

HOUSE
COMMITTEE REPORT

(11)

Date referred: 2/5/86

FURTHER REFERRALS:

(Finance added 2/5)

DATE: 2-28-86

The FINANCE Committee has considered HB 409

"An Act relating to licensing of school bus drivers; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 409 (TRAN) same title new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal notes (2)

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Alberto Adams

Ronald J. Jarama

Pat Fournier

Steve Kujala

Al Trout

John P. Bielez

Sen Costa

Mike Symonelli

Alberto Adams
Chairman

Offered: 1/29/86
Referred: State Affairs

Original sponsors: Jenkins, Larson,
Hurley, et al

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE
2 CS FOR HOUSE BILL NO. 409 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to training and licensing of school
7 bus drivers; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.07.020(a) is amended by adding a new paragraph to
10 read:

11 (14) establish, in coordination with the Department of
12 Public Safety, a school bus driver training course.

13 * Sec. 2. AS 28.15.041(b) is amended to read:

14 (b) A person may not drive a [SCHOOL BUS TRANSPORTING SCHOOL
15 CHILDREN, OR A BUS TRANSPORTING SCHOOL-AGE CHILDREN OR ANOTHER] motor
16 vehicle when in use for the transportation of persons for compensation
17 until the person has applied for and has been issued a license for
18 that purpose under (a) of this section. The department may not issue
19 a license under this subsection unless the applicant is at least 19
20 years of age, has had at least one year of driving experience, and the
21 department is satisfied as to the applicant's good character, compe-
22 tence and fitness to be licensed; nor may the department issue the
23 license until proper application has been made and all required driv-
24 ing, written, and physical examinations have been successfully com-
25 pleted. A license issued under this subsection expires on September 1
26 of the year following issuance. Application for renewal may be made
27 by submitting to the department the results of a current physical
28 examination and paying the required fee.

29 * Sec. 3. AS 28.15 is amended by adding a new section to read:

1 Sec. 28.15.046. LICENSING OF SCHOOL BUS DRIVERS. (a) In addi-
2 tion to the requirements of AS 28.15.041(a), a person may not drive a
3 school bus transporting school children, or a bus transporting school-
4 age children until the person has applied for and has been issued a
5 license for that purpose under this section.

6 (b) The department may not issue a license under this section
7 unless the applicant

8 (1) is at least 19 years of age;

9 (2) has had a license to operate a motor vehicle at least
10 one year before the date of application;

11 (3) has successfully completed all required driving, writ-
12 ten, and physical examinations;

13 (4) has submitted information sufficient to complete a
14 background check consisting of a fingerprint check of national crimi-
15 nal records and state criminal records of the state or states in which
16 the applicant has resided for the past two years;

17 (5) has completed a state approved school bus driver train-
18 ing course established under AS 14.07.020(a)(14) or has for the previ-
19 ous two years been licensed by the state to operate a school bus.

20 (c) The department may not issue a license under this section to
21 an applicant who has been convicted of any of the following offenses
22 within 20 years of the time of application:

23 (1) sexual abuse of a minor in any degree (AS 11.41.434 -
24 11.41.440);

25 (2) sexual assault in any degree (AS 11.41.410 or 11.41.-
26 420);

27 (3) incest (AS 11.41.450);

28 (4) unlawful exploitation of a minor (AS 11.41.455);

29 (5) contributing to the delinquency of a minor

1 (AS 11.51.130);

2 (6) a felony involving possession of a controlled or imita-
3 tion controlled substance (AS 11.71 or AS 11.73);

4 (7) a felony or misdemeanor involving distribution of a
5 controlled or imitation controlled substance (AS 11.71 or AS 11.73);

6 (8) promoting prostitution in the first or second degree
7 (AS 11.66.110 or 11.66.120).

8 (d) The department may not issue a license to an applicant who
9 has been convicted of driving while intoxicated (AS 28.30.030) within
10 two years of the time of application or to an applicant who has two or
11 more convictions for driving while intoxicated within 10 years of the
12 time of application.

13 (e) For purposes of determining whether an applicant has been
14 convicted of an offense listed under (c) or (d) of this section, a
15 conviction under prior state law or in another jurisdiction of an
16 offense having elements substantially similar to those of the offenses
17 listed in (c) or (d) of this section is considered a conviction.

18 (f) Costs of conducting the background check required under
19 (b)(4) of this section shall be paid by the applicant. A license
20 issued under this section expires on September 1 of the year following
21 issuance. Application for renewal may be made by submitting to the
22 department the results of a current physical examination and paying
23 the required fee.

24 * Sec. 4. This Act takes effect September 1, 1987.

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date : 2/27/86

REQUEST

Bill/Resolution No.: CSHB 409 (Trans)
 Title: Training and licensing
School Bus Drivers

 Sponsor: Jenkins
 Requestor: House Finance Committee
 Date of Request: 2/27/86

FISCAL DETAIL

Agency Affected: Education
 BRU: Education, Finance and
Support Services

 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		0	0	0	0	0
TRAVEL		0	0	0	0	0
CONTRACTUAL		0	0	0	0	0
SUPPLIES		0	0	0	0	0
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING		0	0	0	0	0

CAPITAL		0	0	0	0	0
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REVENUE		0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER		0	0	0	0	0
TOTAL		0	0	0	0	0

POSITIONS :

FULL-TIME		0	0	0	0	0
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

The Governor's budget includes \$24 million for pupil transportation. The cost of the school bus driver training program can be absorbed in the budget appropriation for pupil transportation.

Prepared by: Al Adams, Chair *APA* Phone: 465-3706
 Division: House Finance Committee Date: 2/27/86

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

H 0 40-1

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CS HB 409 (Trans.)
 Title : An Act relating to training
and licensing of school bus drivers.

 Sponsor : Jenkins
 Requestor : House Transportation
 Date of Request : 1-28-86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Motor Vehicles

 Components : Driver Services

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL			8.8	9.2	9.7	10.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	8.8	9.2	9.7	10.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE	0	0	8.8	9.2	9.7	10.2
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FUNDING : (Thousands of Dollars)

GENERAL FUND	0	0	8.8	9.2	9.7	10.2
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	8.8	9.2	9.7	10.2

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This legislation requires fingerprint search of FBI files on each original school bus driver applicant. The FBI charges \$12.00 per search. DMV will receive approximately 733 original applications in FY88. DMV will be required to pay the FBI for the searches, however, the applicant is required to cover this cost. (cont')

Prepared by : Bill Brown RB Phone : 465-2650
 Division : Motor Vehicles Date : 1-21-86

Approved by Commissioner : J. Wynn Date : 1/28/86
 Agency : Public Safety

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CS HB 409 (Trans)

ANALYSIS (cont')

At time of application each applicant will be required to pay \$12.00 (in addition to license fee), which will be deposited in the general fund. 733 applicants x \$12.00 per search = \$8,800. A 5% growth factor was used for FY89 and subsequent years.

INFORMATION

For the fiscal note dated 5-1-85, an estimate of the number of original school bus applicants was used. During 1985, statistics were compiled to obtain the actual number. This fiscal note is based on actual number of applicants in calendar year 1985, with a 5% growth factor.

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of Education

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BOARD REPORT

Pouch F, Juneau, Alaska 99811
More Information: Harry Gamble 465-2821

FOR IMMEDIATE RELEASE
February 6, 1986

Here is the action from the State Board of Education meeting February 3 and 4 in Juneau. The Board:

*Approved a resolution supporting Governor Bill Sheffield's debt containment legislation, HB 520.

*Supported the following legislation: CSSB 240, which would increase the penalty for illegally passing a school bus; Executive Order 62, which would transfer fire service training responsibilities from the Department of Education to the Division of Public Safety; SB 230, which would increase from two to three years the requirement for teacher tenure, and would permit schools to dismiss teachers because of loss of funds; SB 104, which would increase from three to five years the maximum duration of pupil transportation contracts; SB 8, which would encourage school districts to offer curriculum in personal safety; SB 381, which would establish a forward funding provision for funding public schools; HB 526, which would provide funding to the Alaska State Museum for preservation of important artifacts of Alaska culture; and HB 409, which would provide for training and licensing of school bus drivers.

*Opposed the following legislation: SB 319, which would establish a separate unit within the Department of Education, with a governing board, to provide statewide services to severely handicapped students; CSHB 174, which would require teachers to be trained in first aid and emergency procedures.

*Voted to take no position on: HB 480, which would prohibit the use of corporal punishment in school districts as a form of discipline; and SCR 10, which would request that the State Board request local school boards to require the study of Alaska History including ramifications of the Alaska Native Claims Settlement Act (ANCSA). In taking no position on these two measures, the Board noted that most local school districts already have established policies regarding corporal punishment and that nearly all school districts either require Alaska history, including the ramifications of ANCSA, or they provide such classes as an elective.

The Board also:

*Accepted the Alaska Schools of the Future plan, for which Governor Sheffield provided \$1.5 million in his FY 1987 operating budget request.

*Sent the following regulation for public comment: 4 AAC 06.27 (a)(b)(c), would be repealed and replaced with the

FEB 18 1986



1040 EAST FIRST AVENUE, P.O. BOX 105020, ANCHORAGE, ALASKA 99510, (907) 276-7823

February 11, 1986

Representative Jenkins
P.O. Box V
Juneau, Alaska 99811

Dear Representative Jenkins;

Laidlaw Transit, Inc. is a school bus contractor working for the Anchorage School District and the Kenai Borough School District. We employ approximately 220 bus drivers and bus attendants in those two districts.

We wholeheartedly support House Bill No. 409, "An Act relating to training and licensing of school bus drivers; and providing for an effective date".

Sincerely,

A handwritten signature in cursive script that reads "Christine M. Flegel".

Christine M. Flegel
Safety, training & personnel
Laidlaw Transit, Inc.
Anchorage, Alaska

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

FEB 26 1986

148 North Binkley Street • Soldotna, AK 99669 • Phone 907/262-5846



February 24, 1986

House Finance Committee
Pouch V
Juneau, AK 99811

Dear Representatives:

As a member of the Alaska School Bus Safety Committee and Transportation Coordinator for our school district, I would like to speak, through this letter, in support of HB 409.

As the bill eliminates some of the discretion of the Department of Public Safety, it also mandates that individuals will be of good character before a bus driver's license is issued.

Thank you for your representation and support.

Sincerely,

A handwritten signature in cursive script that reads "Penny Little".

Penny Little
Transportation Coordinator

cc: Roger Jenkins ✓

Pupil Transportation Systems

6631 East 9th Avenue

Anchorage, Alaska 99504

(907) 333-5708

Feb. 24, 1986

Rep. Fat Pourchot
Pouch V
Juneau, Alaska 99811

Re: CSHB 409

Finally, after many years of struggles and frustrations, a bill supporting school bus driver training is proceeding through the legislature.

This long awaited and much needed legislation would benefit not only related State Departments, but all communities that transport school children, everyone else connected with pupil transportation, and also the other taxpayers of the state.

By providing the fiscal means, establishing Statute language, and incorporating the training program, this bill would fill the void now present regarding pupil transportation. At the present time there is no Statute language requiring any training program for school bus drivers, no State authorized training program of any kind, and no monitoring system reflecting the quality of personnel being employed, or any assurance they are receiving even minimum instruction.

Aside from the legal void that puts the State Department of Education and the taxpayers in a vulnerable position during any litigation involving pupil transportation, CSHB 409 would also ensure that reputable people are being hired and are receiving a standardized program of instruction preparing them for a most difficult task.

Therefore, I respectfully request your support for CSHB 409.

Sincerely;



Cecil Whitehurst

cc: Rep. Albert P. Adams, Chairman, House Finance Committee
Rep. Roger Jenkins, Sponsor of CSHB 409

CAECC approves schoolbus safety bill, rejects change

The Chugiak Citizens Educational Concerns Committee (CAECC), the parent advisory group at the high school, voted at a meeting Tuesday night in favor of a bill tightening the requirements for a schoolbus driver's license. The bill is currently working its way through committees in the state House.

The approval came after the group rejected a proposed amendment to the bill which would have given the state the power to cancel schoolbus contracts with local school districts if any of the contractor's drivers violate the rules contained in the state schoolbus driver's manual.

Dixie Armstrong, head of the CAECC's Schoolbus Safety Subcommittee, said she proposed the amendment as a way of making both contractors and drivers more accountable for their actions.

But the measure drew heavy opposition from schoolbus

drivers both at Tuesday's meeting and a separate meeting of the subcommittee the previous Thursday. Armstrong said drivers insisted they are responsible for their actions now, and viewed the amendment as the wrong approach, preferring instead to place more emphasis on training students in safe behavior around school buses.

At Tuesday's meeting, Armstrong said Anchorage School District transportation services director Steve Kalmas also voiced concerns about the amendment. She said Kalmas feared that the state voiding a schoolbus contract could pose a serious hardship to the district; he also said adding the amendment might threaten the passage of the entire bill.

