



SENATE BILL No. 1084

April 12 1994 Introduced by Senator DILLINGHAM and
referred to the Committee on Transportation and
Tourism

A bill to amend sections 5 7 10 and 10a of Act No 187 of
the Public Acts of 1990 entitled
"The pupil transportation act,"

section 7 as amended by Act No 227 of the Public Acts of 1992
and section 10a as added by Act No 322 of the Public Acts of
1990, being sections 257 1805, 257 1807 257 1810, and 257 1810a
of the Michigan Compiled Laws and to add section 20

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 5 7 10 and 10a of Act No 187 of the
2 Public Acts of 1990, section 7 as amended by Act No 227 of the
3 Public Acts of 1992 and section 10a as added by Act No 322 of
4 the Public Acts of 1990 being sections 257 1805 257 1807,
5 257 1810, and 257 1810a of the Michigan Compiled Laws, are
6 amended and section 20 is added to read as follows

1 Sec 5 (1) "INTERCITY COACH" MEANS ANY BUS USED FOR
2 CONTINUOUS HIGH SPEED TRAVEL THAT IS DESIGNED FOR MAXIMUM
3 PASSENGER COMFORT AND THAT HAS ALL OF THE FOLLOWING
4 CHARACTERISTICS

5 (A) A FULL WIDTH UNDERFLOOR BAGGAGE AREA HAVING NOT LESS
6 THAN 200 CUBIC FEET

7 (B) A UNIBODY CONSTRUCTED OF ALUMINUM AND STEEL

8 (C) A PASSENGER FLOOR LOCATED ABOVE THE CHASSIS

9 (D) AN AIR OR TORSION BAR SUSPENSION

10 (2) ~~-(1)-~~ "Modified school bus" means a school bus of any
11 age with a factory installed fuel system which has been modified
12 to operate on a fuel source other than gasoline or diesel fuel

13 (3) ~~-(2)-~~ "Nonpublic school" means a private school, a
14 denominational school, or a parochial school as defined by law
15 A NONPUBLIC SCHOOL DOES NOT INCLUDE A SCHOOL THAT PROVIDES A PRO-
16 GRAM THAT IS PRIMARILY FOR RELIGIOUS INSTRUCTION

17 (4) "PARENT" OR "PARENT'S DESIGNEE" MEANS A BIOLOGICAL OR
18 ADOPTIVE PARENT LEGAL GUARDIAN, STEPPARENT, OR ANY OTHER INDI-
19 VIDUAL TO WHOM THE PARENT OR LEGAL GUARDIAN DELEGATES CARE OF THE
20 PUPIL PARENT'S DESIGNEE DOES NOT INCLUDE A PERSON ACTING UNDER
21 CONTRACT WITH OR AS AN AGENT OF A SCHOOL

22 (5) ~~-(3)-~~ "Public school" means a local school district, a
23 local act school district, or an intermediate school district as
24 defined by law

25 (6) "PUBLIC TRANSIT AGENCY OR AUTHORITY" MEANS ANY OF THE
26 FOLLOWING

1 (A) A COUNTY CITY TOWNSHIP OR VILLAGE AS PROVIDED BY LAW,
2 OR OTHER AUTHORITY INCORPORATED UNDER ACT NO 55 OF THE PUBLIC
3 ACTS OF 1963, BEING SECTIONS 124 351 TO 124 359 OF THE MICHIGAN
4 COMPILED LAWS EACH AUTHORITY AND GOVERNMENTAL AGENCY INCORPO-
5 RATED UNDER ACT NO 55 OF THE PUBLIC ACTS OF 1963 SHALL HAVE THE
6 EXCLUSIVE JURISDICTION TO DETERMINE ITS OWN CONTEMPLATED ROUTES,
7 HOURS OF SERVICE ESTIMATED TRANSIT VEHICLE MILES, COSTS OF
8 PUBLIC TRANSPORTATION SERVICES AND PROJECTED CAPITAL IMPROVE-
9 MENTS OR PROJECTS WITHIN ITS SERVICE AREA

10 (B) AN AUTHORITY INCORPORATED UNDER THE METROPOLITAN TRANS-
11 PORTATION AUTHORITIES ACT OF 1967 ACT NO 204 OF THE PUBLIC ACTS
12 OF 1967, BEING SECTIONS 124 401 TO 124 426 OF THE MICHIGAN
13 COMPILED LAWS, OR THAT OPERATES A TRANSPORTATION SERVICE PURSUANT
14 TO AN INTERLOCAL AGREEMENT UNDER THE URBAN COOPERATION ACT OF
15 1967, ACT NO 7 OF THE PUBLIC ACTS OF THE EXTRA SESSION OF 1967,
16 BEING SECTIONS 124 501 TO 124 512 OF THE MICHIGAN COMPILED LAWS

