
HOUSE BILL No. 1248

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-27-5-30; IC 20-27-8.

Synopsis: Physical characteristics of school bus monitors. Removes certain physical characteristic requirements necessary for an individual to be employed as a school bus monitor. Makes corresponding technical corrections.

Effective: Upon passage.

Herrell

January 12, 2009, read first time and referred to Committee on Education.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1248



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 20-27-5-30, AS ADDED BY P.L.1-2005,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 30. Each common carrier contract made under
4 section 29 of this chapter must provide the following:

5 (1) The common carrier is solely responsible for the employment,
6 physical condition, and conduct of every school bus driver
7 employed by the carrier.

8 (2) The carrier must submit a certificate to the governing body
9 showing that any school bus driver used in performing the
10 contract meets the physical standards required by
11 ~~IC 20-27-8-1(7)~~: **IC 20-27-8-1(a)(6)(B)**.

12 SECTION 2. IC 20-27-8-1, AS ADDED BY P.L.1-2005, SECTION
13 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
14 PASSAGE]: Sec. 1. (a) An individual may not drive a school bus for
15 the transportation of students or be employed as a school bus monitor
16 unless the individual satisfies the following requirements:

17 (1) Is of good moral character.



- 1 (2) Does not use intoxicating liquor during school hours.
- 2 (3) Does not use intoxicating liquor to excess at any time.
- 3 (4) Is not addicted to any narcotic drug.
- 4 (5) Is at least:
 - 5 (A) twenty-one (21) years of age for driving a school bus; or
 - 6 (B) eighteen (18) years of age for employment as a school bus
 - 7 monitor.
- 8 (6) In the case of a school bus driver:
 - 9 (A) holds a valid public passenger chauffeur's license or
 - 10 commercial driver's license issued by the state or any other
 - 11 state; **and**
 - 12 ~~(7)~~ (B) possesses the following required physical
 - 13 characteristics:
 - 14 ~~(A)~~ (i) Sufficient physical ability to be a school bus driver,
 - 15 as determined by the committee.
 - 16 ~~(B)~~ (ii) The full normal use of both hands, both arms, both
 - 17 feet, both legs, both eyes, and both ears.
 - 18 ~~(C)~~ (iii) Freedom from any communicable disease that ~~(i)~~
 - 19 may be transmitted through airborne or droplet means or ~~(ii)~~
 - 20 requires isolation of the infected person under 410
 - 21 IAC 1-2.3.
 - 22 ~~(D)~~ (iv) Freedom from any mental, nervous, organic, or
 - 23 functional disease that might impair the person's ability to
 - 24 properly operate a school bus.
 - 25 ~~(E)~~ (v) Visual acuity, with or without glasses, of at least
 - 26 20/40 in each eye and a field of vision with one hundred
 - 27 fifty (150) degree minimum and with depth perception of at
 - 28 least eighty percent (80%).
 - 29 (b) This subsection applies to a school bus monitor.
 - 30 Notwithstanding subsection (a)(5)(B), a school corporation or school
 - 31 bus driver may not employ an individual who is less than twenty-one
 - 32 (21) years of age as a school bus monitor unless the school corporation
 - 33 or school bus driver does not receive a sufficient number of qualified
 - 34 applicants for employment as a school bus monitor who are at least
 - 35 twenty-one (21) years of age. A school corporation or school bus driver
 - 36 shall maintain a record of applicants, their ages, and their qualifications
 - 37 to show compliance with this subsection.
 - 38 SECTION 3. IC 20-27-8-4, AS ADDED BY P.L.1-2005, SECTION
 - 39 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 - 40 PASSAGE]: Sec. 4. An individual who is or intends to become a school
 - 41 bus driver must obtain a physical examination certificate stating that
 - 42 the individual possesses the physical characteristics required by section

COPY



1 ~~1(a)(7)~~ **1(a)(6)(B)** of this chapter. The certificate shall be made by an
2 Indiana physician after the physician has conducted a physical
3 examination of the school bus driver or prospective school bus driver.
4 The physician shall be chosen by the school bus driver or prospective
5 driver, who shall pay for the examination.

6 SECTION 4. **An emergency is declared for this act.**

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