Armstrong said the CAECC voted 5-2 against the amendment, and then unanimously in favor of the house bill, with Armstrong abstain'g.



Eagle River Rep. Sam Cotten (center) met recently with Chugiak High School students Brandon Walcutt, left, and Greg Kimura as part of the Alaska Closeup program.

Cotten proposes revisions to the Alaska Lien Law

Rep. Sam Cotten has introduced legislation which would revise the Alaska Mechanic and Materialman's Lien Act.

The bill, HB 494, will provide subcontractors and suppliers with more efficient means to recover payment when owners or general contractors fail to make payment for work or equipment

Chamber seeks nominations for Bear Paw awards

The Chugiak - Eagle River Chamber of Commerce is currently accepting nominations for their annual Bear Paw Awards.

Each year, an individual and a business or service organization is singled out by the Chamber in recognition of their special contribution to the community.

The nominating committee chairman is Hank Warren of Re/Max of Eagle River; other committee members are Ian Hawes of the First National Bank of Anchorage, Lee Jordan of the Chugiak - Eagle River Star, and Marianna Koehler of Today's Real Estate.

Persons wishing to nominate an individual or an organization are asked to contact one of the committee members. Nominations will be accepted until March 25; the awards will be presented at the April 1 Chamber luncheon.

provided by the subcontractor. Subcontractors requested the legislation because many have found the present system to be ineffective.

"The problem of contractors not paying subcontractors or suppliers has increased lately partly due to overbuilding in the Anchorage area," said Cotten. According to Cotten, most contractors and owners follow good business practices and this bill will not affect them.

The bill changes the present stop payment notice to a direct payment notice (DPN). When a claimant (a supplier or subcontractor) has a problem with payment they may file a DPN with the lender and owner. The owner has ten days to object to the notice. If the owner does not object the lender is to pay the claimant directly. If a notice of objection is received within ten days the lender is to issue payment jointly to the owner and claimant and leave it to them to work out their disputes by settlement or in the courts.

Cotten said, "The bill also gives subcontractors and suppliers equal priority with the banks in the event of foreclosure." Banking industry spokesmen have expressed concern about this section. Hearings on the proposal will examine these as well as other questions about Alaska's lien law.

2 CHS Students travel to Juneau

Chugiak High School students Greg Kimura and Brandon Walcutt were among a group of students visiting Juneau recently as part of the Alaska Closeup Program. The program gives students a chance to learn more about state government and the legislative process by visiting the capitol.

While in Juneau, Kimura and Walcutt attended House and Senate floor sessions and committee meetings. They chose a local issue (water quality) and

several bills before the legislature to research.

Among the bills they examined were the mandatory seatbelt bill, subsistence, and ethics legislation. After researching these bills, they formed a mock legislative body.

Kimura was elected Speaker of the House and presided over the mock legislature; Walcutt served as a committee chairman. They held committee hearings, and discussed and debated the bills before voting on them.

Kimura said the highlight of the trip was having lunch with area legislators and discussing issues with them.

The Closeup students also participated in a televised news conference with Gov. Sheffield which was broadcast on the Rural Alaska Television Network.

After the students finished all their work requirements, they had an opportunity to tour the Juneau area and see the non-governmental side of the state capitol during their free time.

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Shoe

by Jeff MacNelly



STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No. : CSHB 409
 Title : Licensing of School Bus Drivers
 Sponsor : Jenkins et al
 Requestor : House Transportation
 Date of Request : 1/29/86

FISCAL DETAIL

Agency Affected : Education
 BRU : Education Finance and Support Services
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		108.5	68.5	67.3	68.9	70.6
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	108.5	68.5	67.3	68.9	70.6

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND	0	108.5	68.5	67.3	68.9	70.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Please refer to attached expenditure detail.

Prepared by : Steve Hole *Steve Hole* Phone : 2800
 Division : Commissioner's Office Date : 1/29/86

Approved by Commissioner : Harold Reynolds, Jr. Date : 1/29/86
 Agency : Education

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

ALASKA DEPARTMENT OF EDUCATION
PUPIL TRANSPORTATION
FUNDING REQUIRED FOR SCHOOL BUS DRIVER TRAINING PROGRAM
HB 409

<u>CODE</u>	<u>EXPENDITURE CATEGORY</u>	<u>FY-87 AMOUNT</u>	<u>FY-88 AMOUNT</u>	<u>FY-89 AMOUNT</u>	<u>FY-90 AMOUNT</u>	<u>FY-91 AMOUNT</u>
100	<u>Personal Services</u> Full-time position FY-87; Part-time position thereafter	\$ 39,996	\$ 30,862	\$ 32,216	\$ 33,827	\$ 35,518
200	<u>Travel</u>					
	Conduct Instructor Workshops	\$ 12,720	\$ 8,480	\$ 8,480	\$ 8,480	\$ 8,480
	Conduct Local District Workshops	3,000	3,000	2,000	2,000	2,000
	Conduct Div. Motor Vehicle Workshops	5,500	2,500	2,000	2,000	2,000
	Subtotal	\$ 21,200	\$ 13,980	\$ 12,480	\$ 12,480	\$ 12,480
300	<u>Contractual</u>					
	Conduct Workshops	\$ 14,400	\$ 9,600	\$ 9,600	\$ 9,600	\$ 9,600
	Develop Manuals	5,000				
	Develop Video	5,000				
	Print Manuals	5,000	4,000	3,000	3,000	3,000
	Telephone	500	500	500	500	500
	Bus Rental for Workshops	3,000	2,000	2,000	2,000	2,000
	Data Processing	9,000	4,500	4,500	4,500	4,500
	Subtotal	\$ 41,900	\$ 20,600	\$ 19,600	\$ 19,600	\$ 19,600
400	<u>Supplies</u>	\$ 4,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
500	<u>Equipment</u> Office Furniture	\$ 1,400				
	TOTALS	\$ 108,496 =====	\$ 68,442 =====	\$ 67,296 =====	\$ 68,907 =====	\$ 70,598 =====

Alaska State Legislature

POUCH V
JUNEAU, ALASKA 99811
(907) 465-4453/4530

2201 ROOSEVELT DRIVE
ANCHORAGE, ALASKA 99503
(907) 248-4234



MEMBER
HOUSE RESOURCES COMMITTEE
MEMBER
HOUSE STATE AFFAIRS COMMITTEE

Representative Roger Jenkins

DISTRICT 11

OUTLINE OF CSHB 409 (TRSP)

"An Act relating to licensing of school bus drivers;
and providing for an effective date."

I. Background of bill

The children, whose parents have entrusted the state to educate, must have school bus drivers of good character who are educated in safety.

Committee Substitute for House Bill No. 409 (Transportation) would set minimum requirements for school bus drivers. The bill would require the applicants to satisfy the Department of Public Safety that they are of good character and are competent and fit to be licensed to drive school age children.

CSHB 409 (TRSP) takes the existing Alaska State Department of Public Safety regulations [13 AAC 08.005-.060] and implements them into statute. In addition the bill adds the following:

1. The applicant must complete a state approved school bus driver training course. [Section 3, subsection (b)(5), page 2, lines 17-19.]
2. A school bus driver training course would be established under the Department of Education (AS 14.07.020(a)(14)) in coordination with the Department of Public Safety. [Section 1, page 1, lines 9-12.]
3. The applicant must supply the Department of Public Safety with sufficient information to complete a national criminal records check and a background check within the state or states which he or she has resided for at least the past 2 years. [Section 3, subsection (b)(4), page 2, lines 13-16.] [See also: 13 AAC 08.015(2)]
4. The applicant must not have been convicted of a felony or misdemeanor involving distribution of a controlled or imitation controlled substance. [Section 3, subsection (c)(7), page 3, lines 4-5.] [See also: 13 AAC 08.010(5).]
5. The applicant must not have been convicted of a felony involving possession of a controlled or imitation controlled

substance. [Section 3, subsection (c)(6), page 3, lines 2-3.]

6. The applicant must not have been convicted of driving while intoxicated within two years or must not have been convicted of multiple DWI's. [Section 3, subsection (d), page 3, lines 8-12.]

7. The applicant must bear the cost of background checks. [Section 3, subsection (f), page 3, lines 18-23.]

II. Sectional Analysis

Section 1 establishes a school bus driver training course under the Department of Education and requires that department to establish the course in coordination with the Department of Public Safety. AS 14.07.020(a), copy enclosed, is the statute delineating the duties of the Department of Education.

Section 2 deletes the existing authority of the Department of Public Safety to regulate licensing of school bus drivers.

Section 3 adds a new section governing licensing of school bus drivers. It sets forth specific licensing requirements and lists specific criminal convictions that would prevent licensing.

- (a) requires school bus license before driving school bus allowed.
- (b) requirements before issuing license; applicant must: be of minimum age (19), have had a valid license for at least one year before date of application, have passed driving, written, and physical examinations, have submitted information for national and state background checks, and has completed driver training course.
- (c) listing of criminal offenses for which license can be denied. (Taken from 13 AAC 08.010(5).)
- (d) DWI section.
- (e) relating to state or out-of-state convictions.
- (f) applicant pays for background checks.

Section 4 effective date section.

Alaska State Legislature

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MEMBER
HOUSE RESOURCES COMMITTEE
MEMBER
HOUSE STATE AFFAIRS COMMITTEE

Representative Roger Jenkins

DISTRICT 11

SIDE-BY-SIDE COMPARISON OF

HB 409 & CSHE 409 (TRSP)

HB 409		CSHE 409 (TRSP)	
Page, Line(s)	Bill Language	Page, Line(s)	Bill Language
		Page 1, Lines 9-12	<u>Section 1. AS 14.07.020(a) is amended by adding a new paragraph to read: (14) establish, in coordination with the Department of Public Safety, a school bus driver training course..</u>
Page 2, Lines 12-14	(5) has successfully completed a background check consisting of a fingerprint check of state criminal record of the state or states in which the applicant has resided for the past two years;	Page 2, Lines 13-16	(4) has submitted information sufficient to complete a background check consisting of a fingerprint check of national criminal records and state criminal records of the state or states in which the applicant has resided for the past two years;
Page 2, Lines 15-17	(6) has completed a state approved school bus driver training course or has for the previous two years been licensed by the state to operate a school bus.	Page 2, Lines 17-19	(5) has completed a state approved school bus driver training course established under AS <u>14.07.020(a)(14)</u> or has for the previous two years been licensed by the state to operate a school bus.

Page 3,
Lines
11-15

(e) For purposes of determining whether an applicant has been convicted of an offense listed under (c) of this section, a conviction under prior state law or in another jurisdiction of an offense having elements substantially similar to those of the offenses listed in (c) of this section is considered a conviction.

Page 3,
Lines
9-10

...for driving while intoxicated within 20 years of the time of application.

Page 3,
Line 17

...(b)(4) and (5) of this section...

Page 3,
Line 22

Sec. 3. This Act takes effect September 1, 1985.

Page 3,
Lines
13-17

(e) For purposes of determining whether an applicant has been convicted of an offense listed under (c) or (d) of this section, a conviction under prior state law or in another jurisdiction of an offense having elements substantially similar to those of the offenses listed in (c) or (d) of this section is considered a conviction.

Page 3,
Lines
11-12

...for driving while intoxicated within 10 years of the time of application.

Page 3,
Line 19

...(b)(4) [and (5)] of this section...

Page 3,
Line 24

Sec. 4. This Act takes effect September 1, 1987.

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

P.O. BOX 20
JUNEAU, ALASKA 99802-0020

DIVISION OF MOTOR VEHICLES

PHONE: (907)465-2650

January 29, 1986

The Honorable Bette Cato
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Re: CS HB 409 (Transportation)

Dear Representative Cato:

At the hearing yesterday you asked for confirmation in writing of the procedure to be followed by DMV concerning the licensing of school bus drivers pending the results of a fingerprint search.

If the applicant has satisfactorily completed the requirements for issuance of a school bus license, including submission of fingerprints, we will issue that person the license. If the results of the fingerprint search reflect the person is ineligible due to a conviction outlined in AS 28.15.046(c) or (d), the school bus license will be cancelled with notice being sent to the licensee, and the school district where the person is driving. This is the procedure currently being used (we began notifying school districts in May, 1985), and it has not created any problems....This is also the procedure used if the licensee is convicted of an unqualifying offense during the school year. The authority for cancelling the school bus license is AS 28.15.161.

The above procedure will work more smoothly than issuing a temporary permit pending outcome of the fingerprint search. From past experience, FBI fingerprint searches were conducted until October 1, 1981, the number of permits required to be cancelled will be very minimal. Also, we have little control over the time period necessary to conduct the search, and by use of the above procedure we will not be required to issue a new temporary permit if the search results are not received by the date the first temporary expires.

I would be happy to discuss this procedure with you if you have any further questions.