17 (C) ONE OR MORE AUTHORITIES OR MUNICIPAL CORPORATIONS OPER-
18 ATING UNDER A CONTRACT ENTERED INTO PURSUANT TO ACT NO 8 OF THE
19 PUBLIC ACTS OF THE EXTRA SESSION OF 1967 BEING SECTIONS 124 531
20 TO 124 536 OF THE MICHIGAN COMPILED LAWS OR ACT NO 35 OF THE
21 PUBLIC ACTS OF 1951 BEING SECTIONS 124 1 TO 124 13 OF THE
22 MICHIGAN COMPILED LAWS

23 (D) AN AUTHORITY INCORPORATED UNDER THE PUBLIC TRANSPORTA-
24 TION AUTHORITY ACT, ACT NO 196 OF THE PUBLIC ACTS OF 1986, BEING
25 SECTIONS 124 451 TO 124 479 OF THE MICHIGAN COMPILED LAWS, OR A
26 NONPROFIT CORPORATION ORGANIZED UNDER THE NONPROFIT CORPORATION
27 ACT, ACT NO 162 OF THE PUBLIC ACTS OF 1982 BEING SECTIONS

1 450 2101 TO 450 3192 OF THE MICHIGAN COMPILED LAWS, THAT PROVIDES
2 TRANSPORTATION SERVICES

3 (E) AN AUTHORITY FINANCING PUBLIC IMPROVEMENTS TO TRANSPOR-
4 TATION SYSTEMS UNDER THE REVENUE BOND ACT OF 1933, ACT NO 94 OF
5 THE PUBLIC ACTS OF 1933, BEING SECTIONS 141 101 TO 141 140 OF THE
6 MICHIGAN COMPILED LAWS

7 (7) "PUPIL" MEANS A PERSON ENROLLED IN A SCHOOL

8 (8) ~~-(4)-~~ "Pupil transportation vehicle" means any vehicle
9 other than a school bus ~~used to transport~~ WITH A MANUFACTURER'S
10 RATED SEATING CAPACITY OF 11 OR MORE PASSENGERS, INCLUDING THE
11 DRIVER, THAT IS USED TO TRANSPORT pupils to or from school or
12 school-related events BEFORE OCTOBER 1 1997 Pupil transporta-
13 tion vehicle does not include a COMMERCIAL vehicle AS DEFINED BY
14 SECTION 7 OF ACT NO 300 OF THE PUBLIC ACTS OF 1949, BEING SEC-
15 TION 257 7 OF THE MICHIGAN COMPILED LAWS THAT IS operated by a
16 ~~municipally owned transportation system or by a~~ carrier
17 ~~certified~~ CERTIFICATED by the state transportation department,
18 A BUS OPERATED BY A PUBLIC TRANSIT AGENCY OR AUTHORITY OR A
19 VEHICLE USED BY A PARENT OR A PARENT'S DESIGNEE TO TRANSPORT
20 CHILDREN TO OR FROM SCHOOL OR SCHOOL-RELATED EVENTS

21 (9) ~~-(5)-~~ "Rehabilitated school bus" means a bus which is at
22 least 4 years old and has accumulated at least 100 000 miles or
23 is 7 years old and which has been thoroughly inspected and had
24 all systems repaired replaced, or adjusted to meet the depart-
25 ment of state police inspection requirements including but not
26 limited to

- 1 (a) Engine overhaul of short block
- 2 (b) New tires on the front axle
- 3 (c) New recap tires on the rear axle
- 4 (d) New brake linings and drums
- 5 (e) New hydraulic brake lines
- 6 (f) New front and rear springs
- 7 (g) New paint in the interior
- 8 (h) New exhaust system

9 (10) ~~-(6)-~~ "Rule" means a rule promulgated pursuant to the
10 administrative procedures act of 1969, Act No 306 of the Public
11 Acts of 1969, being sections 24 201 to 24 328 of the Michigan
12 Compiled Laws

