



April 8, 2013

ENGROSSED
SENATE BILL No. 421

DIGEST OF SB 421 (Updated April 4, 2013 10:32 am - DI 116)

Citations Affected: IC 9-19; IC 20-27.

Synopsis: School bus safety. Requires the state school bus committee (committee) to have a regular meeting once each quarter (current law requires a meeting each month). Requires the committee to adopt and enforce rules to require that a school bus driver operating a school bus equipped with safety belts do the following at least once a semester: (1) Provide instruction to the passengers on the school bus on the proper fastening of the safety belt about the passenger's body. (2) Conduct a passenger evacuation drill. Provides that the failure to provide the instruction or conduct the drill subjects: (1) an employee of a school corporation to removal from employment; and (2) a person operating a school bus under contract to cancellation of the contract. Provides that before a governing body may purchase a school bus equipped with safety belts, the governing body must conduct a public hearing to explain why the governing body is purchasing the school bus rather than using the purchase money for other student safety measures.

Effective: July 1, 2013.

Rogers, Becker, Banks, Grooms, Paul
(HOUSE SPONSORS — SOLIDAY, PRYOR)

January 10, 2013, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

February 19, 2013, reported favorably — Do Pass.

February 21, 2013, read second time, ordered engrossed.

February 22, 2013, engrossed.

February 25, 2013, read third time, passed. Yeas 39, nays 11.

HOUSE ACTION

March 4, 2013, read first time and referred to Committee on Education.

April 8, 2013, amended, reported — Do Pass.

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ES 421—LS 6331/DI 96+



April 8, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 421

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 9-19-13-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. An officer or
3 employee of a school corporation who:
4 (1) violates any of the rules, **including those required by**
5 **IC 20-27-3-6.5**, adopted by the state school bus committee
6 concerning the design and operation of school buses; or
7 (2) fails to include an obligation to comply with those rules in a
8 contract executed by the officer or employee on behalf of a school
9 corporation;
10 is guilty of misconduct and subject to removal from office or
11 employment.
12 SECTION 2. IC 9-19-13-3 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. A person operating
14 a school bus under contract with a school corporation who fails to
15 comply with any of the rules, **including those required by**
16 **IC 20-27-3-6.5**, adopted by the state school bus committee concerning
17 the design and operation of school buses is guilty of breach of contract.

ES 421—LS 6331/DI 96+



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1 The contract may be canceled after notice and hearing by responsible
2 officers of the school corporation.

3 SECTION 3. IC 20-27-3-3, AS ADDED BY P.L.1-2005, SECTION
4 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
5 2013]: Sec. 3. (a) The committee:

- 6 (1) shall hold one (1) regular meeting each ~~month~~; **quarter**; and
- 7 (2) may hold special meetings as the chairperson considers
- 8 necessary.

9 (b) Four (4) voting members of the committee constitute a quorum
10 for the transaction of official business.

11 SECTION 4. IC 20-27-3-6.5 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2013]: **Sec. 6.5. The committee shall adopt and enforce rules**
14 **under IC 4-22-2 to require that a school bus driver operating a**
15 **school bus do the following at least one (1) time each semester:**

- 16 (1) **If the school bus is equipped with safety belts meeting the**
17 **standards set forth in IC 9-19-10-2, provide instruction to the**
18 **passengers on the school bus on the proper fastening of the**
19 **safety belt about the passenger's body.**
- 20 (2) **Conduct a school bus passenger evacuation drill.**

21 SECTION 5. IC 20-27-4-9 IS ADDED TO THE INDIANA CODE
22 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
23 1, 2013]: **Sec. 9. (a) This section does not apply to the purchase of**
24 **a special purpose bus.**

25 (b) **Before a school corporation may purchase a school bus that**
26 **is equipped with safety belts, the governing body must conduct a**
27 **public hearing to explain why the governing body is purchasing the**
28 **school bus equipped with safety belts rather than using the**
29 **purchase money for other student safety measures in the school**
30 **corporation.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 421, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 421 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 421, 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, after line 20, begin a new paragraph and insert:

"SECTION 5. IC 20-27-4-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 9. (a) This section does not apply to the purchase of a special purpose bus.**

(b) Before a school corporation may purchase a school bus that is equipped with safety belts, the governing body must conduct a public hearing to explain why the governing body is purchasing the school bus equipped with safety belts rather than using the purchase money for other student safety measures in the school corporation."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 421 as printed February 20, 2013.)

BEHNING, Chair

Committee Vote: yeas 8, nays 5.

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