

1 SB4
2 187256-1
3 By Senator Glover
4 RFD: Governmental Affairs
5 First Read: 09-JAN-18
6 PFD: 06/12/2017

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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.

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,
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.