

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-208
HOUSE BILL 1155**

AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH
CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN
SCHOOL-SPONSORED TRAVEL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-247 reads as rewritten:

"§ 115C-247. Purchase of activity buses by local boards.

The several local boards of education in the State are hereby authorized and empowered to take title to school buses purchased with local or community funds for the purpose of transporting pupils to and from athletic events and for other local school activity purposes, and commonly referred to as activity buses. ~~The buses.~~

Each local board of education that operates activity buses shall adopt a policy relative to the proper use of the vehicles. The policy shall permit the use of these buses for travel to athletic events during the regular season and playoffs and for travel to other school-sponsored activities.

The provisions of G.S. 115C-42 shall be fully applicable to the ownership and operation of such activity school buses. Activity buses may also be used as provided in G.S. 115C-243."

SECTION 2. The Department of Public Instruction, in cooperation with the Department of Transportation, shall develop a program for issuing a statewide permit to commercial motor coach companies that seek to contract with local school systems for the transportation of students, school personnel, and other persons authorized by the school system for school-sponsored trips. This program is intended to provide commercial motor coach companies with a single permit that can be used statewide and will be an alternative to the current system that requires motor coach companies to meet the varying requirements of each school system that they contract with for such transportation services. The Department of Public Instruction shall review and amend the recommended guidelines and procedures for school charter transportation, adopted by the School Charter Transportation Safety Committee in December 2004, to meet the requirements of the new permit program.

The requirements of the program shall include, but not be limited to, all of the following:

- (1) The motor coach company demonstrates compliance with the Federal Motor Carrier Safety Regulations (FMCSR) as evidenced by a prior on-site examination of its motor carrier operation in which the

company received a safety fitness rating of "satisfactory" in accordance with 49 C.F.R. Part 385.

- (2) The previously issued "satisfactory" safety rating is current at the time the local board of education contracts for services.
- (3) The motor coach company has not had an out-of-service order issued against it within the prior 12 months.
- (4) The requirement that the motorcoach companies adhere to the motor vehicle laws of the jurisdiction in which they are operating.
- (5) The collection of a reasonable fee to offset the costs of implementing and maintaining the program.
- (6) The consideration of the needs of schools that serve large populations of students with special needs.

The Department of Public Instruction, in establishing the program, shall consult with the North Carolina State Highway Patrol, the North Carolina School Boards Association, the Federal Motor Carrier Safety Administration, the North Carolina Motorcoach Association, the North Carolina PTA, and other interested parties to discuss the proposed requirements of the program.

The Department of Public Instruction shall report to the Joint Legislative Education Oversight Committee by November 15, 2006, on development of the program. The Committee shall report its findings, together with any recommended legislation, including the amount of any reasonable fees, to the 2007 General Assembly upon its convening.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 27th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 9:51 a.m. this 8th day of August, 2006