Sincerely,



Bill Brown
Chief of Driver Services

BB:ns

cc: Representative Shull

bcc: Representative Jenkins ✓

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

January 27, 1986

GOLDBELT PLACE
801 WEST 10th STREET
POUCH F
JUNEAU, ALASKA 99811

MEMORANDUM

TO: The Honorable Roger Jenkins
Alaska State Legislature
House of Representatives

FROM: Harold Reynolds, Jr., Commissioner
Department of Education

SUBJECT: HB 409 - School Bus Driver Training

Enclosed per your request is information concerning the school bus driver training program that the Department of Education would administer pursuant to Section 2 (b) (6)* of House Bill 409.

Enclosure

cc: Romyne Kareen

* Section 1 (page 1, lines 9-12) of CSHB 409(TRSP)

1/27/86

HB 409
Section 2 () (6)*

SUMMARY OF PROPOSED SCHOOL BUS DRIVER TRAINING PROGRAM

1. Standardization of School Bus Driver Training

The Department of Education will develop a recommended school bus driver training program. This program will include guidelines for classroom curriculum as well as behind-the-wheel techniques and topics. This recommended program will be made available to districts as the foundation for local training plans.

Local districts will then be required to develop school bus driver training plans and submit them to the Department of Education (DOE) for approval. Working from the DOE model curriculum, local districts and their private contractors can adjust their training programs to reflect the needs of their particular area. For example, a plan from Anchorage would place more emphasis on inner city driving than would a plan from Dillingham. Successful completion of a DOE approved training plan will become a requirement for receiving a school bus driver's license.

2. Certification of School Bus Driver Instructors

In addition to the development of a model driver training program, the DOE will design and operate a certification program for school bus driver instructors. Persons responsible for the instruction of school bus drivers will be required to gain certification through this instructors' class. The DOE will offer this program 2-3 times per year after the initial training of the driver instructors in the state. Instructors will be taught topics such as class presentation skills, class preparation, and use of AV materials, in addition to the DOE recommended driver training curriculum.

3. Increased Licensing Requirements

Requirements for school bus driver licensing will be changed to reflect the state emphasis on proper training. Prior to issuance of a school bus driver's license, the Division of Motor Vehicles will require proof that:

- a. The applicant successfully completed a DOE approved school bus driver training class; and
- b. The class completed was taught by a DOE certified driver instructor.

In addition, prior to license renewal, an applicant must show proof of having received a required amount of inservice or refresher training.

* Section 1 (page 1, lines 9-12) of CSHB 409(TRSP).

School Bus Driver Training Program
Page Two

The Department of Education will work with the Division of Motor Vehicles in establishing procedures for verification and documentation of approved training plans and instructor certification.

4. Program Activities

Contingent upon available funding, the Department of Education will accomplish the following activities:

- a. Manuals will be developed for school bus drivers and school bus driver training instructors.
- b. Workshops will be conducted to train school bus drivers in safe driving practices, and to train driver training instructors in teaching techniques.
- c. Workshops will be conducted to assist school district administrators in identifying school bus driver training needs, and development of annual training plans for meeting local needs.
- d. Workshops will be conducted for driver licensing examiners in how to give effective road tests in school buses to evaluate driver performance.
- e. Training materials such as booklets, video cassettes, and films will be developed or purchased.
- f. Reporting forms and procedures to certify that training requirements were met will be developed.
- g. Inservice training of school bus drivers will be conducted.
- h. On-site monitoring and review of training programs will be conducted.

5. Examples of Subject Matter for Workshops to Train School Bus Driver Training Instructors and School Bus Drivers

- a. Subject matter for the two above categories will overlap, and will include, but not be limited to, the following:
 - (1) Student Loading and Unloading Procedures
 - (2) Student Rider Procedures
 - (3) Safety and Emergency Procedures
 - (4) First Aid
 - (5) Defensive Driving
 - (6) Driving Skills

School Bus Driver Training Program
Page Three

- (7) Pre-Trip Inspection
- (8) The Exceptional Child
- (9) Student Management
- (10) Driver's Role and Responsibilities
- (11) State Rules and Regulations
- (12) District Rules and Regulations
- (13) Bus Components
- (14) Field Trips
- (15) Public Relations

d. In addition to the above, the curriculum for the Driver Training Instructor will include the following:

- (1) Setting up a Classroom
- (2) Proper Classroom Procedures
- (3) Instructor Qualities
- (4) Lesson Planning
- (5) Four Step Instruction Process: preparation; presentation; application; evaluation
- (6) Teaching Techniques:
 - (a) creating positive teaching environment
 - (b) motivating students to learn
 - (c) provide learning resources
 - (d) guiding students on subject matter
- (7) Practice Teaching
- (8) Proper and Effective Use of Teaching Aids

Chapter 07. Administration of Public Schools.

Article

1. Department of Education (§§ 14.07.020, 14.07.058)

Article 1. Department of Education.

Section

20. Duties of the department

58. Alaska School Activities Association

Sec. 14.07.020. Duties of the department. (a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state and adopt or recommend plans for the improvement of the public schools;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by regulation a minimum course of study for the public schools;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

(6) accredit those public schools which meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards in addition to the requirements of AS 18.15.145 that will assure healthful and safe conditions in the public and private schools of the state including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over pre-elementary schools that receive direct state or federal funding;

(9) provide accredited elementary and secondary correspondence study programs available to any Alaskan through a centralized office of correspondence study;

(10) accredit private schools which request accreditation and which meet accreditation standards prescribed by regulation by the depart-

regard to teachers of this title. Anchorage School No. 2537 (File No. 1982).

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ment; nothing in this paragraph authorizes the department to require religious or other private schools to be licensed;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction project begun after July 1, 1978; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, basic education, and fire-service training to individuals over 16 years of age who are no longer attending school;

(13) administer the grants awarded under AS 14.11.020.

(b) In this section "pre-elementary school" means a school for children ages three through five years if the school's primary function is educational. (§ 1 ch 98 SLA 1966; am § 2 ch 69 SLA 1971; am § 6 ch 104 SLA 1971; am § 1 ch 190 SLA 1975; am § 6 ch 50 SLA 1977; am §§ 1-3 ch 126 SLA 1978; am § 10 ch 147 SLA 1978; am § 1 ch 86 SLA 1979; am § 24 ch 59 SLA 1982; am §§ 1, 2 ch 92 SLA 1982; am § 2 ch 11 SLA 1984; am § 1 ch 32 SLA 1984)

Effect of amendments. — The first 1984 amendment designated the previously undesignated introductory language as subsection (a) and added subsection (b). The 1984 amendment also, in subsection (a), substituted "state fire marshal and the state sanitarian" for "Department of Health and Social Services" and inserted "including a requirement of physical examinations and immunizations in pre-elementary schools" in paragraph (7); in paragraph (8), deleted "In cooperation with the Department of Health and Social Services" at the beginning and substituted "pre-elementary schools that receive direct state or federal funding" for "public

and private pre-elementary schools and over the educational component of nurseries as defined in AS 47.35.080(4); pre-elementary schools in this paragraph means schools for children ages three through five years when the school's primary function is educational"; and, in paragraph (10), deleted "elementary and secondary" following "accredit private" and added "nothing in this paragraph authorizes the department to require religious or other private schools to be licensed" at the end.

The second 1984 amendment inserted "in addition to the requirements of AS 18.15.145" in paragraph (7).

Sec. 14.07.058. Alaska School Activities Association. (a) There is created within the Department of Education the Alaska School Activities Association.

(b) The purposes of the association are to provide for the efficient governing of interscholastic activities through the promotion of those activities and other interschool contests or programs sanctioned by the association and to assist in the promotion of those other activities and interests as it may from time to time elect.

(8) who is required under ch. 20 of this title to furnish proof of financial responsibility and who has not done so. (§ 19 ch 178 SLA 1978)

NOTES TO DECISIONS

Stated in Commercial Fisheries Entry 2011 (File No. 4464), 606 P.2d 1255 (1980). Comm'n v. Apolodak, Sup. Ct. Op. No.

Collateral references. — 5 Am. Jur., Automobiles, § 151.

Sec. 28.15.041. Classification of drivers' licenses. (a) The commissioner shall provide by regulation for the classification of drivers' licenses. The regulations shall specify license classifications which are reasonably necessary for the safe operation of the various types, sizes and combinations of motor vehicles. The regulations shall also establish medical standards, standards of driving conduct and proficiency, and other standards governing the issuance, renewal, or denial of these licenses. The department may examine each applicant to determine his qualifications according to the class of license applied for, and upon issuing a driver's license the department shall indicate on the license the classification for which an applicant for a license has qualified by examination. The regulations and any subsequent modifications under this section become effective only if approved by a concurrent resolution adopted by a majority vote of each house of the legislature.

(b) No person may drive a school bus transporting school children, or a bus transporting school-age children or another motor vehicle when in use for the transportation of persons for compensation until he has applied for and has been issued a license for that purpose under (a) of this section. The department may not issue a license under this subsection unless the applicant is at least 19 years of age, has had at least one year of driving experience, and the department is satisfied as to the applicant's good character, competence and fitness to be licensed; nor may the department issue the license until proper application has been made and all required driving, written, and physical examinations have been successfully completed. A license issued under this subsection expires on September 1 of the year following issuance. Application for renewal may be made by submitting to the department the results of a current physical examination and paying the required fee. (§ 19 ch 178 SLA 1978)

Sec. 28.15.051. Instruction permit, temporary driver's license and special driver's permit. (a) Except as provided in (b) of this section, a person who is at least 14 years of age may apply to the

department for an applicant has suc- § 81 of this chapt. an instruction per- permit in his imm- motor vehicle on : to exceed two year- at least 19 years or- the type or class - control over the v- who accompanies- drives a motorcycl-

(b) The departm- restricted instruct- restricted period to- is enrolled in a d- driving and is app- permit allows the - possession, to driv- an approved instr- the permittee is dr- under the immedi-

(c) The departm- applicant for a driv- or class of motor ve- tigation and determ- ability to receive a d- applicant's immedi- A temporary driver- been issued or has-

(d) The departm- who is at least 14- guardians for the p- may be issued upon- scribed tests and fi- driver's license. Th- ordinance prohibits- under the age of 1- nonareawide basis- basis is acquired ur-

(e) Notwithstand- ment may issue a s- age of 16 years be- licenses to be issue- individual basis by

SSS. Setting Aside Sentence

13 AAC 06.060. PERIODIC INSPECTION REQUIRED. Annulled under AS 44.62.320, passed 5/26/76.

13 AAC 06.070. OFFICIAL INSPECTION STATIONS. Annulled under AS 44.62.320, passed 5/26/76.

13 AAC 06.080. DISPLAY OF CERTIFICATE OF INSPECTION. Annulled under AS 44.62.320, passed 5/26/76.

13 AAC 06.090. PROHIBITED PRACTICES.
(a) No person may perform repairs or adjustments upon a vehicle that are not in accord with acceptable or customary repair practices or not in accordance with the provisions of this title or applicable statutes.

(b) No person may willfully conceal or misrepresent the identity or condition of a vehicle, nor make a false or misleading statement or present false evidence in connection with the inspection, repair, or adjustment of a vehicle.

(c) Annulled under AS 44.62.320, passed 5/26/76.

(d) Annulled under AS 44.62.320, passed 5/26/76.

(e) Annulled under AS 44.62.320, passed 5/26/76.

(f) No police officer or other person authorized by the department to conduct inspections under this chapter may order, direct, recommend, or influence the repair or adjustment of a vehicle or its equipment by a particular person, or perform repair or adjustment at a roadside inspection area for compensation, nor may a person solicit in any manner, at a roadside inspection area or upon a surrounding or an adjacent highway, any repair or adjustment business for compensation. (Eff. 12/31/69, Reg. 31; am 7/5/75, Reg. 54)

Authority: AS 28.05.030
AS 28.35.230

Editor's Note: The penalty for violation of traffic regulations is provided by statute. Re: AS 28.35.230.

