

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.