

1 HB7  
2 186952-1  
3 By Representative Hanes  
4 RFD: State Government  
5 First Read: 09-JAN-18  
6 PFD: 07/24/2017

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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 a certain time frame.

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.

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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,  
25           "diesel exhaust system" means any one of the following:

26                                   (1) A dilution ventilation exhaust system designed  
27           to exchange inside air for fresh air and situate exhausted air

1 to prevent reentry into the structure at a rate of 1.5 cfm per  
2 square foot of horizontal floor area.

3 (2) A local tailpipe capture system that attaches to  
4 the tailpipe of a diesel engine and is designed to discharge  
5 exhaust outside of the station, situated to prevent reentry  
6 into the structure at 600 cfm minimum for each diesel engine.

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

12 (4) A vehicle-mounted filtration or capture system  
13 attached to a fire apparatus designed to filter vehicle  
14 exhaust for a period of time to allow the vehicle to exit and  
15 enter the building.

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

19 (c) (1) Any non-volunteer fire department with one to  
20 10 manned fire stations that has an existing manned fire  
21 station that does not have a diesel exhaust system installed  
22 in the fire station building or on each of the diesel fire  
23 apparatus shall install a diesel exhaust system within five  
24 years of the effective date of this act.

25 (2) Any non-volunteer fire department with 11 or  
26 more manned fire stations that has an existing manned fire  
27 station that does not have a diesel exhaust system installed

1 in the fire station building or on each of the diesel fire  
2 apparatus shall install a diesel exhaust system within seven  
3 and one-half years of the effective date of this act.

4 (d) Any existing fire station shall have door  
5 closure devices on any door between the apparatus bay and the  
6 living or office quarters and shall have appropriate weather  
7 stripping and seals to prevent diesel exhaust from entering  
8 the living and office areas within five years of the effective  
9 date of this act.

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

17 (f) Any new construction of a fire station that  
18 commenced before the effective date of this act that does not  
19 have a diesel exhaust system included in the design of the  
20 fire station shall be required to install a diesel exhaust  
21 system within five years of the effective date of this act.

22 Section 2. This bill would have as its purpose or  
23 effect the requirement of a new or increased expenditure of  
24 funds, and thus, must be enacted by a 2/3 vote in order to be  
25 effective with regard to a local entity, unless approved by  
26 the local entity or until, and only as long as, the

1       Legislature appropriates funds or provides for a local source  
2       of revenue.

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