



February 1, 2011

## SENATE BILL No. 406

DIGEST OF SB 406 (Updated January 27, 2011 9:25 am - DI 71)

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

**Synopsis:** School buses. 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 person operating a school bus equipped with safety belts provide instruction to the passengers on the school bus at least one time a semester on the proper fastening of the safety belt about the passenger's body and to conduct an emergency passenger evacuation drill at least one time a semester. 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.

**Effective:** July 1, 2011.

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**Rogers, Kruse**

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January 11, 2011, read first time and referred to Committee on Education and Career Development.  
January 31, 2011, amended, reported favorably — Do Pass.

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SB 406—LS 6525/DI 96+



February 1, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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## SENATE BILL No. 406

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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, 2011]: Sec. 2. An officer or  
3 employee of a school corporation who:  
4 (1) violates any of the rules, **including those adopted as**  
5 **required by IC 20-27-3-6.5**, adopted by the state school bus  
6 committee concerning the design and operation of school buses;  
7 or  
8 (2) fails to include an obligation to comply with those rules in a  
9 contract executed by the officer or employee on behalf of a school  
10 corporation;  
11 is guilty of misconduct and subject to removal from office or  
12 employment.  
13 SECTION 2. IC 9-19-13-3 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. A person operating  
15 a school bus under contract with a school corporation who fails to  
16 comply with any of the rules, **including those adopted as required by**  
17 **IC 20-27-3-6.5**, adopted by the state school bus committee concerning

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1 the design and operation of school buses is guilty of breach of contract.  
2 The contract may be canceled after notice and hearing by responsible  
3 officers of the school corporation.

4 SECTION 3. IC 20-27-3-3, AS ADDED BY P.L.1-2005, SECTION  
5 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
6 2011]: Sec. 3. (a) The committee:

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

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

12 SECTION 4. IC 20-27-3-6.5 IS ADDED TO THE INDIANA CODE  
13 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
14 **1, 2011]: Sec. 6.5. (a) The committee shall adopt and enforce rules**  
15 **under IC 4-22-2 to require that a person operating a school bus**  
16 **that is equipped with safety belts meeting the standards set forth**  
17 **in IC 9-19-10-2 provide instruction to the passengers on the school**  
18 **bus at least one (1) time a semester on the proper fastening of the**  
19 **safety belt about the passenger's body.**

20 (b) **The committee shall adopt and enforce rules under IC 4-22-2**  
21 **to require that a person operating a school bus conduct a school**  
22 **bus passenger evacuation drill at least one (1) time a semester.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 20-27-3-3, AS ADDED BY P.L. 1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) The committee:

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

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

Page 2, line 6, after "6.5." insert "(a)".

Page 2, between lines 11 and 12, begin a new paragraph and insert:

**"(b) The committee shall adopt and enforce rules under IC 4-22-2 to require that a person operating a school bus conduct a school bus passenger evacuation drill at least one (1) time a semester."**

Page 2, delete lines 12 through 42.

Delete page 3.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 406 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 0.

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