



February 20, 2004

**ENGROSSED
HOUSE BILL No. 1253**

DIGEST OF HB 1253 (Updated February 18, 2004 2:45 pm - DI 71)

Citations Affected: IC 20-9.1.

Synopsis: Special purpose school buses. Allows a school corporation to use special purpose buses to provide regular transportation of school children from one school to another school.

Effective: July 1, 2004.

Robertson, Goodin, Thompson

(SENATE SPONSORS — SERVER, YOUNG R)

January 15, 2004, read first time and referred to Committee on Education.
January 26, 2004, amended, reported — Do Pass.
January 29, 2004, read second time, ordered engrossed. Engrossed.
February 2, 2004, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

February 3, 2004, read first time and referred to Committee on Education and Career Development.
February 19, 2004, reported favorably — Do Pass.

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EH 1253—LS 7001/DI 109+



February 20, 2004

Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1253

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 20-9.1-1-4.5, AS AMENDED BY P.L.129-2002,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]: Sec. 4.5. As used in this article, the term "special
4 purpose bus" means any motor vehicle designed and constructed:
5 (1) for the accommodation of more than ten (10) passengers;
6 (2) that:
7 (A) meets the federal school bus safety requirements under 49
8 U.S.C. 30125 except the:
9 (i) stop signal arm required under federal motor vehicle
10 safety standard (FMVSS) no. 131; and
11 (ii) flashing lamps required under federal motor vehicle
12 safety standard (FMVSS) no. 108;
13 (B) when owned by a school corporation and used to transport
14 children, complies with the Federal Motor Carrier Safety
15 Regulations as prescribed by the United States Department of
16 Transportation Federal Motor Carrier Safety Administration as
17 set forth in 49 CFR Chapter III Subchapter B; or

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EH 1253—LS 7001/DI 109+



1 (C) when owned by a school corporation and used to transport
 2 children, is a motor coach type bus with a capacity of thirty
 3 (30) or more passengers and a gross vehicle weight rating
 4 greater than twenty-six thousand (26,000) pounds; and
 5 (3) that is used by a school corporation for transportation
 6 purposes ~~not appropriate for school buses: under IC 20-9.1-5-2.6.~~
 7 SECTION 2. IC 20-9.1-5-2.6 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2.6. (a) A special
 9 purpose bus:
 10 (1) may ~~not~~ be used by a school corporation to provide regular
 11 transportation of school children ~~other than those provided for in~~
 12 ~~subdivision (3): between their residence and the school; between~~
 13 **one (1) school and another school but not between their**
 14 **residence and the school.**
 15 (2) may be used to transport school children and their supervisors,
 16 including coaches, managers, and sponsors to athletic, other
 17 extracurricular school activities, and field trips; and
 18 (3) may be used by a school corporation to provide transportation
 19 **between their residence and the school** for persons enrolled in
 20 a special program for the habilitation or rehabilitation of
 21 developmentally disabled or physically disabled persons.
 22 (b) The mileage limitation of section 2 of this chapter does not apply
 23 to special purpose buses.
 24 (c) The operator of a special purpose bus must be at least
 25 twenty-one (21) years of age, must be authorized by the school
 26 corporation, and must meet the following requirements:
 27 (1) If the bus has a capacity of less than sixteen (16) passengers,
 28 the operator must hold a valid operator's, chauffeur's, or public
 29 passenger chauffeur's license.
 30 (2) If the bus has a capacity of more than fifteen (15) passengers,
 31 the operator must meet the requirements for a school bus driver
 32 set out in IC 20-9.1-3.
 33 (d) A special purpose bus is not required to be constructed,
 34 equipped, or painted as specified for school buses under this article or
 35 by the rules of the state school bus committee.
 36 (e) An owner or operator of a special purpose bus, other than one
 37 owned or operated by a school corporation or a private school, is
 38 subject to IC 8-2.1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1253, 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 11, delete "**and enrollees**".

Page 2, line 12, strike "provided for in subdivision (3):".

Page 2, line 13, delete "**(A)**".

Page 2, line 13, strike "between their residence and the school;".

Page 2, line 13, delete "**and**" and insert "**between one (1) school and another school but not between their residence and the school.**".

Page 2, run in lines 12 through 13.

Page 2, delete line 14.

Page 2, line 18, after "transportation" insert "**between their residence and the school**".

and when so amended that said bill do pass.

(Reference is to HB 1253 as introduced.)

PORTER, Chair

Committee Vote: yeas 12, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1253, 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 House Bill 1253 as printed January 27, 2004.)

KENLEY, Chairperson

Committee Vote: Yeas 8, Nays 0.

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