

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1155
Committee Substitute Favorable 6/1/05
Senate Education/Higher Education Committee Substitute Adopted 7/26/06

Short Title: Safe Transportation for School Students. (Public)

Sponsors:

Referred to:

April 7, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH
3 CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN
4 SCHOOL-SPONSORED TRAVEL.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 115C-247 reads as rewritten:
7 "**§ 115C-247. Purchase of activity buses by local boards.**

8 The several local boards of education in the State are hereby authorized and
9 empowered to take title to school buses purchased with local or community funds for
10 the purpose of transporting pupils to and from athletic events and for other local school
11 activity purposes, and commonly referred to as activity buses. ~~The buses.~~

12 Each local board of education that operates activity buses shall adopt a policy
13 relative to the proper use of the vehicles. The policy shall permit the use of these buses
14 for travel to athletic events during the regular season and playoffs and for travel to other
15 school-sponsored activities.

16 The provisions of G.S. 115C-42 shall be fully applicable to the ownership and
17 operation of such activity school buses. Activity buses may also be used as provided in
18 G.S. 115C-243."

19 **SECTION 2.** The Department of Public Instruction, in cooperation with the
20 Department of Transportation, shall develop a program for issuing a statewide permit to
21 commercial motor coach companies that seek to contract with local school systems for
22 the transportation of students, school personnel, and other persons authorized by the
23 school system for school-sponsored trips. This program is intended to provide
24 commercial motor coach companies with a single permit that can be used statewide and
25 will be an alternative to the current system that requires motor coach companies to meet
26 the varying requirements of each school system that they contract with for such
27 transportation services. The Department of Public Instruction shall review and amend
28 the recommended guidelines and procedures for school charter transportation, adopted

1 by the School Charter Transportation Safety Committee in December 2004, to meet the
2 requirements of the new permit program.

3 The requirements of the program shall include, but not be limited to, all of the
4 following:

- 5 (1) The motor coach company demonstrates compliance with the Federal
6 Motor Carrier Safety Regulations (FMCSR) as evidenced by a prior
7 on-site examination of its motor carrier operation in which the
8 company received a safety fitness rating of "satisfactory" in
9 accordance with 49 C.F.R. Part 385.
- 10 (2) The previously issued "satisfactory" safety rating is current at the time
11 the local board of education contracts for services.
- 12 (3) The motor coach company has not had an out-of-service order issued
13 against it within the prior 12 months.
- 14 (4) The requirement that the motorcoach companies adhere to the motor
15 vehicle laws of the jurisdiction in which they are operating.
- 16 (5) The collection of a reasonable fee to offset the costs of implementing
17 and maintaining the program.
- 18 (6) The consideration of the needs of schools that serve large populations
19 of students with special needs.

20 The Department of Public Instruction, in establishing the program, shall
21 consult with the North Carolina State Highway Patrol, the North Carolina School
22 Boards Association, the Federal Motor Carrier Safety Administration, the North
23 Carolina Motorcoach Association, the North Carolina PTA, and other interested parties
24 to discuss the proposed requirements of the program.

25 The Department of Public Instruction shall report to the Joint Legislative
26 Education Oversight Committee by November 15, 2006, on development of the
27 program. The Committee shall report its findings, together with any recommended
28 legislation, including the amount of any reasonable fees, to the 2007 General Assembly
29 upon its convening.

30 **SECTION 3.** This act is effective when it becomes law.