

1           AN ACT relating to school transportation and declaring an emergency.

2    *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3           ➔Section 1. KRS 156.153 is amended to read as follows:

4    (1) (a) All school buses for which bids are made or bid contracts awarded shall meet  
5           the standards and specifications of the Kentucky Department of Education.  
6           The term "school bus," as used in this section, shall mean any motor vehicle  
7           which meets the standards and specifications for school buses as provided by  
8           law or by the standards or specifications of the Kentucky Department of  
9           Education authorized by law and used solely in transporting school children  
10          and school employees to and from school under the supervision and control  
11          and at the direction of school authorities, and shall further include school bus  
12          accessory equipment and supplies and replacement equipment considered to  
13          be reasonably adaptable for purchase from price contract agreements.

14       (b) The standards and specifications for accessory equipment and supplies and  
15          replacement equipment under paragraph (a) of this subsection shall be based  
16          on federal safety standards and shall not discriminate among manufacturers  
17          unless the Kentucky Department of Education finds evidence that a specific  
18          manufacturer's product is defective or dangerous to use.

19       (c) The Kentucky Department of Education shall provide the list of standards and  
20          specifications for accessory equipment and supplies and replacement  
21          equipment to the Finance and Administration Cabinet for the purposes of  
22          maintaining the price contract list required under KRS 45A.489.

23       (2) School buses shall be clearly marked as transporting students and shall undergo a  
24          safety inspection no less than once every thirty (30) days.

25       (3) (a) Districts may also use vehicles owned, leased, or contracted by the district  
26          that were designed and built by the manufacturer for passenger transportation  
27          of ten (10)~~nine (9)~~ or fewer passengers, including the driver, for transporting

1           students to and from school along regular bus routes and approved school  
2           activities[under an alternative transportation plan approved by the Kentucky  
3           Department of Education].

4           (b) Non-school bus passenger vehicles used under this subsection shall be clearly  
5           marked as transporting students and undergo a safety inspection no less than  
6           once every thirty (30) days. However, non-school bus passenger vehicles that  
7           are not for daily use shall not be required to be inspected more frequently than  
8           once every three (3) months.

9           (c) Non-school bus passenger vehicles used under this subsection shall be  
10           operated by an employee or contractor of a local school district that has a  
11           valid Class D operator's license. An individual that operates a non-school bus  
12           passenger vehicle to transport a student or students without a current valid  
13           license required by this paragraph shall be subject to the penalties set forth in  
14           KRS 156.990(4).

15           (d) The Kentucky Board of Education shall promulgate administrative regulations  
16           in accordance with KRS Chapter 13A to establish:

17           1. Minimum standards and specifications for non-school bus passenger  
18           vehicles used under this subsection, including a standard for minimum  
19           insurance coverage;

20           2. Minimum route safety standards and pick-up and drop-off protocols for  
21           pupil transportation using non-school bus passenger vehicles that  
22           prohibit non-school bus passenger vehicles from depositing a student at  
23           a location that would require the student to cross a road or intersection  
24           to reach the student's destination; and

25           3. Minimum qualifications, training, and drug testing requirements for an  
26           individual to be authorized to transport any student to and from school  
27           along a regular bus route using a non-school bus passenger vehicle.

1                   The drug testing requirements shall require an individual to submit to  
2                   drug testing consistent with the requirements of 49 C.F.R. pt. 40 to be  
3                   authorized to transport students to and from school using a non-school  
4                   bus passenger vehicle.

5       (4) As part of its regular procedure for establishing and updating standards and  
6                   specifications for school buses and non-school bus passenger vehicles, the  
7                   Kentucky Department of Education shall consider allowing school buses to operate  
8                   using clean transportation fuels, as defined in KRS 186.750. If the department  
9                   determines that school buses or non-school bus passenger vehicles may operate  
10                   using clean transportation fuels while maintaining the same or a higher degree of  
11                   safety as fuels currently allowed, it shall update its standards and specifications to  
12                   allow for such use.

13                   ➔Section 2. There being a desperate need for individuals to transport students, an  
14                   emergency is declared to exist, and this Act takes effect upon its passage and approval by  
15                   the Governor or upon its otherwise becoming a law.