CHAPTER 08.
DRIVER LICENSING AND
SAFETY RESPONSIBILITY

Article

- 1. School Bus Driver Permit (13 AAC 08.005-13 AAC 08.060)
- 2. Safety Responsibility (13 AAC 08.075-13 AAC 08.110)
- 3. Classified Driver's Licenses (13 AAC 08.140-13 AAC 08.160)
- 4. Traffic Violations Demerit Point System (13 AAC 08.210-13 AAC 08.290)
- 5. Standards for Licensing of Drivers (13 AAC 08.310-13 AAC 08.400)
- 6. Mandatory Auto Insurance (13 AAC 08.410-13 AAC 08.440)

ARTICLE 1.
SCHOOL BUS DRIVER PERMIT

Section

- 05. Application of regulations
- 10. Denial of permit
- 15. Application requirements
- 20. Examination of applicants
- 25. Medical standards
- 30. Permit to be carried and exhibited
- 35. Restricted permit
- 40. Cancellation of permit
- 45. Suspension or revocation of permit
- 50. Period of suspension or revocation
- 55. Re-examination
- 60. Definitions

13 AAC 08.005. APPLICATION OF REGULATIONS. 13 AAC 08.005 - 13 AAC 08.060 apply to a person who operates a school bus when it is transporting a child, other than his own, to or from school or a school activity. (Eff. 12/31/69, Reg. 31)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.010. DENIAL OF PERMIT. (a) A school bus driver permit may not be issued to an applicant who

(1) has been convicted with such frequency of serious traffic offenses as to indicate a disregard for traffic laws and the safety of others;

(2) has not been licensed to operate a motor vehicle for at least one year before the date of application;

(3) is not at the time of application validly licensed to operate a motor vehicle in Alaska or does not have a valid unlimited Alaska driver's license in his possession;

(4) has not attained the age of 19;

(5) has been convicted of any of the following offenses within 20 years of the time of application: sexual abuse of a minor; sexual assault; incest; unlawful exploitation of a minor; contributing to the delinquency of a minor; felony offense involving distribution of prohibited drugs; or promoting prostitution in the first or second degree.

(b) Repealed 5/2/81.
(Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)
Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.015. APPLICATION REQUIREMENTS. Applicants for an original school bus driver permit shall, at the time of application, furnish the following to the examiner in order for the application to be accepted:

(1) a completed health history on a form prescribed by the Department of Public Safety;

(2) two sets of applicant fingerprint cards.
(Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)
Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.020. EXAMINATION OF APPLICANTS. (a) The school bus driver's written examination may not be administered to an applicant more than twice during any 12 consecutive months, and a one-week waiting period is required between the two tests allowed. A score of 80 is required to pass, and the test shall be comprised of questions concerning

(1) traffic laws and regulations; and

(2) school bus drivers' operating regulations promulgated by the Department of Education.

(b) The driving examination shall be administered in the type of equipment which the

applicant is to operate, and the equipment shall be furnished by the applicant or his employer. The driving examination may not be administered to an applicant more than twice during any 12 consecutive months, and a one-week waiting period is required between the two tests allowed. A score of less than 31 is required to pass, and the examination shall consist of at least the following maneuvers:

(1) with engine off, starting engine and moving into the rest of the required maneuvers;

(2) two right-hand turns and two left-hand turns;

(3) where practical and possible, a railroad crossing stop;

(4) the use of special lighting and other special equipment required by regulation;

(5) movement through intersections controlled by signs or signals, unless such signs or signals are not available in the area of the examination;

(6) simulated loading and unloading of children.

(c) Where it is impractical for the department to administer the driving test, and upon agreement with the employer or other person acceptable to the department, the driving examination may be administered by the employer or other person acceptable to the department who shall certify to the proficiency of the applicant's driving skills by signing the examination form as the "examiner." (Eff. 12/31/69, Reg. 31)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.025. MEDICAL STANDARDS. (a) A school bus driver permit may not be issued to a person who does not meet the following minimum standards as certified by a medical doctor, a physician's assistant licensed by the State Medical Board, or an advanced nurse practitioner licensed by the Board of Nursing, on the form required in 13 AAC 08.015(1):

(1) the person must be free of communicable disease at the time of examination;

(2) the person must have a chest X-ray or "skin test" that shows the person to be free of tuberculosis;

(3) the person's visual acuity may not be less than 20/30 in one eye and 20/200 in the other eye, either with or without corrective lenses;

(4) the person may not have monocular vision;

(5) the person may not have a history of fainting spells, dizziness, convulsions, epilepsy, or cardiac ailment during the 12 consecutive months immediately preceding the examination;

(6) the person must have normal use of both hands, arms, and feet;

(7) the person may not have a physical disability that would prevent safe operation of a school bus under all driving conditions;

(8) the person may not presently be under treatment for excessive use of alcohol or drugs.

(b) Except as provided in (c) of this section, a renewal of a school bus driver permit may not be granted unless the requirements of (a)(1) -- (8) of this section are met.

(c) When a person has a "skin test" that does not show the person to be free of tuberculosis, a chest X-ray is not required under (a)(2) of this section if within 18 months before the skin test the person had a chest X-ray that showed him to be free of tuberculosis. Nothing in this section, however, prevents the person conducting the examination from concluding that the X-ray is necessary for diagnostic purposes and requiring that an X-ray be taken.

(d) A report of an examination performed under this section by a physician's assistant or an advanced nurse practitioner must be signed by that person, and include the name of the collaborating physician. (Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78; am 8/12/82, Reg. 83)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.030. PERMIT TO BE CARRIED AND EXHIBITED. A driver of a school bus shall have in his immediate possession his school bus driver permit and his driver's license when operating a school bus transporting a child to or from school or a school activity and shall, upon the request of a police officer, display and

temporarily give to the police officer for examination his school bus driver permit. (Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.035. RESTRICTED PERMIT. A school bus driver permit shall, depending upon the type of vehicle in which the driving examination was given, be restricted as follows:

(1) if the examination was given in a school bus with a manufacturer's rated capacity of less than 24, the permit shall be restricted on its face to "15 passengers or less";

(2) if the examination was given in a school bus with a manufacturer's rated capacity of 24 or more, the permit shall be unrestricted and allows operation of any school bus. (Eff. 12/31/69, Reg. 31)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.040. CANCELLATION OF PERMIT. The department will, in its discretion, cancel a school bus driver permit for the following:

(1) unintentional, erroneous information or improper application;

(2) repealed 5/2/81.
(Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.045. SUSPENSION OR REVOCATION OF PERMIT. (a) A school bus driver permit will, in the department's discretion, be suspended by the department for

(1) driving a school bus in violation of the permit restrictions;

(2) conviction of a traffic offense which results in a limitation being placed on the driver's license, except an offense which requires revocation under (b) of this section;

(3) conviction of an offense which results in suspension or revocation of the driver's license, unless suspension or revocation is for a conviction of an offense which requires revocation under (b) of this section.

(J) A school bus driver permit will be revoked for

- (1) conviction of driving while intoxicated;
- (2) conviction of reckless driving;
- (3) conviction of a third offense of driving in violation of permit restrictions;
- (4) any reason that would be grounds for denial under 13 AAC 08.010;

(5) knowingly making a false statement or concealing a material fact or otherwise committing a fraud in an application for a permit;

(6) repealed 5/2/81.
(Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)
Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.050. PERIOD OF SUSPENSION OR REVOCATION. (a) The period of suspension of a school bus driver permit is as follows:

- (1) violation of permit restrictions – first offense 30 days, second offense six months;
- (2) for the duration of a limitation placed on the driver's license as provided by 13 AAC 08.045(a)(2);
- (3) for the duration of the suspension or revocation of the driver's license as provided by 13 AAC 08.045(a)(3).

(b) the period of revocation of a school bus driver permit is as follows:

- (1) one year for first conviction of driving while intoxicated or reckless driving, and permanent revocation for conviction of a second offense or the first offense if it occurred while driving a school bus;
- (2) one year for third offense of driving in violation of permit restrictions;
- (3) until applicant is eligible for reissuance if it is for a reason which would be grounds for denial under 13 AAC 08.010;
- (4) one year for knowingly making a misrepresentation in an application for a permit;

(5) repealed 5/2/81.
(Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)
Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.055. RE-EXAMINATION. Upon written request of a police officer, the Department of Education, or the employer of a school bus driver, the department will, in its discretion, upon giving 10 days' notice to the school bus driver, require him to submit to a part or all of the examination requirements. After examination the department will, in its discretion, if the school bus driver did not satisfactorily pass examination, revoke his permit until the examination is passed. Refusal or neglect to submit to re-examination will result in revocation of the permit until the examination is satisfactorily completed. (Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)

Authority: AS 28.05.011
AS 28.15.041

13 AAC 08.060. DEFINITIONS. In 13 AAC 08.005 – 13 AAC 08.060, unless context requires otherwise

(1) "convicted with such frequency of serious traffic offenses" means one conviction of driving while intoxicated or reckless driving during the 12 months immediately before application, or four convictions for any other violation of traffic law or regulations while driving a motor vehicle during the 24 months immediately before application, or two or more convictions for driving while intoxicated or reckless driving at any time before application;

(2) repealed 5/2/81;

(3) repealed 5/2/81;

(4) "permit" means a school bus driver permit issued by the department;

(5) "unlimited Alaska driver's license" means an Alaska driver's license which is not limited under the provisions of AS 28.15.201;

(6) "department" means Alaska Department of Public Safety. (Eff. 12/31/69, Reg. 31; am 5/2/81, Reg. 78)

Authority: AS 28.05.011
AS 28.15.041

Editor's Note: The regulations of the Department of Education governing the operation of school buses may be found in 4 AAC 01.100 - 4 AAC 01.104.

**ARTICLE 2.
SAFETY RESPONSIBILITY**

Section

- 75. (Repealed)
- 80. Application of regulations
- 85. Reports required
- 90. Security deposit
- 95. Release from liability
- 100. Agreement for payment of damages
- 105. Form of notice
- 110. Proof of financial responsibility for the future

13 AAC 08.075. DECLARATION OF INTENT. Repealed 1/26/79.

13 AAC 08.080. APPLICATION OF REGULATIONS. 13 AAC 08.080 - 13 AAC 08.110 apply to



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y. State Capitol
Juneau, Alaska 99811
(907) 465-3991

November 14, 1985

MEMORANDUM

TO: Representative Randy Phillips
FROM: *Gretchen Keiser*
Gretchen Keiser
Legislative Analyst
RE: School Bus Driver Training and Bus Safety
Research Request 86-009

You requested this agency to conduct a fifty state survey on school bus safety. Specifically, we were asked to obtain information about the following:

- requirements for a school bus driver license;
- state or local district requirements for school bus driver training;
- state school bus driver manuals;
- special rules or regulations that school bus drivers are required to observe;
- programs in use regarding school bus safety equipment; and
- pending or proposed legislation concerning the above issues.

Table 1 provides a summary of the responses received from 40 states as well as the current school bus driver and safety practices in Alaska. Typically, state departments of education have general responsibilities for school transportation, while local school districts administer specific policies and practices. A number of states mentioned that they followed the national school transportation guidelines in Standard No. 17 (Pupil Transportation Safety) of the Federal Highway Safety Program Manual. The national standard provides minimum requirements for safe student transportation, including the identification, operation and maintenance of school buses; training of personnel; and administration of pupil transportation programs.

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Requirements for School Bus Driver License

All states require school bus drivers to possess either a regular driver's or chauffeur's license. In addition, many require a school bus driver certificate which is issued by a state agency or local school district every one to four years. Written exams which test the driver's knowledge about state laws and regulations governing school buses are common. Behind-the-wheel road tests are also commonly required in order to be licensed to drive a school bus. Alaska requires a regular driver's license as well as written and road tests for prospective school bus drivers.

Most states indicated a minimum age requirement of 18 years. Thirteen of the 41 states for which we have information also place a maximum age limitation--typically 65 or 70 years--on school bus drivers. Alaska requires a minimum age of 19 and has no upper age limit for school bus drivers.

The majority of the states which responded to our survey, including Alaska, require an initial physical examination and periodic examinations thereafter, most commonly every one or two years. States usually provide a fairly extensive medical form to be completed by a licensed physician. States commonly require an assurance of the individual's ability to perform physical activity attendant with normal and emergency school bus operations.

Other requirements for licensing noted during the survey include: a) driving record checks (18 states); b) criminal record checks (10 states); c) required years of driving experience (6 states); d) first aid certificates (4 states); and e) character references (2 states). Alaska school bus driver regulations specify that a prospective school bus driver have a good driving record and at least one year driving experience.

School Bus Driver Training

Pre-service and in-service training programs vary among the states which responded to our survey. Eighteen states indicated that they have a mandatory state instruction program for school bus drivers. On the other hand, 12 states (including Alaska) do not have a state requirement regarding school bus driver training. Those states which do not have a required state training program generally train and certify local instructors and/or approve training developed by local school districts. A few states, including Alaska, rely on local training programs with no mention of state assistance or certification.

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The Alaska Department of Education, in conjunction with the Alaska School Bus Driver Training Committee, has drafted a master plan for a statewide driver training program. The department has submitted a \$233,000 FY 87 budget request to the governor in order to implement this master plan.¹ Under the draft plan, Alaska would require 40 hours of pre-service training (20 hours classroom and 20 hours behind-the-wheel) and 10 hours annual in-service training. Of the states surveyed, California and Louisiana are the only states which currently require 40 hours of pre-service training (Florida will require this level of training in 1986). Eight other states surveyed require 20 to 30 hours of pre-service training of school bus drivers. States commonly require annual in-service training, although the amount of annual training varies between 3 and 16 hours.

