

HOUSE BILL 265

IN THE HOUSE

January 19, 1979

Introduced and referred to
Committee on Education and
Cultural Resources.

February 15, 1979

Committee recommend bill,
do not pass.

February 16, 1979

Report adopted.

1 HOUSE BILL NO. 265
2 INTRODUCED BY Holmes Down

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A
5 TRANSPORTATION FEE TO ALL ELIGIBLE TRANSPORTEES; REVISING
6 THE DEFINITION OF AN ELIGIBLE TRANSPORTEE; AND AMENDING
7 SECTION 20-10-101, MCA."

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

10 NEW SECTION. Section 1. Transportation fee. (1) The
11 trustees of any district may, at their discretion, charge up
12 to \$25 a school year for transportation of an eligible
13 transportee who attends a school of the district. Whenever
14 the trustees of a district charge any eligible transportee a
15 fee, the trustees must charge the fee to all eligible
16 transportees of the district.

17 (2) The trustees of any district may, at their
18 discretion, waive or reduce the fee provided for in
19 subsection (1) when:

20 (a) the fee would place a significant financial burden
21 upon a parent or guardian; or

22 (b) more than one eligible transportee resides with a
23 parent or guardian.

24 Section 2. Section 20-10-101, MCA, is amended to read:
25 "20-10-101. Definitions. As used in this title, unless

1 the context clearly indicates otherwise, the following
2 definitions apply:

3 (1) "Transportation" shall mean:

4 (a) a district's conveyance of a pupil by a school bus
5 between his legal residence and the school designated by the
6 trustees for his attendance;

7 (b) a district's conveyance of a pupil by a school bus
8 between his regular school of attendance and the
9 vocational-technical secondary schools designated by the
10 trustees for his attendance if the secondary school is
11 located in some other school district; or

12 (c) "individual transportation" whereby a district is
13 relieved of actually conveying a pupil. Such individual
14 transportation may include paying the parent or guardian for
15 conveying the pupil, reimbursing the parent or guardian for
16 the pupil's board and room, or providing supervised
17 correspondence study or supervised home study.

18 (2) An "eligible transportee" shall mean a public
19 school pupil who:

20 (a) is not less than 5 years of age nor has attained
21 his 1st birthday;

22 (b) is a resident of the state of Montana;

23 (c) regardless of district and county boundaries;

24 (i) resides at least 3 miles, over the shortest
25 practical route, from the nearest operating public

1 elementary school or public high school, whichever the case
2 may be; and or

3 ~~(ii) in walking over the shortest practical route to~~
4 ~~the nearest operating public elementary school or public~~
5 ~~high school, whichever the case may be, would be compelled~~
6 ~~to walk along or cross busy streets that could endanger the~~
7 ~~pupil; and~~

8 (d) is deemed by law to reside with his parent or
9 guardian who maintains legal residence within the boundaries
10 of the district furnishing the transportation regardless of
11 where the eligible transportee actually lives when attending
12 school.

13 (3) A "school bus" shall mean any motor vehicle which
14 is owned by a district or other public agency or by a
15 carrier under contract with such a district or public agency
16 and which complies with the bus standards established by the
17 board of public education as determined by the Montana
18 division of motor vehicles' semiannual inspection of school
19 buses and the superintendent of public instruction."

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