

HOUSE BILL NO. 89

Introduced: 01/05/83

Referred to Committee on Education & Cultural Resources:
01/05/83

Hearing: 1/14/83

Report: 01/22/83, Do Not Pass

Bill Killed: 01/24/83

1 *House* BILL NO. *89*
2 INTRODUCED BY *Bill Hand* *Joe Brown* *Nancy Keenan*
3 *Boyer*

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE USE OF
5 PRIVATELY OWNED VEHICLES FOR TRANSPORTING STUDENTS TO AND
6 FROM EXTRACURRICULAR ACTIVITIES; AMENDING SECTION 20-10-111,
7 MCA."

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

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

11 "20-10-111. Duties of board of public education. (1)

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

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

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

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

25 (b) prescribe standards and specifications for the

1 lighting equipment and special warning devices to be carried
2 by school buses in conformity with:

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

5 (ii) motor vehicle laws; and

6 (iii) the requirement that all school buses shall have
7 an alternately flashing prewarning lighting system of four
8 amber signal lamps to be used while preparing to stop and an
9 alternately flashing warning lighting system of four red
10 signal lamps to be used while stopped in accordance with
11 61-9-402;

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

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

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

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

25 (i) motor vehicle laws;

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

8 (2) The board of public education may grant permission
 9 to the trustees of any district to use for transportation a
 10 four-wheel drive vehicle capable of transporting eight
 11 passengers or less that meets the minimum standards for
 12 these vehicles as prescribed by the board of public
 13 education if this type of vehicle will not be used to
 14 transport more than eight pupils per trip.

15 ~~(3) The board of public education may grant permission~~
 16 ~~to the trustees of any district to use for transportation to~~
 17 ~~and from extracurricular school functions a private vehicle,~~
 18 ~~capable of transporting eight or fewer persons, that meets~~
 19 ~~the minimum standards for these vehicles as prescribed by~~
 20 ~~the board of public education.~~

21 ~~(3)(4)~~ Whenever the board of public education grants
 22 the trustees of a district permission to use a four-wheel
 23 drive vehicle under the provisions of subsection (2), ~~or a~~
 24 ~~private vehicle under the provisions of subsection (3),~~ the
 25 reimbursement to the district shall be based on the

1 on-schedule rate of 20 cents per mile.

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

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