School Bus Driver Manuals

Twenty-nine states surveyed, including Alaska, have state school bus driver manuals.² These manuals vary in format and length, but typically contain information on the following subjects:

- rules and regulations applicable to school bus drivers;
- driver responsibilities to school district and pupils;
- recommended driver practices regarding vehicle maintenance;
- proper operation of bus in typical traffic situations;
- basic first aid; and
- emergency procedures.

The current Alaska School Bus Driver Manual (revised in 1981) addresses all of the above subjects (Attachment A). Alaska's manual, however, is currently under revision and will place greater emphasis on emergency procedures, first aid and the transport of exceptional children.

¹The draft master plan also includes a school bus inspection program developed by the Alaska School Bus Inspection Committee.

²Most states provided copies of these school bus driver manuals which are available to you at your request.

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Special Rules and Regulations Applicable to School Bus Drivers

The states surveyed generally have a standard set of operating rules and procedures which school bus drivers must observe. These rules and regulations address the following general areas:

- driver's daily pre-trip inspection of bus interior and exterior;
- activation of bus warning lights before stopping the bus to load and unload pupils;
- proper off-road positioning of bus when loading and unloading pupils;
- stopping before railroad crossings;
- maximum speed limits on local and interstate roads;
- leaving driver seat only after setting the brake, turning off the ignition and removing the key;
- pupils seated and not in the stair well while bus is in motion;
- refueling bus when pupils are not present;
- limitations on backing the bus, particularly on school grounds;
- limitations on the number of hours of driving in a 24-hour period;
- wearing driver seat belt;
- no smoking or drinking on the bus; and
- reporting all accidents to school officials.

Chapter 4 of the Alaska School Bus Drivers Manual lists 30 rules and regulations in effect in Alaska (see Attachment A). It should be noted, however, that local school districts may promulgate additional regulations pertinent to local driving conditions.

Safety Equipment Pilot Programs

Eleven states surveyed, including Alaska, indicated that they were experimenting with various safety equipment. The most common equipment under testing (9 states) is the safety sensor--an electronic device which detects the presence of a child or object outside the bus.

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Page Five

Safety sensors are mounted on the front or rear of the bus exterior to monitor bus drivers' "blind spots" (Attachment B). The Alaska Department of Education is sponsoring a safety sensor pilot during the 1985-1986 school year. Thirteen safety sensors were purchased (at a cost of \$250 each) and are being installed on school buses throughout the state.³

Other safety devices under testing by various states include:

- strobe lights on stop arm signals (replacements for standard flashing red lights);
- retroreflective markings on bus exterior;
- strobe lights on top of bus (these are currently required by many states);
- additional exterior mirrors;
- roof escape hatches; and
- automatic tire chains or traction device.

Alaska experimented with strobe lights on stop arms on 17 buses statewide during the period October 1983 through May 1984. A survey of the school bus drivers indicated that the number of passing violations were reduced after installation of the devices.

Georgia, South Carolina and Tennessee indicated that another safety device--a crossing gate--is required equipment on school buses in their states. The crossing gate (or "walk arm"), which is a metal bar attached to the front of the bus, swings forward to a 90-degree angle, thereby directing pupils away from the front of the bus as they cross. They are designed to eliminate dangerous situations which occur when small children cross directly in front of the bus and outside the driver's view.

Related Legislation

Twelve of the 41 states surveyed mentioned recent and pending legislative action on school bus bills. There are two bills before the Alaska Legislature: Committee Substitute for House Bill 240 (citation for vehicles passing a stopped bus) and House Bill 409 (requiring State-approved training for school bus drivers). Idaho also has a bill before

³Romayne Kareen, Administrator of Pupil Transportation, Alaska Department of Education, personal communication, November 1, 1985.

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its legislature regarding citation of vehicles which pass stopped school buses. Arizona has a pending bill which would update various pupil transportation statutes.

Ohio and West Virginia have legislation pending which would require safety sensors and strobe lights on bus roofs, respectively. A safety-related measure requiring semi-annual school bus inspections will be proposed in the Minnesota legislature.

Five states (Louisiana, Massachusetts, New Hampshire, New Jersey and Vermont) mentioned seat belt bills which are either pending or have recently been defeated in their legislatures.

* * * * *

We received considerable information in the responses from various states. We can provide this material to you at your request. Also, please contact us if you have any questions.

GK

Attachments

TABLE 1

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	LEGISLATION
Alabama	Regular license; special license annually; written & road tests; TB exam every 3 years.	12 hrs state pre-service instruction; 6 hrs in-service annually.	Yes	Experimenting with strobe light on stop arm.	No
Alaska	Regular license for at least one year; annual DPS permit; written & road tests; annual physical exam; minimum age 19; good driving record.	No state requirements; 0-40 hrs local training; proposed 1987 implementation of 40 hrs pre-svc & 10 hrs in-svc training.	Yes	Pilot programs for safety sensor and strobe light on stop arm.	Yes (HB 240: citation of vehicle passing bus; HB 409: State training progra
Arizona	Chauffeur's license; annual physical exam; clean driving record; 65 maximum age; written & road tests; fingerprint check.	12 hrs state pre-service instruction; 8 hrs in-svc every 2 years; 8 hrs first aid course.	Yes	None	Yes (update of bus statutes)
Arkansas	Regular license; 2-yr bus driver certificate; phys. exam every 2 yrs; written & road tests; clean driving record within 5 yrs.	State-prescribed pre-service and in-service training taught locally.	No	None	No
California	Regular license; bus driver certificate every 4 yrs; phys. exam every 2 yrs; minimum age 18; over 65; annual phys. exam; written & road tests for certificate renewal.	40 hrs pre-service training (20 classroom/20 road) by state-certified instructors; 10 hrs in service annually; first aid exam.	Yes	None	No
Connecticut	Regular license; age 18-70; annual phys. exam; annual road & written tests; fingerprinting & no criminal record	7 hrs pre-service and 3 hrs in-svc annually by state-certified instructors.	No	None	No

TABLE 1 (CONTINUED)

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
Florida	Chauffeur's license; annual bus driver license; phys. exam; written & road test at age 65; 6-month license.	Admn. rule in 1986 will require 40 hrs pre-service and 8 hrs in-service annually.	Yes	None	No
Georgia	Regular license; Class 3 license; annual physical exam; 65 maximum age.	6 hrs pre-svc classroom instruction; 6 hrs road training without pupils; 6 hrs road training with pupils; state requirement; developed locally.	Yes	Crossing gate required since 6/83	No
Idaho	Chauffeur's license; minimum age 18; physical exam; driving test.	10 hrs state pre-service instruction; 8 hrs in-svc annually.	Yes	None	Yes (citation of vehicle passing stopped bus)
Illinois	Regular license; annual permit; minimum age 21; annual physical exam; written & road tests; no criminal record within 5 yrs; no more than 2 traffic violations within 1 yr.	Variable local classroom training before superintendent issues school bus driver permit.	Yes	None	No
Indiana	Chauffeur's license; state bus driver certificate	20 hrs state pre-service classroom instruction; additional local training as desired.	No	2 school districts piloting safety sensors.	No
Iowa	Chauffeur's license; bus driver permit; annual phys. exam; age 18-69.	Voluntary 18 hrs pre-service classroom instruction provided locally	Yes	One test of safety sensors.	No
Louisiana	Chauffeur's license; bus driver certificate; road & written tests; driver & criminal record checks; phys. & psychological exams; age 21-55.	40 hrs state pre-service (30 classroom/10 road); 8 hrs in-service annually.	Yes	None	Yes (seat belt bill defeated)

TABLE 1 (CONTINUED)

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
Maine	Class 2 license; annual permit; minimum age 18; road test; physical exam.	No state requirement; local training requirements.	No	None	No
Massachusetts	Regular license for 3 yrs; minimum age 18; annual physical exam.	State pre-service and in-service training annually.	Yes	None	Yes (stop arms, standees, seat belts, licensing)
Michigan	Chauffeur's license; class 3 endorsement; annual road test; written test; annual phys. exam; minimum age 18; good driving record (less than 7 points.)	State-approved pre-service training; local in-service instruction.	No	None	No
Minnesota	Regular license with bus endorsement; road & written tests; minimum age 18; phys. exam every 2 yrs; criminal & driving record checks; renewal every 4yrs.	No state requirement; local training requirements vary.	No	None	Will propose bill to require semi-annual bus inspections.
Mississippi	Regular license with annual bus endorsement; age 17-70; physical exam.	16 hrs pre-service training developed locally and taught by state-approved instructors.	No	Pilots with bus strobes, mirrors and safety sensors	No
Missouri	Chauffeur's license; minimum age 21; written & road tests.	Voluntary state training maybe required by local district; state-certified instructors.	Yes	None	No
Montana	Chauffeur's license; 5 yrs driving experience; phys. exam; first aid certificate.	Voluntary state training program used by about 1/2 of the school districts.	No	None	No

TABLE 1 (CONTINUED)

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
Nebraska	Regular license; bus driver permit; annual phys. exam; age 18-65; annual written & road tests; good driving record check.	10 hrs state-approved training.	No	None	No
Nevada	Class II license every 4 yrs; phys. exam every 2 yrs; annual written exam.	20 hrs state pre-svc (10 hrs classroom/10 hrs road) & annual refresher course.	No	None	No
New Hampshire	Regular license; bus driver certificate; minimum age 18; English-speaking written test; criminal & driving record check.	State-approved training: 8 hrs pre-service road & classroom instruction; 6 hrs in-service annually.	Yes	None	Yes (two 1985 seat belt bills defeated)
New Jersey	Regular license; certificate every 2 yrs; 3 yrs driving experience; minimum age 18; physical exam; written & road tests; driving record check.	No state requirement; state assistance to local districts offering training.	Yes	None	Yes (seat belt)
New York	Regular license; phys. exam every 2 yrs; no driving record (3 yrs) or criminal record (5 yrs); written & road tests every 2 yrs; 3 yr employment check; annual driving record check; age 21-65.	2 hrs state pre-svc classroom instruction; 2 hrs twice a year in-service training; additional local training optional.	Yes	None	No
Ohio	Chauffeur's license; annual bus certificate; minimum age 18; physical exam; written & road tests; annual driving record check.	20 hrs state pre-svc (12 hrs classroom/8 hrs road); 2 hrs annual in-service training; some local districts require more.	Yes	None	Yes (require safety sensors)

TABLE 1 (CONTINUED)

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
Oklahoma	Chauffeur's license; 5-yr certificate; annual phys. exam; minimum age 18; clear driving record for 3 yrs; at age 64 1-yr certificate.	5-day (25 hrs) state pre-service workshop; local in-service training each semester.	Yes	None	No
Oregon	Chauffeur's license; age 18-70; physical exam; road test; criminal & driving record checks; first aid certificate.	20 hrs state pre-svc training (10 hrs classroom/10 hrs road); refresher course every 4 years.	Yes	Experimenting with safety sensors and retroreflective markings.	No
Pennsylvania	Regular license; bus license; annual phys. exam; minimum age 18; road & written tests.	State-approved local pre-svc: 7 hrs classroom/3 hrs road; in-service: 10 hrs every 4 years.	Yes	Pilot study with safety sensors.	No
Rhode Island	Chauffeur's license; 1 yr driving experience; age 18-65; annual physical exam; driving record checks; character references.	State-approved pre-service training: 9 hrs classroom/1 hr road; 3 hrs in-svc annually for renewal.	No	None	No
South Carolina	Regular license; bus certificate; age 16-65; no accidents or violations; initial phys. exam; written test.	State training.	Yes	Walk arm (crossing gate) required on 1985 buses.	No
South Dakota	Regular license; bus license; bus certificate every 3 yrs; annual phys. exam; minimum age 18; road & written tests.	No state requirement; about 1/3 drivers attend annual seminars sponsored under federal funding.	Yes	None	No
Tennessee	Special chauffeur's license; 5 yrs driving experience; maximum age 70; annual phys exam; over 55 semi-annual physical exam.	20 hrs state pre-service classroom instruction; districts may require more training.	Yes	Crossing gate required; safety sensors, steering stabilizers, and p.a. systems being tested	No

TABLE 1 (CONTINUED)

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
Texas	Chauffeur's license; 3-yr bus certificate; annual phys. exam; minimum age 18.	20 hrs state pre-service classroom training (plus road experience); 8 hrs refresher training.	Yes	None	No
Utah	Regular license, S1 license; written & road tests.	24-hr state course; 8 hrs in-service training locally; 8 hrs first aid training every 4 years.	Yes	Experimenting with automatic traction device and school bus alert system.	No
Vermont	Regular license; minimum age 18 written & road tests every 4 yrs; physical exam.	8 hrs State pre-svc classroom training; 8 hrs in-service training every 4 years; local district may require more training.	Yes	Bus inspections required 3 times a year.	Yes (seat belt bill which no progress)
Virginia	Regular license; written & road tests; phys. exam; two character references; age 17-70; driving & criminal record checks.	Local classroom and road training by state-educated instructors; 4 hrs in-svc each year; districts may require first aid course.	Local manuals	None	No
Washington	Regular license with 1-2 yrs driving experience; bus certificate every 4 yrs; annual phys. exam; minimum age 18; first aid certificate every 3 yrs; criminal & driving record checks.	Local training by state-educated instructors; generally pre-service and in-service training.	Yes	None	No

