

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1894

S.P. 646

In Senate, December 24, 2019

An Act To Incentivize the Purchase of Electric Public School Buses

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 20, 2019. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator VITELLI of Sagadahoc.

Cosponsored by Representative BRENNAN of Portland and

Senators: CARSON of Cumberland, MILLETT of Cumberland, WOODSOME of York,

Representatives: HOBBS of Wells, HUBBELL of Bar Harbor, McCREA of Fort Fairfield,

McDONALD of Stonington, RILEY of Jay.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** to mitigate the effects of climate change, this Act requires the Department
4 of Education to take certain actions related to the transition of the fleet of public school
5 buses to electric school buses; and

6 **Whereas,** climate change poses a substantial and immediate threat to the economy,
7 natural resources and public health of the State; and

8 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore,

12 **Be it enacted by the People of the State of Maine as follows:**

13 **Sec. 1. 20-A MRSA §5401, sub-§15-A** is enacted to read:

14 **15-A. Electric public school bus fleet goal.** The department shall endeavor to meet
15 a goal of transitioning the public school bus fleet to 100% all-electric school buses by
16 2040. The department shall adopt rules to implement this subsection. Rules adopted
17 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
18 subchapter 2-A.

19 **Sec. 2. 20-A MRSA §5401, sub-§15-B** is enacted to read:

20 **15-B. Electric school bus training program.** The department shall develop an
21 electric school bus training program to train school bus mechanics to repair and develop
22 maintenance plans for electric school buses, train school bus drivers to operate electric
23 school buses and train school transportation directors. School bus mechanics, school bus
24 drivers and school transportation directors shall complete annual training in accordance
25 with the program developed by the department. The department shall adopt rules to
26 implement this subsection. Rules adopted pursuant to this subsection are routine
27 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

28 **Sec. 3. 2020 request for proposals; small school buses.** To endeavor to meet
29 the goal of transitioning the public school bus fleet to 100% all-electric school buses by
30 2040 in accordance with the Maine Revised Statutes, Title 20-A, section 5401, subsection
31 15-A, the Department of Education shall set aside a percentage of available resources for
32 the purchase of electric small school buses with a gross vehicle weight rating of 10,000
33 pounds or less, as replacements in or additions to the school bus fleet, in the 2020 request
34 for proposals as allowed by state and federal rules and regulations.

35 **Sec. 4. Transportation administration assessment.** The Department of
36 Education shall assess the need to expand transportation administration staff to manage
37 the transition of the fleet of public school buses in the State to 100% all-electric school
38 buses under the Maine Revised Statutes, Title 20-A, section 5401, subsection 15-A. The
39 department shall coordinate the assessment with:

- 1 1. The Department of Transportation;
- 2 2. Law enforcement agencies, firefighting agencies and other first responders
- 3 regarding safety issues; and
- 4 3. The Public Utilities Commission and utilities in the State regarding electric school
- 5 bus energy dispatching issues.

6 **Sec. 5. Rulemaking; electric public school bus fleet goal.** Rules adopted by
7 the Department of Education pursuant to the Maine Revised Statutes, Title 20-A, section
8 5401, subsection 15-A must:

- 9 1. Change school bus bid requirements to add electric school buses to the criteria to
- 10 be weighed for purchase approvals for additions to the public school bus fleet and
- 11 replacements due to age;
- 12 2. Establish a process for the department to provide resources to school
- 13 administrative units that purchase their own electric school buses to install electric
- 14 charging stations needed to support those buses; and
- 15 3. Adjust the State's uniform school bus specifications to reflect updates to national
- 16 school transportation specifications and ensure that the State's specifications include
- 17 provisions for small and large electric school buses and other appropriate school
- 18 transportation vehicles.

19 **Emergency clause.** In view of the emergency cited in the preamble, this
20 legislation takes effect when approved.

21 **SUMMARY**

22 This bill directs the Department of Education to endeavor to meet a goal of
23 transitioning the public school bus fleet to 100% all-electric school buses by 2040 and
24 directs the department to adopt rules relating to bid requirements, electric charging
25 stations and uniform school bus specifications. It requires the department to set aside a
26 percentage of available resources for the purchase of electric small school buses, as
27 replacements in or additions to the school bus fleet, in the 2020 request for proposals. It
28 requires the department to develop an electric school bus training program to train school
29 bus mechanics, school bus drivers and school transportation directors and it requires
30 annual training by school bus mechanics, school bus drivers and school transportation
31 directors. It requires the department to assess the need to expand transportation
32 administration staff to manage the transition of the fleet of public school buses in the
33 State to electric school buses.