

SENATE BILL No. 1398

August 13, 2002, Introduced by Senator EMMONS and referred to the Committee on Education.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending sections 7 and 10a (MCL 257.1807 and 257.1810a), as
amended by 2000 PA 49.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) "School bus" means a motor vehicle, other than
2 a pupil transportation vehicle, with a manufacturer's rated seat-
3 ing capacity of 11 or more passengers, including the driver, used
4 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 tran-
8 sit agency or authority or by a motor carrier certified by the
9 state transportation department unless the vehicle is used
10 exclusively to transport pupils or is used to transport pupils

SB 1398, As Passed Senate, December 5, 2002

SB 1398, As Passed Senate, December 5, 2002

1 along a route designed to serve 1 or more schools in a school
2 district if elementary school pupils along the route are required
3 to cross the highway or roadway, as described in section 55.

4 SCHOOL BUS DOES NOT INCLUDE A MOTOR BUS USED BY A BOARDING SCHOOL
5 UNDER SECTION 10A. For the purposes of this act, a parent,
6 parent's designee, or guardian transporting his or her child or
7 another child with written permission of the other child's parent
8 or guardian on a school-related event, if not compensated by the
9 school, shall not be considered an agent of the school.

10 (2) "School transportation vehicle" means any motor vehicle
11 with a manufacturer's rated seating capacity of 10 passengers or
12 less, including the driver, when operated for the scheduled
13 transportation of pupils to or from school or school-related
14 events. School transportation vehicle does not include a vehicle
15 used by a parent or parent's designee to transport children to or
16 from school or school-related events.

17 (3) "Type I school bus" means a school bus with a gross
18 vehicle weight rating of more than 10,000 pounds.

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

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

SB 1398, As Passed Senate, December 5, 2002

1 Sec. 10a. (1) A school may contract with a motor carrier of
2 passengers for a motor bus to be used for occasional
3 transportation of pupils to or from school-related events.

4 (2) A BOARDING SCHOOL MAY OWN AND USE MOTOR BUSES FOR TRANS-
5 PORTATION OF PUPILS TO OR FROM SCHOOL-RELATED EVENTS. IN ADDI-
6 TION TO BEING ABLE TO OWN AND USE MOTOR BUSES FOR SCHOOL-RELATED
7 EVENTS, A BOARDING SCHOOL MAY OWN AND USE MOTOR BUSES FOR TRANS-
8 PORTATION OF PUPILS TO AND FROM SCHOOL IF THE TRANSPORTATION OF
9 PUPILS TO OR FROM SCHOOL TAKES PLACE NO MORE THAN 10 TIMES IN A
10 CALENDAR YEAR. FOR PURPOSES OF THIS SECTION AND SECTION 7,
11 "BOARDING SCHOOL" MEANS THAT TERM AS DEFINED IN SECTION 3 OF THE
12 REVISED SCHOOL CODE, 1976 PA 451, MCL 380.3.

13 (3) ~~(2)~~ The department of education may authorize the use
14 of a motor bus for the regular route transportation of pupils to
15 or from school or home. The authorization shall be in writing
16 and shall include conditions or restrictions that are necessary
17 to safeguard the health, safety, and welfare of the pupils.