TABLE 1 (CONTINUED)

SURVEY OF THE STATES: SCHOOL BUS DRIVER REQUIREMENTS, SAFETY PROGRAMS AND RELATED LEGISLATION

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
West Virginia	Chauffeur's license; bus certificate; age 18-70; 1-yr driving experience; annual phys. exam; written test; driving record check; first aid certificate.	30 hrs state pre-service classroom instruction; district may require road training; 16 hrs in-svc training.	Yes	Experimenting with safety sensors, roof escape hatches and automatic tire chains; may require fiberglass lamination on seats and strobe on stop arm	Yes (requiring strobe lights on roof)
Wisconsin	Regular license, no criminal record for 5 years; written & road tests; phys. exam.	No state requirement; local district may require attendance at annual state workshops.	Yes	None	No
Wyoming	Class S license; minimum age 18; written & special road tests; annual physical exam.	No state requirement; many local districts have training programs.	Yes	Local districts testing safety sensors (state not involved).	No

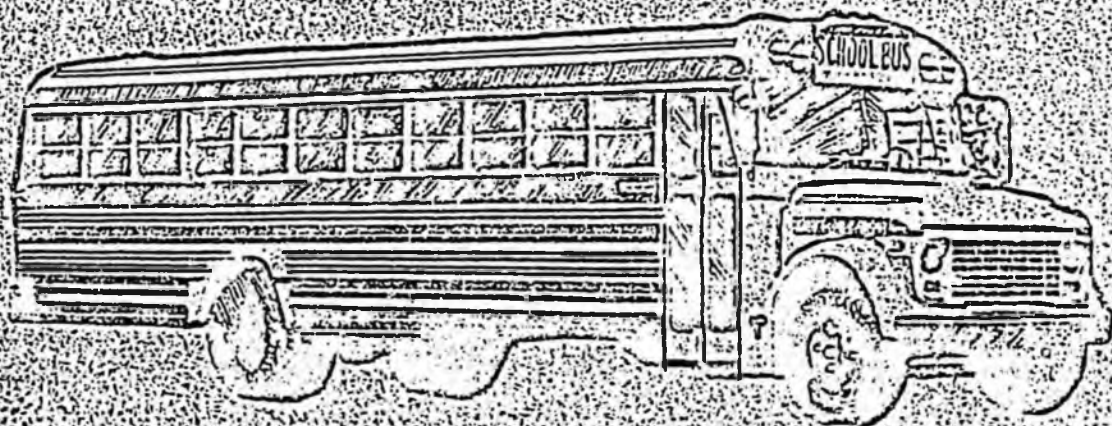
Prepared by the House Research Agency, November 1985.

ATTACHMENT A
Alaska School Bus Drivers Manual
Revised 1981

#3

Alaska School Bus Drivers Manual

Revised 1981

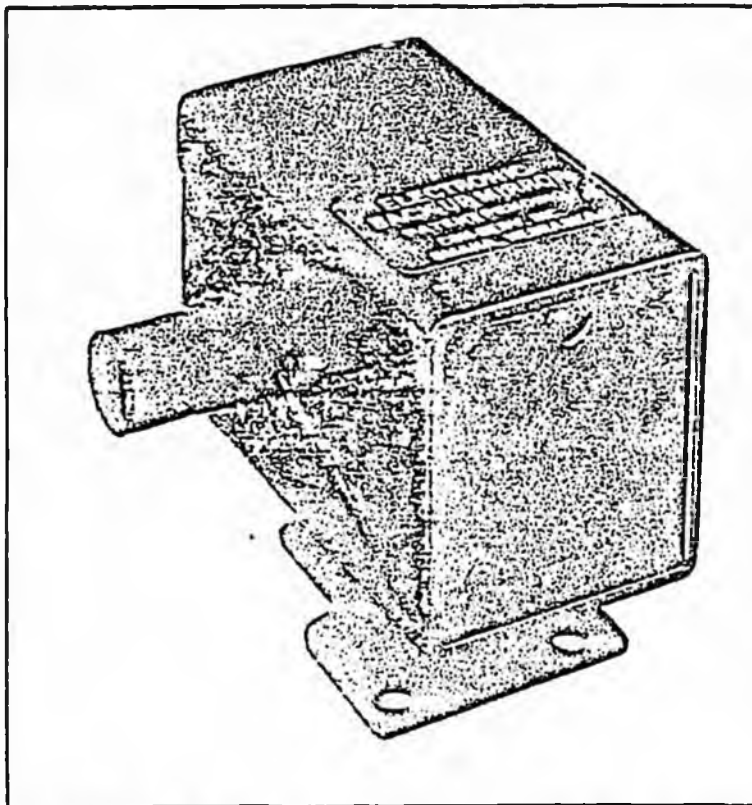


ATTACHMENT B
New Product Update

EXHIBIT

Con-Serv, Inc.

NEW PRODUCT UPDATE



Introducing Con-Serv's New Safety Sensor™

Because of everyone's interest in pupil safety, Con-Serv, Inc. has introduced a revolutionary product — the Safety Sensor — a device that eliminates blind spots on any vehicle and is uniquely suited to school buses.

Many school bus operators have nightmares about student safety and property damage claims due to blind spots on a school bus.

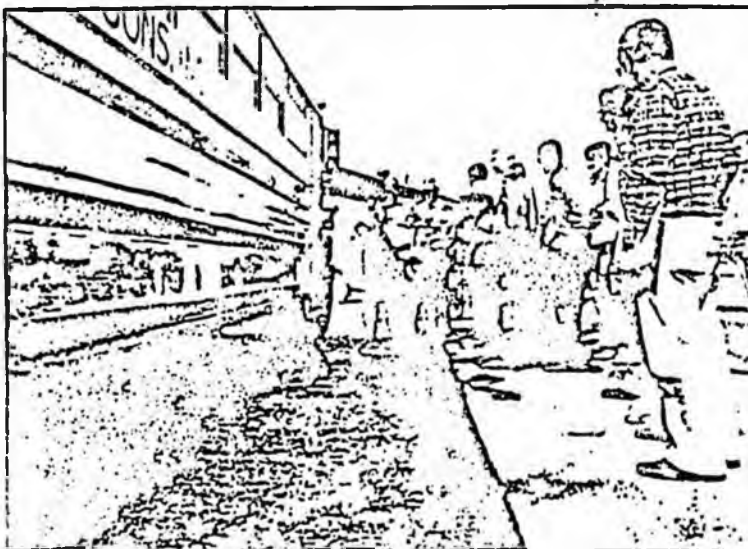
For example:

A recent tragedy in the Midwest concerning a student being run over by a school bus sent chills and nausea through the community.

A 200-bus fleet in the Midwest reports \$50,000 in property damage for just 14 months.

Extensive testing has proven blind spots can be eliminated. Savings in property damage, downtime, and litigation due to personal injuries more than justify the \$225 for this modern radar-operated device.

Even the hazard of the rear dual tires on the entrance and exit side, where reportedly 3 out of 14 fatalities occur, can be eliminated. Tests have shown that this innovative new product can be positioned to give warning of a child near the rear or front of the bus.



As the bus moves forward, the Safety Sensor alerts the driver to the boy's presence. The Safety Sensor unit mounted for rear dual tires signals the driver and saves the boy from harm.

Sovereign Immunity Question Becomes A Growing Concern

Recent actions by courts and legislative bodies have left the issue of "sovereign immunity" in a state of ambiguity. School administrators and elected officials are very uncertain of their liability when entering into litigation. The courts have established precedent where school administrators and board members have been sued because the bus driver is considered an agent of that district.

When it comes to protecting young and handicapped children on school buses, the pivotal question is this: Have you done everything you can with the

most up-to-date equipment to keep these children from getting hurt? In legal terminology it is a "state-of-the-art" question. Are you using the best available safety devices? The key to the defense of school boards and administrators is (1) the existence of sound transportation policies, (2) transportation personnel training and (3) use of "state-of-the-art" equipment.

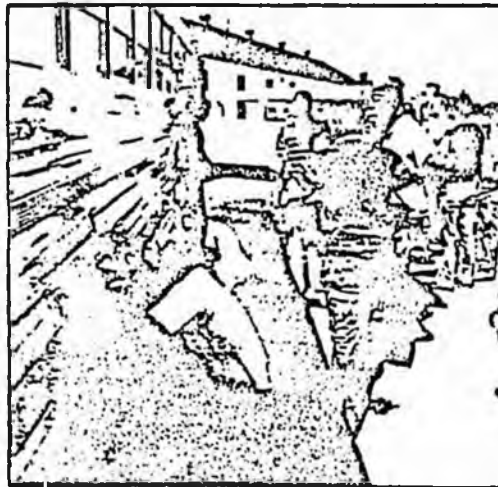
The above is reprinted from "Safety Update/Handicapped Transportation" with the permission of William L. Bainbridge, Ph.D., Director, Public Priority Research Associates, Inc., Columbus, Ohio.

What is the Most Common Cause of School Bus Fatalities?

Most school bus fatalities have occurred at the loading and unloading point, rather than in moving accidents. On the average, for the past three years, 53 deaths per year were caused by the driver not seeing small children who stopped for various reasons around the wheels of the bus and were run over.

The above is an excerpt from "Safety Legislation Concerning School Buses", prepared for the 34th Annual Southeastern State Pupil Transportation Conference by the American Transportation Corporation, Conway, Arkansas.

Safety Sensor was designed to eliminate blind spots. Safety Sensor can reduce the staggering number of accidents that occur when bus drivers are unable to see students around their wheels.



Transportation superintendents at the Nebraska Transportation Conference inspect the Safety Sensor.

Almost One Fourth of the Country Has Already Approved and/or Purchased the Safety Sensor

Eleven state approvals have been given to Con-Serv's Safety Sensor and numerous cities in each of those states have already placed orders. Units are being shipped to Nebraska, West Virginia, Virginia, Georgia, Florida, Texas, Tennessee, Arkansas, North Carolina, Ohio, and Oklahoma.

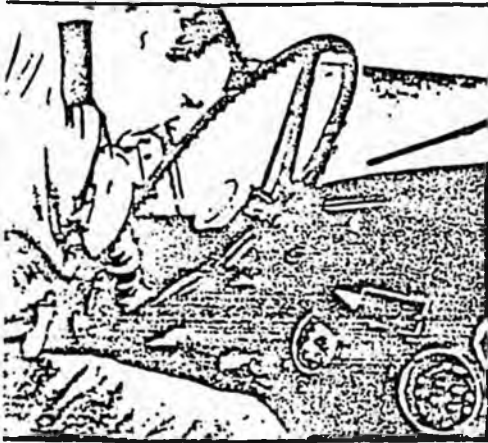
Many other states are now investigating the Safety Sensor's life-and-property-protecting features.

Reactions to the Safety Sensor from Various Pupil Transportation Groups

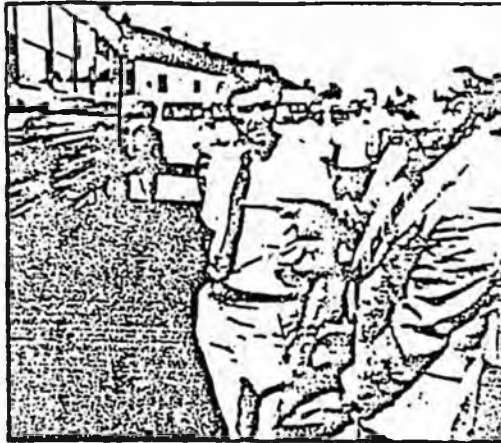
Nebraska: "With a device like this, we should be able to eliminate our pupil fatalities!"

West Virginia: "This product should be mandatory on every school bus in the country."

Florida: "I really like the Safety Sensor and am going to put it on all my buses!"



Jim Miner, Con-Serv's Quality Assurance Manager, points out the Safety Sensor's audio alarm and warning light.



Dean Bergman, Nebraska's State Director of School Transportation (center), discusses the Safety Sensor's many advantages with Con-Serv's representative, George Sturmon.

Principle of Operation

The Safety Sensor is a microwave radar device which uses the doppler shift principle to detect the presence of a moving target within the transceiver range. The unit is totally electronic and is composed of a transceiver, an antenna, an intermediate frequency amplifier and an audio alarm.

