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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 1st Session, 2019**

|                        |  |                            |                  |
|------------------------|--|----------------------------|------------------|
| <b>Bill Number</b>     | <u>SM112</u>                             | <b>Sponsor</b>             | <u>Steinborn</u> |
| <b>Tracking Number</b> | <u>.214591.4</u>                         | <b>Committee Referrals</b> | <u>SEC</u>       |
| <b>Short Title</b>     | <u>Study School Bus Air Conditioners</u> |                            |                  |
| <b>Analyst</b>         | <u>Bedeaux</u>                           | <b>Original Date</b>       | <u>3/7/19</u>    |
|                        |  | <b>Last Updated</b>        | <u></u>          |

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**BILL SUMMARY**

Synopsis of Bill

Senate Memorial 112 (SM112) requests LESC to work with the Public Education Department (PED) to study the potential for requiring air conditioning in school buses, especially when high temperatures threaten to impact students and school bus drivers. LESC is requested to report its findings to the office of the governor, PED, and the Legislative Finance Committee by November 1, 2019.

**FISCAL IMPACT**

Legislative memorials do not contain appropriations.

**SUBSTANTIVE ISSUES**

The temperature inside a vehicle rises above the outside air temperature rapidly the longer a vehicle is exposed to sunlight. A website published by San Jose State University's Department of Meteorology and Climate Science estimates that on a day when the temperature is 90°F, the temperature in a closed vehicle will reach 124°F after 30 minutes of direct sunlight. Windows on school buses ventilate hot air during operation, but do little else to mitigate extreme heat. Exposure to excessive heat can cause various health conditions, including dehydration, heat exhaustion, heat stroke, and in extreme cases, death.

In many areas of New Mexico, the arid desert climate lends itself to temperatures well in excess of 90°F for a large portion of the year. The National Oceanic and Atmospheric Administration publishes temperature data for every weather station in New Mexico and makes the data publicly available. Weather stations in 14 school districts showed temperatures above 90°F for more than 100 days in 2017. However, a large number of school districts, particularly in northern New Mexico, never saw the temperature rise above 90°F. See Attachment, **Number of Days in 2017 Where Air Temperature Was Above 90°F in New Mexico School Districts**. Variances in temperature can make the adoption of a statewide air conditioning policy challenging.

Little is known about the current status of air conditioning on school buses. The decision to purchase school buses with air conditioning systems has historically been made by local school districts and school bus contractors. It is clear that not all school buses in the state are equipped with air conditioning; school district transportation officials report PED has not covered the cost of air conditioning in school buses, requiring school districts to decide whether to use operational funding to pay the additional cost for school bus air conditioning. PED estimates purchasing a new school bus with air conditioning increases the cost of the bus from approximately \$85 thousand to \$93 thousand and retrofitting current school buses with air conditioning could cost \$15 thousand to \$20 thousand per bus.

### **ADMINISTRATIVE IMPLICATIONS**

LESC would be requested to work with PED to study the requirements for and use of air conditioning on school buses.

### **RELATED BILLS**

Related to HB265/HTPWCS, Seat Belts in School Buses, which would require PED to adopt rules that require all school buses of model year 2020 or later be equipped with seat belts for all passengers, electronic stability control (ESC), and collision avoidance systems (CAS), and air conditioning systems if they are operated in a school district that regularly experiences temperatures that would pose a risk to students riding in school buses without air conditioning.

Related to SB321/SECS/aSFC, School Bus Air Conditioners, which would require air conditioning systems in school buses purchased after July 1, 2020 if they are operated in school districts where temperatures are regularly hot enough to pose a risk to students if the school buses did not have air conditioning.

### **SOURCES OF INFORMATION**

- LESG Files

**TB/mhg**

