

House Research Act Summary

CHAPTER: 97

SESSION: 2001 Regular Session

TOPIC: School Bus Provisions

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Analyst: John Williams, 651-296-5045

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- 1 **Commercial motor vehicle.** Exempts type A-II school buses (buses on a van-type chassis with a capacity of ten or more persons and with a gross weight of under 10,000 lbs.) from the definition of "commercial motor vehicle" in traffic law.
- 2 **School buses operated by child care providers.** Allows buses not being used as school buses to be painted golden orange.
Allows school buses operated by a licensed child care provider to be painted yellow and have school bus-related equipment and printing if (1) the stop arm is removed, (2) the eight-light warning system is deactivated, (3) the bus is identified as a "child care bus" on the front and rear top, and (4) the owner or operator of the bus is identified on the front door.
- 434 **Operation of type A school bus by unendorsed person.** Allows a type A-II school bus with a capacity of 15 or fewer persons to be operated by a person without a school bus endorsement if the following requirements are complied with:
 - (1) The driver was employed by the entity that owns, leases, or contracts for the school bus as of the effective date of the bill.
 - (2) The driver drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - (3) The driver is prohibited from using the eight-light warning system on the school bus, (a violation is designated a misdemeanor).
 - (4) The driver's employer has adopted and implemented annual training and certification of the driver in student behavior, orderly conduct on school buses, school bus laws, emergency situations, and safe loading and unloading.
 - (5) A background check or investigation of the driver has been conducted, meeting the requirements in current law for background checks or investigations of teachers, day care employees, or school bus drivers.

- (6) The driver submits to a physical examination required for school bus drivers under department of public safety rules.
- (7) The operator's driver's license is annually verified by the entity that owns, leases, or contracts for the school bus.
- (8) A person who commits first-degree DWI (second DWI in 10 years, alcohol concentration of .20 or more, impaired driving with a child under 16 in the vehicle if the child is more than 3 years younger than the violator) or an implied consent violation is prohibited from operating a school bus for 5 years after the conviction.
- (9) A person convicted of a fourth moving traffic violation is precluded from operating a school bus for one year after the conviction
- (10) Students in the school bus must have received school bus safety training.
- (11) The driver must be trained in proper use of child safety restraints.
- (12) Certification that the above 11 requirements must be maintained in the driver's business location. Business managers, school boards, nonpublic school governing bodies, and bus owners, lessees, and contractors are responsible for maintaining these records for this certification.
- (13) The school bus must have a current certificate of inspection from the state patrol.
- (14) The word "school" on the front and rear of the bus must be covered by a sign that says "activities."

5 **Effective date.** Makes sections 1 to 4 effective July 1, 2001.

Provides that the changes in law in sections 1, 3, and 4 expire July 1, 2003.