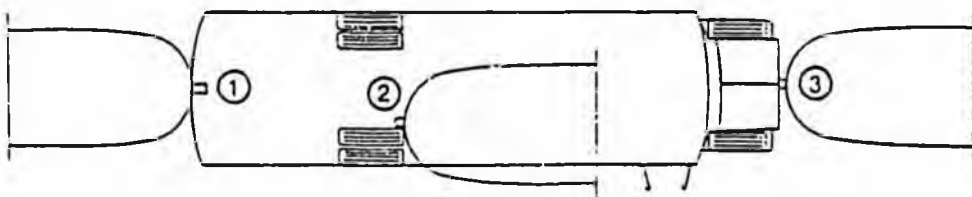
The Safety Sensor's transceiver is unaffected by magnetic fields. Its amplifier is designed to interface with any existing switch in order to activate the

circuit during a chosen operation of the vehicle. ("Chosen operations" may include opening the bus door, turning on the parking lights, putting the vehicle in reverse, etc.) The amplifier drives the audio alarm and warning lights mounted in the vehicle cab.

Mud, dirt, ice or snow have no effect on the operation of Safety Sensor. Microwave radar penetrates and detects any moving or stationary object.

When a vehicle is placed in operation and is moving, the Safety Sensor will detect any stationary or moving object. Upon detection, a buzzer will activate and notify the operator that a hazard exists and that he should apply his brake.

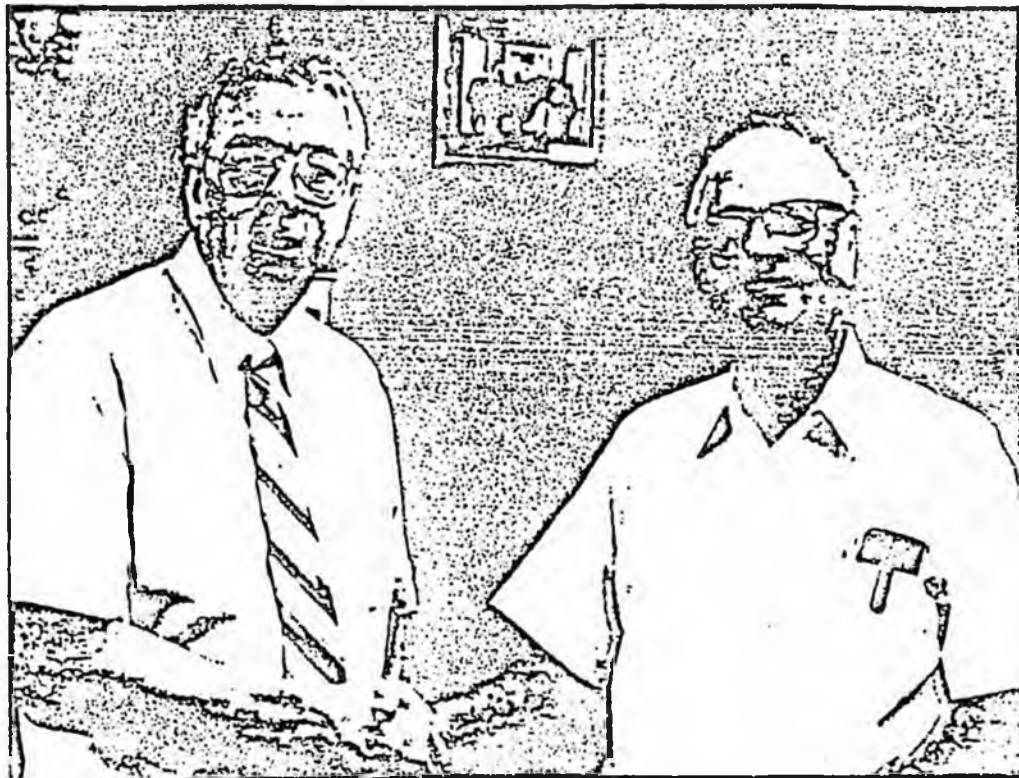
Placements of the Safety Sensor



The unit is activated when door opens and remains activated to detect any object or human until 10 seconds after door closes. This enables the driver to be warned of any human in the path of the wheels until he is well away from his original stationary position.

- 1 Safety Sensor placement for reverse travel
- 2 Safety Sensor placement to protect pupils from rear dual tires
- 3 Safety Sensor placement to protect small children crossing in front of bus

**A. E. "Tony"
Dombrowski,
President of
Con-Serv, Inc., and
L. S. Billingsley,
President of
Billingsley Parts &
Equipment, finalize
their agreement.**



Con-Serv, Inc. has appointed Billingsley Parts & Equipment to be Safety Sensor's national distributor. Safety Sensor is Con-Serv's new life- and property-protecting device, created especially for the school bus after-market.

For more information on the Safety Sensor, contact:

 **Billingsley**
PARTS AND EQUIPMENT, INC.
HUNTSVILLE, TEXAS 77340

Toll Free
1-800-231-2312 - U.S.
1-800-392-6496 - Texas

**safety
sensor™**

by Con-Serv, Inc.
3801 Dahman Ave.
Omaha, NE 68107
(402) 733-8961

Bulk Rate
U. S. Postage
PAID
Huntsville, TX 77340
Permit No. 72

HOUSE TRANSPORTATION COMMITTEE
January 22, 1986
7:00 a.m.

Members present:

Rep. Bette Cato, Chairman
Rep. Mike Davis, Vice-Chairman
Rep. Richard Shultz
Rep. Marco Pignalberi
Rep. Adelheid Herrmann
Rep. Andre Marrou
Rep. Walt Furnace

COMMITTEE CALENDAR:

HB 409 "An Act relating to licensing of school bus
drivers; and providing for an effective date."

WITNESS REGISTER:

Rep. Roger Jenkins
P.O. Box V
Juneau, Alaska 99811
Position: Witness and Sponsor - In favor of the bill

Bill Brown
Division of Motor Vehicles
Department of Public Safety
P.O. Box N
Juneau, Alaska 99811
Phone: 465-2650
Position: Witness - In favor of the bill

Romayne Kareen, Administrator
School Transportation Program
Department of Education
P.O. Box F
Juneau, Alaska 99811
Phone: 465-2890
Position: Witness - In favor of the bill

Sandra C. Hutchins, Chairman
The Alaska School Bus Safety Committee
P.O. Box AB
Palmer, Alaska 99645
Phone: 745-4822
Position: Witness - In favor of the bill

PREVIOUS ACTION

ACTION NARRATIVE

TAPE ONE SIDE ONE
Number 000

The House Transportation Committee was called to order by Rep. Cato at 7:04 with the following members present: Rep. Shultz, Rep. Herrmann, Rep. Furnace.

Rep. Cato addressed HB 409 and reminded the committee to review the minutes from 05/09/86 when the bill was first heard and introduced Rep. Jenkins, the sponsor.

Number 040

Rep. Marrou joined the committee.

Rep. Jenkins testified that HB 409 would set minimum requirements for school bus drivers and puts the State Department of Public Safety regulations into law as well as add the following:

- (1) Applicants must complete a state approved school bus driver training course.
- (2) Applicants must supply the Department of Public Safety with sufficient information to complete national criminal records checks.
- (3) The applicant must successfully complete a background check within the state or states which he or she has resided for at least the past 2 years.
- (4) The applicant must not have been convicted of a felony or misdemeanor involving distribution of a controlled or imitation controlled substance.
- (5) The applicant must not have been convicted of a felony or misdemeanor involving distribution of a controlled or imitation controlled substance.
- (6) The applicant must not have been convicted of driving while intoxicated within two years or must not have been convicted of multiple DWI's.
- (7) The applicant must bare the cost of background checks.

Rep. Pignalberi joined the Committee.

Rep. Jenkins reviewed a fiscal note and the sectional analysis from Legal Services.

Number 183

Rep. Cato suggested that Sec. 28.15.046 section b, number 6, be deleted by mutual consent of all members present due to a lack of an educational program at present.

Rep. Jenkins agreed.

Rep. Marrou questioned whether there are presently any problems which this bill is based upon.

Rep. Jenkins said he knows of 2 major accidents in the Eagle River area.

Rep. Marrou questioned whether those accidents would have been prevented by this bill.

Rep. Jenkins said he thinks so.

Rep. Marrou questioned whether such a small fiscal note is accurate. He also refuted having 20 years for the length of time which persons with various criminal records can receive a license.

Rep. Jenkins said the numbers in the bill all came from the current Public Safety Regulations.

Number 302

Rep. Pignalberi said the title is too narrow for the scope of the bill since it applies to all commercial vehicles and compared it to HB 133 which passed into law last year.

Rep. Jenkins said the major difference between the bills is that HB 409 specifies age 19 rather than 21.

Rep. Pignalberi asked about the applicant's cost of obtaining a background check and asked if teachers are required to have a background check as well.

Rep. Jenkins said that other witnesses present were more informed this information.

Number 372

Bill Brown of Division of Motor Vehicles approached the committee and answered questions that the committee had previously asked. He specifically addressed the severity of the 20 years penalty for two or more DWI's or other criminal offenses.

Number 441

Rep. Cato inquired into the difference between last year's and the more recent fiscal note.

Bill Brown said the first one was based on pure estimation because they did not have a database when devised and the newer note is based on actual numbers which have been tallied since the first note was written.

Number 453

Rep. Shultz asked, "Have you run this by the school bus contractors...how would a contractor that lives at Grizzly Lake, for example, have a training program?"

Bill Brown replied that he assumed the training program details would be handled by the Department of Education.

Rep. Shultz asked if the applicants did have to go to Anchorage for the training program, who would pay.

Bill Brown said he would like the Dept. of Education to answer that. He said he did not get input from any of the contractors.

Rep. Schultz said the committee should solicit input on this legislation from the bus contractors.

Number 492

Rep. Marrou stated that he objects to the fiscal notes because they seem arbitrarily constrewed.

Bill Brown said the purpose of the fiscal note is to cover the background check because the Dept. of Public Safety will have to write checks in their name to the F.B.I. and applicants will write their \$12 check to the department: in effect, the fiscal note would just finance these transactions.

Rep. Marrou said this bill would not cost Alaska any money and therefore should not have a fiscal note.

Number 534

Rep. Pignalberi inquired as to the cost to the applicant.

Bill Brown said the applicants would need to pay the \$12 plus an annual \$2 school bus license which they are already paying at present.

Rep. Pignalberi asked for a reiteration on the time-lapse problem in procuring a background check.

Bill Brown said if the person has stayed in Alaska for the last 2 years, the search should only take 2 to 3 weeks but if the person resided out of the state within the last 2 years, the search has to be made south and it takes 6 or 7 weeks to get results. Additionally, it takes another week for the Dept. of Public Safety to process the application.

Rep. Pignalberi asked, "Do you have the authority to give them an interim license and let them work pending completion of the background check?"

Bill Brown told the committee they would have to amend this bill to allow that.

Number 572

Rep. Cato asked the committee and sponsor to consider an amendment that would allow the Department of Public Safety to issue temporary licenses until the background check has been completed.

Rep. Furnace objected to the temporary license amendment because he feels 3 weeks is reasonable time for an Alaskan to wait and 2 months is reasonable for a nonresident.

Rep. Marrou agreed with Rep. Furnace.

Rep. Cato asked if there is a motion to amend.

Rep. Pignalberi asked if the committee could work on the bill after the meeting.

Rep. Cato said the committee does not have to pass the bill today.

Number 606

Rep. Pignalberi declared a possible conflict of interest because he provides consulting services to a company that bids and does not now have bus contracts in the municipality of Anchorage.

Rep. Cato said that she thought the relationship was too remote.

Number 610

Sandra Hutchinson introduced herself and voiced her support for HB 409 and specified, "On page two of HB 409, line 5, ...talking about a clarification if the one year period is for licensing... We would support a clarification that specifies that the applicant for school bus license must have been licensed as an Alaskan driver for the one year immediately proceeding...."

"On line number 9 and looking at number 4 and number 5 together, we're talking again about the background check: the national background check, the state of Alaska background check and the out-of-state check. This area is a real concern both to the contractors and to the school districts. It has been a concern and a problem for some time. The problem is that you get drivers who have a criminal, even a criminal action in process, you don't know about it or they've had previous criminal actions and convictions and you don't know about it. They could pick

up DWI's and you don't know about it. It has created problems in both the district operations and the contractor operations and particularly in the high growth areas. We support a background check: national, state and out-of-state, we think it's very important. The problem is with the timing and we would like to see the out-of-state background check moved up to number 4 to fall into the same provisions as the national background check. We read the bill to indicate that you must have successfully completed a state background check, an out-of-state background check, and apply for the national background check to be issued a pending license until the national background check has cleared. What we'd like to do is move the out-of-state background check to the same provision as the national because of the time frames. It is extremely long. The people who are being licensed as school bus drivers, maybe half of them are from other states. The real problem would be that many of the contractors would not be able to staff school buses with drivers in time, unless you start licensing in June. And because school bus driving is a seasonal work, they work during the winter, they drive school bus and when May comes you have an exodus. They're finding summer work to supplement their winter work. School bus driving is part-time, it does not provide full-time employment and therefore these people often work in the summer. So starting in June to do your training and background check is a real problem. We would like to request consideration of moving the requirement for the out-of-state background check to the same provision as the national background check which will give us a little more time.

