

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.

HOUSE ENROLLED ACT No. 1253

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-9.1-1-4.5, AS AMENDED BY P.L.129-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4.5. As used in this article, the term "special purpose bus" means any motor vehicle designed and constructed:

- (1) for the accommodation of more than ten (10) passengers;
- (2) that:
 - (A) meets the federal school bus safety requirements under 49 U.S.C. 30125 except the:
 - (i) stop signal arm required under federal motor vehicle safety standard (FMVSS) no. 131; and
 - (ii) flashing lamps required under federal motor vehicle safety standard (FMVSS) no. 108;
 - (B) when owned by a school corporation and used to transport children, complies with the Federal Motor Carrier Safety Regulations as prescribed by the United States Department of Transportation Federal Motor Carrier Safety Administration as set forth in 49 CFR Chapter III Subchapter B; or
 - (C) when owned by a school corporation and used to transport children, is a motor coach type bus with a capacity of thirty (30) or more passengers and a gross vehicle weight rating greater than twenty-six thousand (26,000) pounds; and
- (3) that is used by a school corporation for transportation

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purposes ~~not~~ appropriate for school buses. **under IC 20-9.1-5-2.6.**
SECTION 2. IC 20-9.1-5-2.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2.6. (a) A special purpose bus:

(1) may ~~not~~ be used by a school corporation to provide regular transportation of school children ~~other than those provided for in subdivision (3): between their residence and the school; between one (1) school and another school but not between their residence and the school;~~

(2) may be used to transport school children and their supervisors, including coaches, managers, and sponsors to athletic, other extracurricular school activities, and field trips; and

(3) may be used by a school corporation to provide transportation **between their residence and the school** for persons enrolled in a special program for the habilitation or rehabilitation of developmentally disabled or physically disabled persons.

(b) The mileage limitation of section 2 of this chapter does not apply to special purpose buses.

(c) The operator of a special purpose bus must be at least twenty-one (21) years of age, must be authorized by the school corporation, and must meet the following requirements:

(1) If the bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid operator's, chauffeur's, or public passenger chauffeur's license.

(2) If the bus has a capacity of more than fifteen (15) passengers, the operator must meet the requirements for a school bus driver set out in IC 20-9.1-3.

(d) A special purpose bus is not required to be constructed, equipped, or painted as specified for school buses under this article or by the rules of the state school bus committee.

(e) An owner or operator of a special purpose bus, other than one owned or operated by a school corporation or a private school, is subject to IC 8-2.1.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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