

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 489

Short Title: Increase School Bus Safety. (Public)

Sponsors: Representative R. Johnson (Primary Sponsor).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 2, 2015

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE INSTRUCTION IN SCHOOL BUS SAFETY TO STUDENTS AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY HOW THE SAFETY OF CHILDREN BOARDING AND EXITING SCHOOL BUSES MAY BE INCREASED.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-242 reads as rewritten:

**"§ 115C-242. Use and operation of school buses.**

(a) Public school buses may be used for the following purposes only, and it shall be the duty of the superintendent of the school of each local school administrative unit to supervise the use of all school buses operated by such local school administrative unit so as to assure and require compliance with this section:

(1) A school bus may be used for the transportation of ~~pupils~~ students enrolled in and employees in the operation of the school to which such bus is assigned by the superintendent of the local school administrative unit. Except as otherwise herein provided, such transportation shall be limited to transportation to and from such school for the regularly organized school day, and from and to the points designated by the principal of the school to which such bus is assigned, for the receiving and discharging of passengers. No ~~pupil~~ student or employee shall be so transported upon any bus other than the bus to which such ~~pupil~~ student or employee has been assigned pursuant to the provisions of this Article: Provided, that children enrolled in a Headstart program or any More at Four program may be transported on public school buses, and any additional costs associated with such contractual arrangements shall be incurred by the benefitting Head Start or More at Four program: Provided further, that children with disabilities may be transported to and from the nearest appropriate private school having a special education program approved by the State Board of Education if the children to be transported are or have been placed in that program by a local school administrative unit as a result of the State or the unit's duty to provide such children with a free appropriate public education.

(2) In the case of illness or injury requiring immediate medical attention of any pupil or employee while such ~~pupil~~ student or employee is present at the school in which such ~~pupil~~ student is enrolled or such employee is employed, the principal of such school may, in his discretion, permit such ~~pupil~~ student



1 or employee to be transported by a school bus to a doctor or hospital for  
2 medical treatment, and may, in his discretion, permit such other person as he  
3 may select to accompany such ~~pupil-student~~.

4 (3) The board of education of any local school administrative unit may operate  
5 the school buses of such unit one day prior to the opening of the regular  
6 school term for the transportation of ~~pupils~~students and employees to and  
7 from the school to which such ~~pupils~~students are assigned or in which they  
8 are enrolled and such employees are employed, for the purposes of the  
9 registration of students, the organization of classes, the distribution of  
10 textbooks, and such other purposes as will, in the opinion of the  
11 superintendent of the schools of such unit, promote the efficient organization  
12 and operation of such public schools.

13 (4) A local board of education which elects to operate a school bus  
14 transportation system, shall not be required to provide transportation for any  
15 school employee, nor shall such board be required to provide transportation  
16 for any ~~pupil~~student living within one and one half miles of the school in  
17 which such ~~pupil~~student is enrolled.

18 (5) Local boards of education, under rules adopted by the State Board of  
19 Education, may permit the use and operation of school buses for the  
20 transportation of ~~pupils~~students and instructional personnel as the board  
21 deems necessary to serve the instructional programs of the schools. Included  
22 in the use permitted by this section is the transportation of children with  
23 disabilities, and children enrolled in programs that require transportation  
24 from the school grounds during the school day, such as special vocational or  
25 occupational programs. On any such trip, a city or county-owned school bus  
26 shall not be taken out of the State.

27 If State funds are inadequate to pay for the transportation approved by  
28 the local board of education, local funds may be used for these purposes.  
29 Local boards of education shall determine that funds are available to such  
30 boards for the transportation of children to and from the school to which  
31 they are assigned for the entire school year before authorizing the use and  
32 operation of school buses for other services deemed necessary to serve the  
33 instructional program of the schools.

34 Children with disabilities may be transported to and from the nearest  
35 appropriate private school having a special education program approved by  
36 the State Board of Education if the children to be transported have been  
37 placed in that program by a local school administrative unit as a result of the  
38 State or the unit's duty to provide those children with a free appropriate  
39 public education.

40 ...

41 (b) Local school administrative units shall provide instruction in school bus safety to all  
42 students at least twice every school year. The instruction provided under this subsection shall  
43 be developed by the State Board of Education. Local school administrative units shall provide  
44 an annual written report to the Department of Public Instruction detailing the instruction  
45 provided to students under this subsection and any other information required by the  
46 Department."

47 **SECTION 2.** The Department of Public Instruction, in collaboration with the  
48 Department of Transportation, shall study procedures that may be employed, and equipment  
49 that may be utilized, to increase the safety of children boarding and exiting school buses.  
50 Included within this study shall be the feasibility and cost of extending the metal arm in which  
51 the mechanical stop signal is affixed or equipping school buses with a metal bar or other device

1 that can extend from the school bus to provide a barrier between children boarding or exiting  
2 the school bus and motor vehicles that may be approaching. The Department of Public  
3 Instruction shall report its findings and recommendations, including any legislative proposals,  
4 to the Joint Legislative Education Oversight Committee by January 15, 2016.

5           **SECTION 3.** Section 1 of this act is effective when it becomes law and applies  
6 beginning with the 2015-2016 school year. The remainder of this act is effective when it  
7 becomes law.