

HOUSE BILL 105

IN THE HOUSE

January 10, 1979	Introduced and referred to Committee on Education.
February 19, 1979	Committee recommend bill, do not pass.
February 20, 1979	Report adopted. Objection.
February 23, 1979	Second reading, as amended, do not pass.

1 *House* BILL NO. 105
2 INTRODUCED BY *James Burnett, J. J. Johnson, John...*

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MINIMUM
5 STANDARDS FOR SCHOOL BUSES; AMENDING SECTION 20-10-111,
6 MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 20-10-111, MCA, is amended to read:

10 "20-10-111. Duties of board of public education. (1)
11 The board of public education, by and with the advice of the
12 Montana division of motor vehicles and the superintendent of
13 public instruction, shall adopt and enforce policies, not
14 inconsistent with the motor vehicle laws, to provide uniform
15 standards and regulations for the design, construction, and
16 operation of school buses in the state of Montana. Such
17 policies shall:

18 (a) prescribe minimum standards for the design and
19 construction of school buses not inconsistent with:

20 (i) minimum standards adopted by the national
21 commission on safety education; or

22 (ii) minimum standards adopted by the national highway
23 safety bureau;

24 (b) prescribe standards and specifications for the
25 lighting equipment and special warning devices to be carried

1 by school buses in conformity with:

2 (i) current specifications approved by the society of
3 automobile engineers;

4 (ii) motor vehicle laws; and

5 (iii) the requirement that all school buses shall have
6 an alternately flashing prewarning lighting system of four
7 amber signal lamps to be used while preparing to stop and an
8 alternately flashing warning lighting system of four red
9 signal lamps to be used while stopped in accordance with
10 61-9-402;

11 (c) establish any other driver qualifications that may
12 be deemed necessary in addition to the qualifications
13 required in 20-10-103;

14 (d) prescribe criteria for the establishment of
15 transportation service areas for school bus purposes by the
16 county transportation committee which shall allow for the
17 establishment of such areas without regard to the district
18 boundary lines within the county;

19 (e) prescribe any other criteria for the determination
20 of the residence of a pupil that may be deemed necessary in
21 addition to the criteria established in 20-10-105;

22 (f) prescribe any other policies for the operation of
23 school buses which are not inconsistent with:

24 (i) motor vehicle laws;

25 (ii) minimum standards adopted for school bus operation

1 by the national commission on safety education;
 2 (iii) highway safety standards; and
 3 (iv) the transportation provisions of this title;
 4 (v) prescribe standards for the measurement of the
 5 child seating capacity of school buses, to be known as the
 6 "rated capacity".

7 ~~(2) The board of public education shall grant~~
 8 ~~permission to the trustees of any district to use a school~~
 9 ~~bus that does not meet the minimum standards of subsections~~
 10 ~~(1)(a)(i) and (ii) when:~~

11 ~~(a) the trustees of a district, the patrons of an~~
 12 ~~affected school bus route, and the school bus contractor (if~~
 13 ~~one exists) of an affected school bus route declare, in~~
 14 ~~writing, that a modification in the minimum standards is~~
 15 ~~necessary and the most practical solution to meet emergency~~
 16 ~~conditions;~~

17 ~~(b) the school bus to be employed will not be used on~~
 18 ~~routes that transport more than 8 pupils daily; and~~

19 ~~(c) the school bus designated by the district trustees~~
 20 ~~for use on such routes will be inspected and approved for~~
 21 ~~safety by the Montana highway patrol in accordance with~~
 22 ~~motor vehicle laws.~~

23 ~~(3) When a school bus qualifies under the provisions~~
 24 ~~of subsection (2), reimbursements to districts shall be the~~
 25 ~~same as provided for in 20-10-141(2)(a).~~

1 ~~(2)(4)~~ The board of public education shall prescribe
 2 any other policy necessary for the proper administration and
 3 operation of individual transportation programs that are not
 4 inconsistent with the transportation provisions of this
 5 title."

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