



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

PUPIL TRANS. VEHICLES

**House Bill 5431 as introduced
First Analysis (12-5-95)**

**Sponsor: Rep. William Byl
Committee: Transportation**

THE APPARENT PROBLEM:

The Pupil Transportation Act was enacted in 1990 to regulate the transportation of students on school buses and other vehicles, such as vans, used for school-related functions. The act currently specifies that each vehicle used to transport passengers to or from school-related events must meet the passenger protection federal motor vehicle safety standards applicable to that vehicle. (Vehicles used by parents to transport their children to and from school are exempt from these provisions.) Some schools, and particularly smaller nonpublic schools, often use vans or similar utility vehicles instead of school buses in order to save money. However, vehicles that were acquired prior to October 1, 1993, even if they are still in good shape, will have to be replaced by October 1, 1997, if they do not meet federal safety requirements. Because replacing these vehicles will be cost prohibitive for these schools, some people suggest amending the act to delay the date required for compliance to October 1, 2004.

THE CONTENT OF THE BILL:

The bill would amend the Pupil Transportation Act to revise the date when vehicles used to transport passengers to or from school and school-related events would have to comply with passenger protection federal motor carrier safety standards, from October 1, 1997, to October 1, 2004.

FISCAL IMPLICATIONS:

The House Fiscal Agency says the bill would have no fiscal impact on the state, and could decrease costs for local school districts. (12-4-95)

ARGUMENTS:

For:

The bill merely would move the date by which certain vehicles regulated by the Pupil Transportation Act, including utility vans, would need to comply with applicable passenger protection federal motor vehicle safety standards, from October 1, 1997, to October 1, 2004. Some public and nonpublic schools acquired such vehicles within the last five years, some as recently as 1993, which means many of them are still in good condition. If no change was made to the current date of compliance, these vehicles would have to be replaced at significant cost to the schools that own them.

Against:

Simply moving the date for having to comply with federal requirements would not alter the fact that these utility vans currently fall short of federal safety provisions for pupil transportation vehicles and would continue to under the bill. Not only do these types of vehicles pose risks for students riding in them, they present a liability problem for the schools owning them. If one of them were involved in an accident in which a student was seriously hurt or killed, it's likely that a case could be made that the vehicle's owner was culpable for owning a vehicle that did not meet federal safety requirements.

POSITIONS:

The Department of Education has not yet taken an official position on the bill. (12-4-95)

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