



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 6028 (as passed by the House)  
Sponsor: Representative Gary Howell  
House Committee: Transportation and Infrastructure  
Senate Committee: Transportation

Date Completed: 12-5-18

## **CONTENT**

### **The bill would amend the Pupil Transportation Act to do the following:**

- **Delete a provision prohibiting a driver from being closer than three seat positions to radio speakers.**
- **Revise a provision that allows a motor carrier certified by the Michigan Department of Transportation (MDOT) using a motor bus for school-related activities to be painted in the colors and design specified for a school bus.**
- **Require the Superintendent of Public Instruction to approve all training programs a person in charge of school bus operations at a school must attend.**
- **Require all training programs to be provided by an approved educational agency.**
- **Revise a provision governing how a bus driver must receive or discharge pupils from the bus in a specific situation.**
- **Allow a school bus to transport attendees, instead of members, of a nonprofit organization's activity, event, or outing.**

The bill would take effect 90 days after its enactment.

#### Radio Speaker Positioning

The Act specifies that radio speakers must be no closer to the driver than three seat positions behind him or her. This does not apply to radio speakers for two-way communication devices. The bill would delete these provisions.

#### School Bus Colors & Design

The Act prohibits a bus, other than a school bus, from being painted, in whole or in part, in the colors and design specified under the Act for school buses. However, this prohibition does not apply to a motor carrier certified by MDOT using a motor bus for school-related event transportation. The bill would refer to a bus certified by MDOT that was owned and operated by a private carrier primarily under contract with a school system that also was used for occasional charter service to the public or for school-related event transportation.

#### Training Programs

Under the Act, a person in charge of school bus operations at a school must have, at a minimum, successfully completed the beginning school bus driver training program in his or her first year serving in that capacity. The person must successfully complete six hours of supervisory continuing education every two years after the successful completion of the beginning school bus driver training program. The bill would delete the references to a beginning school bus driver training program, and would refer to a training program, instead.

The Act requires the continuing education course or courses to be approved by the Superintendent of Public Instruction and provided by an approved educational agency. Under the bill, the Superintendent would have to approve all training programs required of a person in charge of school bus operations at a school, and those training programs would have to be provided by an approved educational agency.

#### Pupil Boarding & Discharge from School Bus

The driver of a school bus operating upon public highways or private roadways open to the public must receive or discharge pupils from the bus in the manner required by the Act. If the pupils are not required to cross the roadway and where the road is wide enough for the school bus to be pulled to the far right of or off the roadway allowing traffic to flow and to provide for the safety of pupils being boarded or discharged, the driver must activate the hazard warning lights before the stop and continue to display them until the process of receiving or discharging passengers has been completed if the lawful speed limit is 45 miles per hour or less. Under the bill, this would apply if the speed limit were 50 miles per hour or less.

#### Nonprofit Organization Event Attendees

The Act allows a local unit of government to enter into an agreement with a school within its area for the use of school buses to transport senior citizens or retired or disabled people, or members of a nonprofit organization, subject to certain conditions. The bill would delete reference to members of a nonprofit organization and would refer to attendees of an activity, event, or outing sponsored by a nonprofit organization.

Under an agreement described above, a school may permit the use of a school bus that is not otherwise being used for school purposes by an organization or group for purposes of transporting senior citizens or retired or disabled people, or by a nonprofit organization for purposes of transporting its members to or from an activity, event, or outing. The bill would delete reference to transporting members and would refer to providing transportation to attendees.

MCL 257.1811 et al.

Legislative Analyst: Drew Krogulecki

#### **FISCAL IMPACT**

The bill would have minimal to no fiscal impact on the Department of Education and local school districts. Requiring the Department to approve all school bus training programs would add minimal administrative expenses, which likely would be within current appropriations. Local school districts would experience minimal to no fiscal impact related to updating school bus policies and training. Also, school districts could generate additional revenue by allowing the use of school buses to transport all attendees of nonprofit organization activities, and collecting additional transportation fees.

Fiscal Analyst: Cory Savino

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.