

HOUSE RESEARCH

Bill Summary

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Subject: Repeal of sunset clause for authority to drive school buses without school bus endorsement

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Overview

Repeals the July 1, 2003, sunset for the 2001 provisions of law that allow persons without a school bus driver's endorsement to operate a type A school bus that is under 10,000 pounds carrying 15 or fewer passengers under specified circumstances.

The circumstances as enacted in 2001 are:

(1) The driver is employed by the entity that owns, leases, or contracts for the school bus, and was such an employee 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 an 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.

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(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 records of this certification.

(13) The school bus must have a current inspection certificate

(14) The word "school" on the bus must be covered by a sign reading "activities."

Repeals the July 1, 2003, sunset on the 2001 law that exempts type A-II (10+ passenger vans under 10,000 lbs.) and type III (vans and stations wagons under 11 passengers) school buses from the definition of "commercial motor vehicle" in traffic law.