
HOUSE BILL No. 1147

DIGEST OF INTRODUCED BILL

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

Synopsis: Physical characteristics of school bus monitors. Makes certain conditions for employment relating to physical characteristics inapplicable to school bus monitors. (Under current law, those conditions apply to both school bus drivers and school bus monitors.) Makes corresponding technical corrections.

Effective: Upon passage.

Herrell

January 7, 2010, read first time and referred to Committee on Education.

C
O
P
Y



Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

C
o
p
y

HOUSE BILL No. 1147



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 AMENDED BY P.L.1-2009,
2 SECTION 123, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: Sec. 30. Each common carrier
4 contract made under section 29 of this chapter must provide the
5 following:

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

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

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



- 1 (1) Is of good moral character.
 2 (2) Does not use intoxicating liquor during school hours.
 3 (3) Does not use intoxicating liquor to excess at any time.
 4 (4) Is not addicted to any narcotic drug.
 5 (5) Is at least:
 6 (A) twenty-one (21) years of age for driving a school bus; or
 7 (B) eighteen (18) years of age for employment as a school bus
 8 monitor.
 9 (6) In the case of a school bus driver:
 10 (A) holds a valid public passenger chauffeur's license or
 11 commercial driver's license issued by the state or any other
 12 state; **and**
 13 ~~(7)~~ (B) possesses the following required physical
 14 characteristics:
 15 ~~(A)~~ (i) Sufficient physical ability to be a school bus driver,
 16 as determined by the committee.
 17 ~~(B)~~ (ii) The full normal use of both hands, both arms, both
 18 feet, both legs, both eyes, and both ears.
 19 ~~(C)~~ (iii) Freedom from any communicable disease that ~~(7)~~
 20 may be transmitted through airborne or droplet means or ~~(7)~~
 21 requires isolation of the infected person under 410
 22 IAC 1-2.3.
 23 ~~(D)~~ (iv) Freedom from any mental, nervous, organic, or
 24 functional disease that might impair the person's ability to
 25 properly operate a school bus.
 26 ~~(E)~~ (v) Visual acuity, with or without glasses, of at least
 27 20/40 in each eye and a field of vision with one hundred
 28 fifty (150) degree minimum and with depth perception of at
 29 least eighty percent (80%).
 30 (b) This subsection applies to a school bus monitor.
 31 Notwithstanding subsection (a)(5)(B), a school corporation or school
 32 bus driver may not employ an individual who is less than twenty-one
 33 (21) years of age as a school bus monitor unless the school corporation
 34 or school bus driver does not receive a sufficient number of qualified
 35 applicants for employment as a school bus monitor who are at least
 36 twenty-one (21) years of age. A school corporation or school bus driver
 37 shall maintain a record of applicants, their ages, and their qualifications
 38 to show compliance with this subsection.
 39 SECTION 3. IC 20-27-8-4, AS AMENDED BY P.L.82-2009,
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 UPON PASSAGE]: Sec. 4. An individual who is or intends to become
 42 a school bus driver must obtain a physical examination certificate

C
O
P
Y



1 stating that the individual possesses the physical characteristics
2 required by section ~~1(a)(7)~~ **1(a)(6)(B)** of this chapter. The certificate
3 shall be made by a physician who is licensed in Indiana or a state
4 bordering Indiana after the physician has conducted a physical
5 examination of the school bus driver or prospective school bus driver.
6 The physician shall be chosen by the school bus driver or prospective
7 driver, who shall pay for the examination.

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

**C
o
p
y**

