collection, appropriation, gift or grant shall be expended, subject to  
7 appropriation, by the executive office of energy and environmental affairs to establish a  
8 school district grant program consisting of an amount to be determined annually by the  
9 secretary of energy and environmental affairs. The program shall support environmental  
10 education initiatives in school districts throughout the commonwealth.

11 SECTION 2. Section 37H of chapter 71 of the General Laws, as appearing in the  
12 2006 Official Edition, is hereby amended by inserting after the second sentence the  
13 following sentence: - Said policies shall further prohibit operators of school buses and  
14 personal motor vehicles, including students, faculty, staff and visitors, from idling such  
15 vehicles on school grounds, as prohibited by section 16B of chapter 90.

16 SECTION 3. Chapter 90 of the General Laws is hereby amended by inserting  
17 after section 16A the following section: -

18 Section 16B. (a) For the purposes of this section, the term "school grounds" shall  
19 mean in or on, or within one thousand feet of the real property comprising a public or  
20 private accredited preschool, accredited headstart facility, elementary, vocational, or  
21 secondary school whether or not in session, and parking lots, athletic fields and  
22 playgrounds used for school purposes or functions which are owned by the city, town or  
23 school district, regardless of proximity to a school building.

24 Lack of knowledge of school boundaries shall not be a defense to any person who  
25 violates the provisions of this section.

26 (b) The registrar of motor vehicles, in consultation with the department of  
27 education, the executive office of energy and environmental affairs, and the executive  
28 office of health and human services, shall adopt regulations to implement this section.  
29 Such regulations shall include, but not be limited to, establishing the length of time an  
30 operator may idle an engine before such idling becomes prolonged, and the limited  
31 circumstances under which the prolonged idling of an engine is permitted, including  
32 periods necessary to operate defrosting, heating or cooling equipment to ensure the health  
33 or safety of a driver or passengers or to operate auxiliary equipment and periods during  
34 which the engine is undergoing maintenance or inspection. Such regulations shall  
35 prohibit an operator of a school bus from idling a school bus engine while waiting for

36 children to board or exit a bus on school grounds and from starting a school bus engine  
37 for any unnecessary period of time in advance of leaving the school grounds.

38 The registry of motor vehicles shall notify all individuals certified and endorsed to  
39 be school bus drivers as to the provisions of this section during the annual certification  
40 process.

41 (c) Notwithstanding section 16A, no person shall cause, suffer, allow or permit  
42 the prolonged idling of a motor vehicle engine on school property in violation of registry  
43 of motor vehicle regulations relative thereto. An operator or owner of a motor vehicle  
44 who violates this section shall be subject to a civil assessment of \$100 for the first  
45 violation and \$500 for a second or subsequent violation. The proceeds of such fine shall  
46 be deposited annually, not later than June 30, by the court with the state treasurer into the  
47 Environmental Education Fund, established in section 75 of chapter 10.