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FISCAL IMPACT STATEMENT

LS 6948

BILL NUMBER: SB 305

NOTE PREPARED: Mar 2, 2006

BILL AMENDED: Feb 28, 2006

SUBJECT: Special Purpose Buses.

FIRST AUTHOR: Sen. Rogers

FIRST SPONSOR: Rep. Hinkle

BILL STATUS: As Passed House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Special-Purpose Buses:* The bill requires a special-purpose bus to stop before crossing railroad tracks. It provides that a school bus or special-purpose bus may not be operated with passengers on board if an exit or emergency exit window is obstructed, and makes a violation a Class B infraction.

Special Purpose Bus Speed Limits: This bill sets speed limits for special purpose buses.

School Bus Committee: This bill allows the State School Bus Committee to adopt rules concerning special-purpose buses.

Local Traffic Investigations: The bill requires the local authority to perform an engineering and traffic investigation under certain circumstances in order to change speed limits.

Notification of Student Interrogation: The bill provides that if a student at least 18 years of age is interrogated by a law enforcement officer, including a school corporation police officer: (1) on school property; and (2) regarding an investigation in which the student may be a suspect; the school principal must notify the student's parent or guardian. The bill provides that a school policy regarding interrogation of a student by a law enforcement officer must apply to all students regardless of age.

Effective Date: July 1, 2006.

Explanation of State Expenditures: *School Bus Committee:* The School Bus Committee would have the

option of adopting rules for special purpose buses in addition to ordinary school buses. The Committee meets once per month and would likely be able to consider any rules within the normal course of business.

Background: The Department of Education reports that members receive neither per diem nor mileage/travel reimbursement for their service on the School Bus Committee. Expenditures, such as printing costs, for the Committee are funded by the Division of School Traffic Safety within the Department of Education via appropriation from the Motor Vehicle Highway Account. Under HEA 1001-2005, the General Assembly appropriated \$273,218 in FY 2006 and \$273,225 in FY 2007 to the Division of School Traffic Safety.

The Committee has nine voting and five nonvoting members. The membership includes several state, local, and private officials. The Committee has statutory authority to establish rules governing the construction of and equipment used on school buses. The Committee also may establish inspections for school buses and must establish performance standards for school bus drivers.

Explanation of State Revenues: *Special-Purpose Buses:* Under the bill, a school corporation, entity, or person who directs another person to operate an obstructed bus or a driver that knowingly operates an obstructed bus would be subject to a Class B infraction.

Penalty Provision: The maximum judgment for a Class B infraction is \$1,000, which would be deposited in the state General Fund. However, any additional revenue is likely to be small.

Explanation of Local Expenditures: (Revised) *Local Traffic Investigations:* Local authorities (county, municipal, or other local entities with authority to adopt local police regulations) would no longer need to conduct engineering and traffic investigations before determining a reduction of a speed limit on an urban road to not less than 20 miles but not more than 24 miles per hour. This provision could reduce investigation expenditures by local authorities.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

State Agencies Affected: State School Bus Committee; State Police.

Local Agencies Affected: Counties, municipalities, other local units of government, Trial courts, local law enforcement agencies.

Information Sources: www.doe.state.in.us/htmls/phprint.php; Phil Baxter, Department of Education, 232-0890; *State of Indiana, List of Appropriations: July 1, 2005, to June 30, 2007.*

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