

1 HB1
2 178055-1
3 By Representative Hanes
4 RFD: Public Safety and Homeland Security
5 First Read: 07-FEB-17
6 PFD: 05/05/2016

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8 SYNOPSIS: This bill would require existing
9 non-volunteer fire departments in the state that
10 have paid firefighters on duty eight hours or more
11 per day to install a diesel exhaust system in the
12 fire station building or on each of the diesel fire
13 apparatus within five years.

14 This bill would require any new construction
15 of a fire station to include in the design the
16 installation of a diesel exhaust system, or if the
17 design process is complete and construction has
18 already commenced, this bill would require a diesel
19 exhaust system be installed within five years.

20 Amendment 621 of the Constitution of Alabama
21 1901 prohibits a general law whose purpose or
22 effect would be to require a new or increased
23 expenditure of local funds from becoming effective
24 with regard to a local governmental entity without
25 enactment by a 2/3 vote unless: it comes within one
26 of a number of specified exceptions; it is approved
27 by the affected entity; or the Legislature

1 appropriates funds, or provides a local source of
2 revenue, to the entity for the purpose.

3 The purpose or effect of this general law
4 would be to require a new or increased expenditure
5 of local funds within the meaning of Amendment 621.
6 If this bill is not enacted by a 2/3 vote, it will
7 not become effective with regard to a local entity
8 unless approved by the local entity or until, and
9 only as long as, the Legislature appropriates funds
10 or provides for a local source of revenue.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT

15
16 Relating to non-volunteer fire departments; to
17 require a diesel exhaust system be installed in the fire
18 station building or on each of the diesel fire apparatus
19 within a certain time frame and under certain conditions; to
20 provide exemptions; and in connection therewith would have as
21 its purpose or effect the requirement of a new or increased
22 expenditure of local funds.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. (a) For the purposes of this section, the
25 following term shall have the following meaning:

26 DIESEL EXHAUST SYSTEM. Any one of the following:

1 a. A dilution ventilation exhaust system designed to
2 exchange inside air for fresh air and situate exhausted air to
3 prevent reentry into the structure at a rate of 1.5 cfm per
4 square foot of horizontal floor area.

5 b. A local tailpipe capture system that attaches to
6 the tailpipe of a diesel engine and is designed to discharge
7 exhaust outside of the station situation to prevent reentry
8 into the structure at 600 cfm minimum for each diesel engine.

9 c. An air filtration system in a multistage
10 progressive filtration system designed to capture airborne
11 particles to maintain permissible exposure limits, as defined
12 by the National Institute for Occupational Safety and Health,
13 for each diesel engine.

14 d. A vehicle-mounted filtration or capture system
15 attached to a fire apparatus designed to filter vehicle
16 exhaust for a period of time to allow the vehicle to exit and
17 enter the building.

18 (b) This act shall apply only to non-volunteer fire
19 departments in the state that have paid firefighters on duty
20 eight hours or more per day.

21 (c) Any existing fire station that does not have a
22 diesel exhaust system installed in the fire station building
23 or on each of the diesel fire apparatus shall install a diesel
24 exhaust system within five years of the effective date of this
25 act.

26 (d) Any existing fire station shall have door
27 closure devices on any door between the apparatus bay and the

1 living or office quarters and shall have appropriate weather
2 stripping and seals to prevent diesel exhaust from entering
3 the living and office areas.

4 (e) The construction of any new fire station, where
5 the design process for the fire station begins after the
6 effective date of this act, shall have a diesel exhaust system
7 incorporated in the design in the apparatus bay designed to
8 house the apparatus truck. The fire station shall also have a
9 separate room sealed from the apparatus bay to store the
10 protective gear used by the firefighters of the station.

11 (f) Any new construction of a fire station that
12 commenced before the effective date of this act that does not
13 have a diesel exhaust system included in the design of the
14 fire station shall be required to install, within five years
15 of the effective date of this act, a diesel exhaust system.

16 Section 2. This bill would have as its purpose or
17 effect the requirement of a new or increased expenditure of
18 funds, and thus, must be enacted by a 2/3 vote in order to be
19 effective with regard to a local entity, unless approved by
20 the local entity or until, and only as long as, the
21 Legislature appropriates funds or provides for a local source
22 of revenue.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.