13 (11) ~~-(7)-~~ "School" means either a public school or a non-
14 public school, ~~-or both-~~ AN EARLY CHILDHOOD EDUCATION PROGRAM
15 APPROVED BY THE STATE BOARD OF EDUCATION, OR A HEAD START PROGRAM
16 APPROVED BY THE FEDERAL GOVERNMENT SCHOOL DOES NOT INCLUDE A
17 PUBLIC OR PRIVATE COLLEGE OR UNIVERSITY

18 Sec 7 (1) "School bus" means a motor vehicle other than
19 a ~~-station wagon or passenger van-~~ PUPIL TRANSPORTATION VEHICLE
20 OR AN INTERCITY COACH with a manufacturer's rated seating capac-
21 ity of ~~-16-~~ 11 or more passengers, INCLUDING THE DRIVER, used for
22 the transportation of ~~-school-~~ pupils to ~~-and-~~ OR from school
23 ~~-and-~~ OR school-related events which either is owned by a school
24 or ~~-, if owned by an entity other than a school, is transporting~~
25 ~~school-~~ IS USED TO TRANSPORT pupils under a contract ~~-or~~
26 ~~agreement-~~ with a school School bus does not include a vehicle
27 operated by a public transit agency or authority or by a carrier

1 certified by the state transportation department unless the
2 vehicle is used exclusively to transport ~~school~~ pupils or is
3 used to transport ~~school~~ pupils along a route designed to serve
4 1 or more schools in a school district if elementary school
5 pupils along the route are required to cross the highway or road-
6 way, as described in section 55 For the purposes of this act, a
7 parent, parent's designee, or guardian transporting their child
8 or another child with written permission of the other child's
9 parent or guardian on a school-related event, if not compensated
10 by the school, shall not be considered an agent of the school

11 (2) "SCHOOL TRANSPORTATION VEHICLE" MEANS EVERY MOTOR VEHI-
12 CLE WITH A MANUFACTURER'S RATED SEATING CAPACITY OF 10 PASSENGERS
13 OR LESS, INCLUDING THE DRIVER WHEN OPERATED FOR THE SCHEDULED
14 TRANSPORTATION OF PUPILS TO OR FROM SCHOOL OR SCHOOL-RELATED
15 EVENTS SCHOOL TRANSPORTATION VEHICLE DOES NOT INCLUDE A VEHICLE
16 USED BY A PARENT OR PARENT'S DESIGNEE TO TRANSPORT CHILDREN TO OR
17 FROM SCHOOL OR SCHOOL-RELATED EVENTS

18 (3) ~~(2)~~ "Type I school bus" means a school bus with a
19 gross vehicle weight rating of more than 10 000 pounds

20 (4) ~~(3)~~ "Type II school bus" means a school bus with a
21 gross vehicle rating of 10,000 pounds or less

22 (5) ~~(4)~~ "Type I premium school bus" means a school bus
23 with a passenger capacity of over 66 pupils and any other school
24 bus purchased by a district at a cost for the vehicle, excluding
25 interest and special equipment which exceeds by more than 15%
26 the average cost of a school bus meeting state minimum

1 specifications of the same capacity purchased during the same
2 year

3 Sec 10 (1) Each motor vehicle owned OR OPERATED by a
4 public ~~—~~ OR private ~~—~~~~or governmental agency and operated~~
5 SCHOOL, PRIVATE COMPANY, OR A UNIT OF GOVERNMENT for the trans-
6 portation of ~~—passengers—~~ PUPILS to or from school ~~—and—~~ OR
7 school-related events shall meet or exceed the passenger protec-
8 tion federal motor vehicle safety standards applicable to the
9 construction and sale of that vehicle A vehicle OPERATED BY A
10 SCHOOL OR SCHOOL APPROVED AGENT for which there are no
11 ~~—applicable—~~ passenger protection federal motor vehicle safety
12 standards FOR ALL SEATING POSITIONS shall not be used to trans-
13 port ~~—passengers—~~ PUPILS to ~~—and—~~ OR from school ~~—and—~~ OR
14 school-related events

15 (2) Vehicles ~~—, other than school buses shall meet the~~
16 ~~requirements of this section by~~ WITH A MANUFACTURER'S RATED
17 SEATING CAPACITY OF 11 OR MORE PASSENGERS INCLUDING THE DRIVER,
18 OTHER THAN A SCHOOL BUS, SHALL NOT BE USED TO TRANSPORT PUPILS TO
19 OR FROM SCHOOL OR SCHOOL-RELATED EVENTS AFTER October 1 1997,
20 EXCEPT AS PROVIDED IN SUBSECTION (4) AND SECTION 10A

