

HOUSE BILL No. 1260

DIGEST OF HB 1260 (Updated February 2, 1998 7:48 pm - DI 93)

Citations Affected: IC 9-13; IC 20-9.1.

Synopsis: School buses. Includes project headstart as school for the purposes of the definition of school bus as it applies to the regulation of traffic. 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. Requires a school bus that is used to transport school children in Indiana that is purchased after June 30, 2000 to be equipped with a school bus crossing arm that meets or exceeds Society of Automotive Engineers (SAE) specifications.

Effective: July 1, 1998.

Leuck, Cook, Ripley

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.
February 2, 1998, read second time, amended, ordered engrossed.

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Reprinted
February 3, 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

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 9-13-2-161 IS AMENDED TO READ AS
2 FOLLOWS: Sec. 161. (a) "School bus" means, except as provided in
3 subsection (b), a bus, hack, conveyance, or motor vehicle used to
4 transport school children to and from school and to and from school
5 athletic games or contests or other school functions. The term does not
6 include a privately owned automobile with a capacity of not more than
7 five (5) passengers that is used for the purpose of transporting school
8 children to and from school.

9 (b) "School bus", for purposes of IC 9-21, means a motor vehicle
10 owned by a public or governmental agency and operated for the
11 transportation of children to or from school, **including project**
12 **headstart**, or privately owned and operated for compensation for the
13 transportation of children to and from ~~school~~; **school, including**
14 **project headstart**.

15 SECTION 2. IC 20-9.1-3-1, AS AMENDED BY P.L.155-1997,
16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 1998]: Sec. 1. A person may not drive a school bus for the

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1 transportation of school children or be employed as a school bus
2 monitor unless the person satisfies the following requirements:

- 3 (1) Is of good moral character.
4 (2) Does not use intoxicating liquor during school hours.
5 (3) Does not use intoxicating liquor to excess at any time.
6 (4) Is not addicted to any narcotic drug.
7 (5) Is at least twenty-one (21) years of age.
8 (6) Holds a valid public passenger chauffeur's license or
9 commercial driver's license issued by the state of Indiana or any
10 other state.
11 (7) Possesses the following required physical characteristics:
12 (A) Sufficient physical ability to ~~drive~~ **be a school bus driver,**
13 **as determined by the state school bus committee**
14 **(IC 20-9.1-4-1).**
15 (B) Possession and full normal use of both hands, both arms,
16 both feet, both legs, both eyes, and both ears.
17 (C) Freedom from any communicable disease **that:**
18 **(i) may be transmitted through airborne or droplet**
19 **means; or**
20 **(ii) requires isolation of the infected person under 410**
21 **IAC 1-2.1.**
22 (D) Freedom from any mental, nervous, organic, or functional
23 disease which might impair the person's ability to properly
24 operate a school bus.
25 (E) Visual acuity, with or without glasses, of at least 20/40 in
26 each eye and a field of vision with 150 degree minimum and
27 with depth perception of at least 80%.

28 However, subdivisions (6) and (7) do not apply to the employment of
29 a school bus monitor.

30 SECTION 3. IC 20-9.1-4-4 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The state school
32 bus committee has the following powers:

- 33 (1) It may prescribe, by rules adopted under IC 4-22-2, standards
34 for the construction of school buses, including minimum
35 standards for the construction of school buses necessary to be
36 issued a:
37 (A) valid certificate of inspection decal; and
38 (B) temporary certificate of inspection decal described in
39 section 5.1 of this chapter.
40 (2) It may prescribe, by rules adopted under IC 4-22-2, standards
41 for the equipment of school buses, including minimum standards
42 for the equipment of school buses necessary to be issued a:

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- 1 (A) valid certificate of inspection decal; and
- 2 (B) temporary certificate of inspection decal described in
- 3 section 5.1 of this chapter.
- 4 (3) It may specify by rules adopted under IC 4-22-2 the particular
- 5 minimum standards that are required to be met to avoid the
- 6 issuance of an out-of-service certificate of inspection decal.
- 7 (4) It may provide for the inspection of all school buses, new or
- 8 old, which are offered for sale, lease or contract.
- 9 (5) It may provide for the annual inspection of all school buses
- 10 and the issuance of certificate of inspection decals.
- 11 (6) It may maintain an approved list of school buses which have
- 12 passed inspection tests under subdivisions (4) or (5).
- 13 (7) It may, subject to approval by the state board of accounts,
- 14 prescribe standard forms for school bus contracts.
- 15 (8) It may hear appeals brought under section 7 of this chapter.

16 **(b) The state school bus committee shall adopt rules under**
 17 **IC 4-22-2 to prescribe performance standards and measurements**
 18 **for determining the physical ability necessary for a person to be a**
 19 **school bus driver.**

20 (c) The certificate of inspection decals shall be issued to correspond
 21 with each school year. Each certificate of inspection decal expires on
 22 September 30 following the school year in which the certificate of
 23 inspection decal is effective. However, for buses that are described in
 24 section 5(g) of this chapter, the certificate of inspection decal expires
 25 on a date that is not later than seven (7) months after the date of the
 26 first inspection for the particular school year.

27 SECTION 4. IC 20-9.1-4-12 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 1998]: **Sec. 12. Each school bus used to transport school children**
 30 **in Indiana that is purchased after June 30, 2000, must be equipped**
 31 **with a school bus crossing arm that meets or exceeds Society of**
 32 **Automotive Engineers (SAE) specifications.**

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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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HOUSE MOTION

Mr. Speaker: I move that House Bill 1260 be amended to read as follows:

Page 3, after line 12, begin a new paragraph and insert:

"SECTION 3. IC 20-9.1-4-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 12. Each school bus used to transport school children in Indiana that is purchased after June 30, 2000, must be equipped with a school bus crossing arm that meets or exceeds Society of Automotive Engineers (SAE) specifications.**"

Renumber all SECTIONS consecutively.

(Reference is to House Bill 1260 as printed January 28, 1998.)

DVORAK

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1260 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-161 IS AMENDED TO READ AS FOLLOWS: Sec. 161. (a) "School bus" means, except as provided in subsection (b), a bus, hack, conveyance, or motor vehicle used to transport school children to and from school and to and from school athletic games or contests or other school functions. The term does not include a privately owned automobile with a capacity of not more than five (5) passengers that is used for the purpose of transporting school children to and from school.

(b) "School bus", for purposes of IC 9-21, means a motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, **including project headstart**, or privately owned and operated for compensation for the transportation of children to and from ~~school~~ **school, including project headstart.**"

Renumber all SECTIONS consecutively.

(Reference is to House Bill 1260 as printed January 28, 1998.)

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