

HOUSE BILL No. 6347

November 10, 2004, Introduced by Rep. Kolb and referred to the Committee on Transportation.

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 3 and 7 (MCL 257.1803 and 257.1807), section 7 as amended by 2000 PA 49, and by adding sections 4 and 54.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. For the purposes of this act, the words and phrases
2 defined in sections ~~5~~ 4 to 7 ~~shall~~ have the meanings
3 respectively ascribed to them in those sections.

4 Sec. 4. (1) "Handicapped person" means that term as defined
5 in section 4 of the revised school code, 1976 PA 451, MCL 380.4.

6 (2) "Hybrid electric vehicle" means that term as defined in
7 section 2 of the Michigan next energy authority act, 2002 PA 593,
8 MCL 207.822.

9 (3) "Idle" means to run the engine of a vehicle while the
10 vehicle is stationary, producing air emissions.

1 Sec. 7. (1) "School bus" means a motor vehicle, other than
2 a pupil transportation vehicle, with a manufacturer's rated
3 seating capacity of 11 or more passengers, including the driver,
4 used for the transportation of pupils to or from school or
5 school-related events that is owned by a school or is used to
6 transport pupils under a contract or agreement with a school.
7 School bus does not include a vehicle operated by a public
8 transit agency or authority or by a motor carrier certified by
9 the state transportation department unless the vehicle is used
10 exclusively to transport pupils or is used to transport pupils
11 along a route designed to serve 1 or more schools in a school
12 district if elementary school pupils along the route are required
13 to cross the highway or roadway, as described in section 55. For
14 the purposes of this act, a parent, parent's designee, or
15 guardian transporting his or her child or another child with
16 written permission of the other child's parent or guardian on a
17 school-related event, if not compensated by the school, shall not
18 be considered an agent of the school.

19 (2) "School transportation vehicle" means any motor vehicle
20 with a manufacturer's rated seating capacity of 10 passengers or
21 less, including the driver, when operated for the scheduled
22 transportation of pupils to or from school or school-related
23 events. School transportation vehicle does not include a vehicle
24 used by a parent or parent's designee to transport children to or
25 from school or school-related events.

26 (3) **"Traffic control device" means that term as defined in**
27 **section 70 of the motor vehicle code, 1949 PA 300, MCL 257.70.**

1 (4) ~~-(3)-~~ "Type I school bus" means a school bus with a gross
2 vehicle weight rating of more than 10,000 pounds.

3 (5) ~~-(4)-~~ "Type II school bus" means a school bus with a
4 gross vehicle rating of 10,000 pounds or less.

5 (6) ~~-(5)-~~ "Type I premium school bus" means a school bus with
6 a passenger capacity of over 66 pupils and any other school bus
7 purchased by a district at a cost for the vehicle, excluding
8 interest and special equipment, which exceeds by more than 15%
9 the average cost of a school bus meeting state minimum
10 specifications of the same capacity purchased during the same
11 year.

12 Sec. 54. (1) The operator of a school bus or school
13 transportation vehicle shall not allow the vehicle to idle on
14 school grounds for more than either of the following:

15 (a) Five consecutive minutes.

16 (b) Five minutes in any 1-hour period.

17 (2) Subsection (1) does not apply under any of the following
18 circumstances:

19 (a) Idling is necessary while stopped at the direction of a
20 peace officer or motor carrier officer, for a traffic control
21 device, or for traffic conditions over which the driver has no
22 control, including, but not limited to, being stopped in a line
23 of traffic.

24 (b) Idling is necessary to ascertain that the school bus or
25 school transportation vehicle is in safe operating condition and
26 equipped as required by law and that all equipment is in good
27 working order, other than in the case of a routine vehicle

1 inspection.

2 (c) Idling on school grounds is necessary for testing,
3 servicing, repairing, or diagnostic purposes.

4 (d) Idling is necessary for the operation of a heater or air
5 conditioner to meet the needs of a handicapped person.

6 (e) Idling is necessary to operate defrosters, heaters, air
7 conditioners, or other equipment to ensure the safety or health
8 of the driver or passengers or as otherwise required by law.

9 (f) Idling on school grounds is necessary solely to recharge
10 a battery or other energy storage unit of a hybrid electric
11 school bus or school transportation vehicle.

12 (3) A person who violates subsection (1) is responsible for a
13 state civil infraction and may be ordered to pay a civil fine of
14 not more than \$200.00.