21 (3) A school shall not purchase a vehicle to ~~be used to~~
22 transport ~~—passengers—~~ PUPILS to ~~—and—~~ OR from school ~~—and—~~ OR
23 school-related events HAVING A MANUFACTURER'S RATED SEATING
24 CAPACITY OF 11 OR MORE PASSENGERS, INCLUDING THE DRIVER, that
25 does not meet or exceed the passenger protection federal motor
26 vehicle safety standards applicable to that vehicle A school
27 shall not purchase a vehicle to be used to transport passengers

1 to ~~and~~ OR from school ~~and~~ OR school-related events for which
 2 there are no applicable passenger protection federal motor vehi-
 3 cle safety standards This subsection shall apply to vehicles,
 4 other than school buses purchased ~~on or after October 1 1993~~
 5 MORE THAN 45 DAYS AFTER ENACTMENT OF THIS 1992 AMENDATORY ACT

6 (4) ~~Vehicles~~ SUBSECTION (2) DOES NOT APPLY TO A COMMERCIAL
 7 VEHICLE OPERATED BY A CARRIER CERTIFICATED BY THE STATE TRANSPOR-
 8 TATION DEPARTMENT A BUS OPERATED BY A PUBLIC TRANSIT AGENCY OR
 9 AUTHORITY OR A VEHICLE used by ~~parents~~ A PARENT or a parent's
 10 designee to transport their children to ~~and~~ OR from school
 11 ~~and~~ OR school-related events ~~under contract with the school~~
 12 ~~are exempt from the requirements of this section~~

13 Sec 10a (1) A school ~~district~~ may ~~use a vehicle con-~~
 14 ~~structed to standards comparable to those used by Greyhound type~~
 15 ~~buses~~ CONTRACT FOR AN INTERCITY COACH TO BE USED for occasional
 16 transportation OF PUPILS to OR FROM school-related events —
 17 ~~provided that a contract for the construction and delivery of~~
 18 ~~that vehicle was entered into after January 1 1990 but before~~
 19 ~~the effective date of this act~~ This vehicle shall not be used
 20 for the regular route transportation of students to and from
 21 school and home—

22 (2) THE DEPARTMENT OF EDUCATION MAY AUTHORIZE THE USE OF AN
 23 INTERCITY COACH FOR THE REGULAR ROUTE TRANSPORTATION OF PUPILS TO
 24 OR FROM SCHOOL OR HOME UPON THE SHOWING OF UNUSUAL CIRCUMSTANCES
 25 WHICH MAY INCLUDE THE COMFORT OR PHYSICAL NEEDS OF PUPILS THE
 26 AUTHORIZATION SHALL BE IN WRITING AND CONTAIN SUCH CONDITIONS OR

1 RESTRICTIONS AS MAY BE NECESSARY TO SAFEGUARD THE WELFARE OF THE
2 PUPILS

3 SEC 20 (1) A SCHOOL BUS MANUFACTURED ON OR AFTER
4 SEPTEMBER 1 1992 SHALL NOT BE PURCHASED UNLESS IT IS EQUIPPED
5 WITH A STOP SIGNAL ARM HAVING 2 RED FLASHING LAMPS

6 (2) A SCHOOL BUS PURCHASED OR RETROFITTED WITH A STOP SIGNAL
7 ARM SHALL MEET THE REQUIREMENTS OF FEDERAL MOTOR VEHICLE SAFETY
8 STANDARD NO 131 BEING 49 C F R 571 131 FOR A STOP SIGNAL ARM
9 HAVING 2 RED FLASHING LAMPS

10 (3) A STOP SIGNAL ARM ON A SCHOOL BUS MEETING THE REQUIRE-
11 MENTS OF THIS SECTION SHALL BE AUTOMATICALLY ACTIVATED WHEN
12 FLASHING OVERHEAD RED LIGHTS ARE ACTIVATED PURSUANT TO FEDERAL
13 MOTOR VEHICLE SAFETY STANDARD NO 131, BEING 49 C F R 571 131

14 (4) A SCHOOL BUS SHALL NOT BE EQUIPPED WITH A STOP SIGNAL
15 ARM UNLESS EQUIPPED WITH THE LAMPS REQUIRED IN SECTION 19(2)

16 Section 2 This amendatory act shall take effect June 30,
17 1994