

January 28, 1998

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## HOUSE BILL No. 1260

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DIGEST OF HB 1260 (Updated January 27, 1998 6:11 pm - DI 93)

**Citations Affected:** IC 20-9.1.

**Synopsis:** School bus driver qualifications. Provides that a person who drives a school bus must: (1) have sufficient physical ability to be a school bus driver, as determined by the state school bus committee; and (2) be free from any communicable disease that is transmitted through airborne or droplet means or that requires isolation of the infected person. Requires the state school bus committee to adopt rules to prescribe performance standards and measurements for determining the physical ability necessary for a person to be a school bus driver.

**Effective:** July 1, 1998.

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### Leuck, Cook

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January 13, 1998, read first time and referred to Committee on Education.  
January 14, 1998, reassigned to the Committee on Roads and Transportation.  
January 27, 1998, amended, reported — Do Pass.

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HB 1260—LS 6302/DI 02



January 28, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## HOUSE BILL No. 1260

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-9.1-3-1, AS AMENDED BY P.L.155-1997,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 1. A person may not drive a school bus for the  
4 transportation of school children or be employed as a school bus  
5 monitor unless the person satisfies the following requirements:  
6 (1) Is of good moral character.  
7 (2) Does not use intoxicating liquor during school hours.  
8 (3) Does not use intoxicating liquor to excess at any time.  
9 (4) Is not addicted to any narcotic drug.  
10 (5) Is at least twenty-one (21) years of age.  
11 (6) Holds a valid public passenger chauffeur's license or  
12 commercial driver's license issued by the state of Indiana or any  
13 other state.  
14 (7) Possesses the following required physical characteristics:  
15 (A) Sufficient physical ability to ~~drive~~ **be** a school bus **driver**,  
16 **as determined by the state school bus committee**  
17 **(IC 20-9.1-4-1).**

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- 1 (B) Possession and full normal use of both hands, both arms,  
 2 both feet, both legs, both eyes, and both ears.  
 3 (C) Freedom from any communicable disease **that:**  
 4 (i) **may be transmitted through airborne or droplet**  
 5 **means; or**  
 6 (ii) **requires isolation of the infected person under 410**  
 7 **IAC 1-2.1.**  
 8 (D) Freedom from any mental, nervous, organic, or functional  
 9 disease which might impair the person's ability to properly  
 10 operate a school bus.  
 11 (E) Visual acuity, with or without glasses, of at least 20/40 in  
 12 each eye and a field of vision with 150 degree minimum and  
 13 with depth perception of at least 80%.
- 14 However, subdivisions (6) and (7) do not apply to the employment of  
 15 a school bus monitor.
- 16 SECTION 2. IC 20-9.1-4-4 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The state school  
 18 bus committee has the following powers:
- 19 (1) It may prescribe, by rules adopted under IC 4-22-2, standards  
 20 for the construction of school buses, including minimum  
 21 standards for the construction of school buses necessary to be  
 22 issued a:  
 23 (A) valid certificate of inspection decal; and  
 24 (B) temporary certificate of inspection decal described in  
 25 section 5.1 of this chapter.
- 26 (2) It may prescribe, by rules adopted under IC 4-22-2, standards  
 27 for the equipment of school buses, including minimum standards  
 28 for the equipment of school buses necessary to be issued a:  
 29 (A) valid certificate of inspection decal; and  
 30 (B) temporary certificate of inspection decal described in  
 31 section 5.1 of this chapter.
- 32 (3) It may specify by rules adopted under IC 4-22-2 the particular  
 33 minimum standards that are required to be met to avoid the  
 34 issuance of an out-of-service certificate of inspection decal.
- 35 (4) It may provide for the inspection of all school buses, new or  
 36 old, which are offered for sale, lease or contract.
- 37 (5) It may provide for the annual inspection of all school buses  
 38 and the issuance of certificate of inspection decals.
- 39 (6) It may maintain an approved list of school buses which have  
 40 passed inspection tests under subdivisions (4) or (5).
- 41 (7) It may, subject to approval by the state board of accounts,  
 42 prescribe standard forms for school bus contracts.



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1           (8) It may hear appeals brought under section 7 of this chapter.  
2           **(b) The state school bus committee shall adopt rules under**  
3 **IC 4-22-2 to prescribe performance standards and measurements**  
4 **for determining the physical ability necessary for a person to be a**  
5 **school bus driver.**  
6           (c) The certificate of inspection decals shall be issued to correspond  
7 with each school year. Each certificate of inspection decal expires on  
8 September 30 following the school year in which the certificate of  
9 inspection decal is effective. However, for buses that are described in  
10 section 5(g) of this chapter, the certificate of inspection decal expires  
11 on a date that is not later than seven (7) months after the date of the  
12 first inspection for the particular school year.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1260, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "and" and insert "or".

and when so amended that said bill do pass.

(Reference is to House Bill 1260 as introduced.)

COOK, Chair

Committee Vote: yeas 13, nays 1.

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