

156.153 School bus standards -- "School bus" defined -- Standards and specifications for accessory equipment and supplies and replacement equipment -- Standards for use of non-school bus passenger vehicles -- Use of clean transportation fuels.

- (1) (a) All school buses for which bids are made or bid contracts awarded shall meet the standards and specifications of the Kentucky Department of Education. The term "school bus," as used in this section, shall mean any motor vehicle which meets the standards and specifications for school buses as provided by law or by the standards or specifications of the Kentucky Department of Education authorized by law and used solely in transporting school children and school employees to and from school under the supervision and control and at the direction of school authorities, and shall further include school bus accessory equipment and supplies and replacement equipment considered to be reasonably adaptable for purchase from price contract agreements.
- (b) The standards and specifications for accessory equipment and supplies and replacement equipment under paragraph (a) of this subsection shall be based on federal safety standards and shall not discriminate among manufacturers unless the Kentucky Department of Education finds evidence that a specific manufacturer's product is defective or dangerous to use.
- (c) The Kentucky Department of Education shall provide the list of standards and specifications for accessory equipment and supplies and replacement equipment to the Finance and Administration Cabinet for the purposes of maintaining the price contract list required under KRS 45A.489.
- (2) School buses shall be clearly marked as transporting students and shall undergo a safety inspection no less than once every thirty (30) days.
- (3) (a) Districts may also use vehicles owned, leased, or contracted by the district that were designed and built by the manufacturer for passenger transportation of nine (9) or fewer passengers, including the driver, for transporting students to and from school and approved school activities under an alternative transportation plan approved by the Kentucky Department of Education.
- (b) Non-school bus passenger vehicles used under this subsection shall be clearly marked as transporting students and undergo a safety inspection no less than once every thirty (30) days. However, non-school bus passenger vehicles that are not for daily use shall not be required to be inspected more frequently than once every three (3) months.
- (c) Non-school bus passenger vehicles used under this subsection shall be operated by an employee or contractor of a local school district that has a valid Class D operator's license. An individual that operates a non-school bus passenger vehicle to transport a student or students without a current valid license required by this paragraph shall be subject to the penalties set forth in KRS 156.990(4).
- (d) The Kentucky Board of Education shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish:
 1. Minimum standards and specifications for non-school bus passenger

vehicles used under this subsection, including a standard for minimum insurance coverage;

2. Minimum route safety standards and pick-up and drop-off protocols for pupil transportation using non-school bus passenger vehicles that prohibit non-school bus passenger vehicles from depositing a student at a location that would require the student to cross a road or intersection to reach the student's destination; and
 3. Minimum qualifications, training, and drug testing requirements for an individual to be authorized to transport any student to and from school using a non-school bus passenger vehicle. The drug testing requirements shall require an individual to submit to drug testing consistent with the requirements of 49 C.F.R. pt. 40 to be authorized to transport students to and from school using a non-school bus passenger vehicle.
- (4) As part of its regular procedure for establishing and updating standards and specifications for school buses and non-school bus passenger vehicles, the Kentucky Department of Education shall consider allowing school buses to operate using clean transportation fuels, as defined in KRS 186.750. If the department determines that school buses or non-school bus passenger vehicles may operate using clean transportation fuels while maintaining the same or a higher degree of safety as fuels currently allowed, it shall update its standards and specifications to allow for such use.

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History: Amended 2025 Ky. Acts ch. 151, sec. 2, effective April 1, 2025. -- Amended 2024 Ky. Acts ch. 26, sec. 1, effective July 15, 2024; and ch. 35, sec. 1, effective April 4, 2024. -- Amended 2013 Ky. Acts ch. 116, sec. 9, effective June 25, 2013. -- Amended 2004 Ky. Acts ch. 22, sec. 1, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 216, sec. 1, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Repealed and reenacted 1990 Ky. Acts ch. 476, Pt. V, sec. 367, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 236, sec. 1, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 155, sec. 82, effective June 17, 1978. -- Created 1956 (1st Extra. Sess.) Ky. Acts ch. 7, Art. XVI, sec. 21.