HLS 19RS-291 REENGROSSED

2019 Regular Session

HOUSE BILL NO. 156

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BY REPRESENTATIVE PUGH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

MTR VEHICLE/BUSES-SCHOOL: Revises provisions related to school buses

2 To amend and reenact R.S. 17:164 and R.S. 32:289(B) and to enact R.S. 17:3996(A)(18), 3 (19), and (20), relative to school buses; to provide relative to regulations for the 4 construction, design, equipment, and operation of school buses; to provide that 5 certain rules and regulations relative to school buses and school bus operators shall 6 apply to charter schools; and to provide for related matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 17:164 is hereby amended and reenacted and R.S. 17:3996(A)(18), 9 (19), and (20) are hereby enacted to read as follows: 10 §164. Regulations relating to construction, design, equipment, and operation of school busses buses 11 12 The Louisiana state board of education is authorized, directed and 13 empowered to The State Board of Elementary and Secondary Education, hereafter 14 referred to in this Section as the "state board", shall establish and adopt regulations 15 relating to for the construction, design, equipment, and operation of school busses 16 buses used in transportation of students to and from school. Such regulations shall 17 be provided to encourage competition and in no event shall be devised, worded, or 18 construed so as to restrict competition among manufacturers of school bus bodies, 19 chassis, or other equipment or to benefit or favor in any way a particular 20 manufacturer or group of manufacturers of such bus bodies, chassis, or other

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equipment, either directly including by reference to detail of design peculiar specific to a particular manufacturer or group of manufacturers; providing, any school bus manufacturers. A school bus body, chassis, or equipment that meets the latest revised minimum standards for school buses adopted and recommended by the National Conference Congress on School Transportation, sponsored by the National Council of Chief State School Officers, the American Association of School Administrators, NEA, the Department of Rural Education, NEA, and the U.S. Office of Education National Association of State Directors of Pupil Transportation Services, the National Association for Pupil Transportation, the National School Transportation Association, the School Transportation section of the National Safety Council, and the School Bus Manufacturers Technical Council, shall be deemed in compliance with any such regulations adopted by the Louisiana state board of education; providing such rules and regulations as heretofore provided for shall not apply to any feeder busses in operation in the State. the regulations adopted pursuant to this Section. Such regulations shall not apply to feeder buses in operation in this state.

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§3996. Charter schools; exemptions; requirements

A. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all rules and regulations of the state board and those of any local school board that are applicable to public schools and to public school officers and employees except for the following rules and regulations otherwise applicable to public schools regarding:

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(18) School bus specifications and inspection requirements.

(19) School bus operational procedures.

1 (20) School bus operator and bus attendant pre-employment screening and 2 training requirements. 3 4 Section 2. R.S. 32:289(B) is hereby amended and reenacted to read as follows: 5 §289. Cellular radio telecommunication device use by operators of school 6 buses prohibited; penalties 7 8 B. For purposes of this Section, "cellular radio telecommunication 9 device" shall mean a device capable of sending or receiving telephone 10 communications without an access line for service and which requires the 11 operator to dial numbers manually or by voice recognition. It does not 12 include citizens band radios or citizens band radio hybrids or any device with a push-to-talk function used in a similar manner as a citizens band radio or 13 14 a citizens band radio hybrid. 15

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 156 Reengrossed

2019 Regular Session

Pugh

Abstract: Provides relative to regulations and standards for the construction, design, equipping, and operation of school buses. Provides for the use of certain radio telecommunication devices by school bus operators.

<u>Present law</u> requires the State Board of Elementary and Secondary Education (BESE) to adopt regulations for the construction, design, equipment, and operation of school buses. Provides that a school bus that meets the latest revised minimum standards for school buses adopted and recommended by certain national entities is in compliance with the BESE regulations. <u>Proposed law</u> changes <u>present law</u> references to the national groups and associations that have adopted and recommended the most recent revised minimum standards for school buses. Otherwise retains present law.

<u>Proposed law</u> provides that BESE rules and regulations relative to school bus specifications and inspection requirements, operational procedures, and school bus operator and bus attendant pre-employment screening and training requirements apply to charter schools.

<u>Present law</u> prohibits a school bus operator from engaging in a call on a cellular radio telecommunication device while driving a school bus. Provides exceptions in certain emergency situations. Defines cellular radio telecommunication device. Specifies that

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citizens band radios and citizens band radio hybrids are not cellular radio telecommunication devices. Proposed law adds that a device with a push-to-talk function used in a similar manner as a citizens band radio or a citizens band radio hybrid is not a cellular radio telecommunication device.

(Amends R.S. 17:164 and R.S. 32:289(B); Adds R.S. 17:3996(A)(18), (19), and (20))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Add that a device with a push-to-talk function is not a cellular radio telecommunication device.
- 2. Make technical changes.