"Number 6 is one of the most critical parts of this bill as (indiscernable) ask for reconsideration of your amendment. I have been with the school district ten years. I have been chairman of the state committee and the association for three. I've been in pupil transportation all of that time. I cannot remember a time when school bus driver training has not been an issue both to the contractors and the districts and we are not separated on this issue. We need a uniform mandatory training program. Training in the districts starts at little to nothing to expensive programs. Depending on what districts require or how well they monitor their programs of the contractors. The districts get the kind of program based on what they ask for and how well they make sure it happens. We do not have a uniform program. We do not have a mandatory program. At least two years ago, the Department of Education appointed a committee of districts and contractors to sit down and develop a uniform mandatory program that would work for small districts and large districts. At the time this bill came up, it was not complete. It has been completed over the summer. The department of Education did provide in their budget to

implement the program. It was sent to the Governor and it was cut in the Governor's office. Along with that program, was a school bus inspection program. It was a combination program where they utilized the same personnel to save money. So we lost the funding for both programs. At least two years ago the state also appointed an inspection committee to address the school bus inspection problems. Also again a committee of school district and contractors. The conference committee substitute bill 133, did not address school bus safety problems. We need a mandatory program for school bus training that program has been developed it is being prepared in final draft for the state school board.

"I would like to refer you now for the specifics of that program to Romayne Kareen who is here as the Transportation Officer for the state. It has full support and participation of contractors and school districts over a two year period. The program provides for training of an instructor from each of the districts or from each of the contractors. It provides for the basic minimums of a program. The school district and the contractor then have the option to put together a program that fits their district, meeting the basic minimums. They do that on site, they don't have to go to Anchorage. The program provided for an instructor that would go to their district and to the contractor to prepare, to train for them their own instructor, someone qualified in their own district to carry on from year to year. The fiscal note that was attached to that program was very small."

SIDE TWO
Number 000

Rep. Cato asked if the committee did not delete section 6, if there would be time in the hiring of bus drivers for them to have already had the training course prior to being hired.

Sandra Hutchinson replied that the program provides for phasing in and it only applies to new contracts. She said, "...We really would suggest that number 6 be amended to designate the Dept. of Education as the agency to develop and implement and to monitor a mandatory driver training program, that there be a fiscal note attached, and that the provisions of the training program provide for new training for new people and for a much lesser refresher course for incoming drivers. There is time to put that in effect even for districts that do not have ongoing contracts however the program would apply as far as a mandatory program to districts with new contracts because it needs to be included in that contract that you would give your contractor. Otherwise it's something that your ongoing contractor would not be required to fill because

there is a cost to the district and to the contractor and there is a gearing up for it so there is a phase in of that situation. You don't go out and suddenly require everybody to do it because everybody's not prepared. But in a period of time and most of the contracts turn over in a five year period and we're not all on the same schedule, every year there's a few contracts. I think we had nine contracts come up this year. So there's a phase-over, in a period of five years everybody would be on it."

Rep. Pignalberi asked Sandra Hutchins if it would be acceptable to her if the committee reinstated a provision like section 6 but which would approve private driver training programs rather than create a "little bureaucracy in that department to establish and administer a driver training program."

Sandra Hutchins replied, "I think under the present program this could be done because the state would simply set the minimums and then the district submits their own program from the contractor. The contractor actually has his own program. He submits it to the district for approval and it goes to the state. So that would not preclude a private (indiscernable)."

Number 087

Rep. Marrou agreed with Rep. Pignalberi. He said that she made a "good case" for setting up private driving schools or the Mat-Su school district setting up a driving school. He noted that none of the other school districts in the state were present.

Sandra Hutchins said she was not representing Mat-Su. She said this issue has been researched and is the development of several district's work. She said the problem is that many districts do not require training and half the fatality statistics for students are caused by the driver which directly relates to training. She included, "The recommendations from the National Traffic Safety Administration to the National Highway Traffic Association, that agency which promulgates the rules for safety regarding school buses, was that rather than seat belts, money needs to be spent on driver training that provides for proper training of the drivers when transporting students because that's where the problems are. What we have is little or no training to considerable amounts of training and some of the districts like mine require it. We monitor it and we make sure the training happens, it's not happening: and that's the issue.

Number 130

She continued, "In response to the question of the bureaucracy:... in a sense, it all is. We're simply moving it from one state agency to another which we feel more appropriately is assigned.

Number

Rep. Pignalberi asked if there was a way to shift the emphasis away from state government.

Sandra Hutchins replied, "I think if you look at the program you'll see that the only thing that the state government will be doing here is (1) to require the mandatory program and to issue the basic minimums, (2) approve those programs (which are) set up by districts through your contractor that it does meet the basic minimums and (3) to provide a trainer to train those areas where they do not have access to the facilities and to the expertise.."

Number 170

Rep. Davis joined the committee.

Rep. Shultz asked how many times fatalities have occurred in the state in the last decade.

Sandra Hutchins said once last year to her knowledge and referred him to Romaine Kareen. She said that statewide half of fatalities are caused by the driver, the other half are caused by motorists who pass when buses stop.

Rep. Shultz asked how Alaska compared to the rest of the states statistically with accidents and fatalities.

Sandra Hutchins replied that she believed it was a good record but again referred him to Romaine Kareen.

Number 205

Rep. Schultz asked if she could credit the good safety record to the conscientious and concerned contractors.

Sandra Hutchinson agreed and said the reason that we don't have more children killed by the bus drivers is because we do have some training programs.

Rep. Marrou said he agrees with Rep. Shultz. He said that since school bus driving is essentially run on a district or private enterprise level, it is logical to keep it that way.

Rep. Cato explained that the school districts are funded by the state in full.

Rep. Herrman inquired if indeed all of the contractors support school bus training.

Sandra Hutchins said that contractors did and testified this last spring.

Rep. Davis asked for information specifying which districts currently don't train. He expressed concern for backup drivers having training and licensing in the case of absences.

Sandra Hutchins replied that she didn't have that information with her. She also said that the contractors always have backup drivers available who go through licensing and full training.

Number 356

Rep. Cato instructed the committee staff to work with Rep. Jenkin's staff and bring this bill up the following week. She introduced Romaine Kareen.

Romaine Kareen responded to previous questions:

To Rep. Shultz she said there have been three fatalities in Alaska in the last three years involving school buses.

To Rep. Pignalberi she said that school bus drivers contract for lengths which vary from 3 to 5 years.

To Rep. Marrou and Rep. Pignalberi, regarding private enterprise, she said it wasn't the intent of the department's request for an appropriation to establish a bureaucracy and the department could contract with private industry to work closely with the department.

Number 405

Rep. Pignalberi asked how many employees are presently in the school district transportation administrator's office. He also asked if there is presently a standard for driver's training.

Romaine Kareen replied that she is the only one in that office and that there is only a federal standard, standard 17 that highly recommends 40 hours of training. However, the state of Alaska has not adopted standard 17. She added that at this point they have a "master plan" for a required program but they are not financially "geared up" to implement this plan.

Rep. Pignalberi asked that if section 6 were passed in some form, if the school districts would be left on their own to

work out the mechanics of a problem, either through a contractor or through their own means.

Romayne Kareen agreed and said that the program would begin in the development phase in July 1, 1986, pending an appropriation, and the implementation would begin July 1, 1987.

Rep. Pignalberi was concerned that the program budget impact would be larger than fiscal note showed. He suggested putting legislative intent language in the bill to ask the Department of Education "to go as far as they can with the master plan and come in for funding next year."

Number 454

Romayne Kareen listed the fiscal note figures and what they included. The fiscal note would be delivered to the committee legislators later in the day.

Rep. Cato asked Rep. Pignalberi to work with the sponsor and the Department of Education and Sandra Hutchins to change the bill so it can be scheduled next week.

Romayne Kareen said at that time she would bring some contractors to testify at that time.

Number 608

Rep. Cato adjourned the meeting at 8:20.

HOUSE TRANSPORTATION COMMITTEE

January 28, 1986

7:00 a.m.

Members present:

Rep. Bette Cato
Rep. Mike Davis
Rep. Dick Shultz
Rep. Adelheid Herrmann
Rep. Andre Marrou
Rep. Walt Furnace

COMMITTEE CALENDAR:

CS HB 409 "An Act relating to training and licensing of school bus drivers; and providing for an effective date."

WITNESS REGISTER:

Loretta Nistler
Alaska Motor Coaches
P.O. Box 988
Delta Junction, Alaska 99737
Position: Witness - in favor of the bill

Tom Hyatt
President, Alaska School Transportation Association
P.O. Box 770350
Eagle River, Alaska 99577
Phone: 694-2921
Position: Witness - in favor of the bill

Bob Shefchik
Transportation Coordinator
North Star Borough School District
578 Canoso Road
North Pole, Alaska 99705
Phone: 488-6550
Position: Witness - in favor of the bill

Steve Kalmes
Director Transportation Services for
Anchorage School District
3500 Tudor Road
Anchorage, Alaska
Phone: 563-3022
Position: Witness - in favor of the bill

Don Swain
Director of Personnel Safety Training for
Transportation and Marketing Services
1224 27th Street
Fairbanks, Alaska 99701
Phone: 456-1598
Position: Witness - in favor of the bill

Lola May Field
Laidlaw Transit
P.O. Box 2560
Soldotna, Alaska 99669
Position: Witness - in favor of the bill

Christine Flegel
1040 E. 1st Avenue
Anchorage, Alaska
Phone: 276-7823
Position: Observer

Henry Hammond
1040 E. 1st Avenue
Anchorage, Alaska
Phone: 276-7823
Position: Observer

PREVIOUS ACTION:

HB 409:	DATE	PAGE	ACTION
	04/29/85 (H)	1159	READ THE FIRST TIME WITH REFERRAL(S)

ACTION NARRATIVE

TAPE ONE SIDE ONE

(A mix up with the tape begins the recording at 056. Numbers 000 to 056 are the completion of the meeting, which were actually taped over the beginning in error.)

Rep. Cato called the meeting to order at 7:00 a.m. with Rep. Marrou, Rep. Shultz, Rep. Furnace, Rep. Herrmann present.

Rep. Cato suggested that a motion be made to adopt the CS.

Number 056

Rep. Marrou objected to the adoption of the CS based on his

understanding that the fiscal note in committee does not apply to the CS and in his opinion, a driver training is not needed.

All present voted to adopt the CS except Rep. Marrou.

Rep. Cato described the four changes the CS has brought to HB 409:

(1) A section has been added to allow the Department of Education to develop, implement and monitor a mandatory driver training program.

(2) The out-of-state criminal check has been added to the section which covers that national background check in order to allow the Department of Safety to issue a temporary license pending investigation of the national and out-of-state check.

(3) A technical amendment was needed to include "driving while intoxicated" for purposed of determining whether an applicant has been convicted of an offense of this section.

(4) The effective date was changed to September 1, 1987, as the Department of Education would begin the development phase of the training course in July 1, 1986 pending an appropriation and would be implementing this program in 1987.

Rep. Davis joined the committee at 7:07.

Rep. Davis moved that the committee delete the words "and 5" from page 3, line 19.

There were no objections to that motion.

Number 134

Rep. Jenkins, the sponsor, spoke generally on behalf of the bill and the recent committee substitute of the bill.

Bob Shefchik testified from Fairbanks in favor of the bill.

Loretta Nistler testified from Delta Junction in favor of the bill.

Rep. Davis voiced his concern for the impact of this bill on smaller school districts.

Number 287

Lola May Field testified from Soldotna in favor of the bill.

Number 317

Don Swain testified from Fairbanks in favor of the bill.

Rep. Davis said that he would telecopy the CS to Fairbanks for Don Swain to look at.

Bill Brown clarified the subject of background checks for Don Swain.

Rep. Herrmann asked how far the \$104,000 in the fiscal note would go.

Tom Hyatt testified from Anchorage in favor of the bill.

Number 445

Steve Kalmes testified from Anchorage in favor of the bill.

Rep. Davis asked how much an average school bus driver earns.

Steve Kalmes said between \$8 and \$12 per hour.

Rep. Davis asked if there is a particularly high turnover due to the pay.

Steve Kalmes said he saw more of a problem with the time lapses due to background checks and training.

TAPE ONE SIDE TWO

Number 000

Rep. Cato explained to Steve Kalmes that the CS would take care of his concern by providing for temporary licensing.

Rep. Davis requested Legislative Information to telecopy Steve Kalmes a copy of the CS.

Rep. Herrmann asked Mr. Hyatt if all the school bus contractors in the state are members of his organization.

Tom Hyatt said most of them are.

Number 062

Romayne Kareen testified in favor of the bill and volunteered to answer questions.

Rep. Davis asked if the fiscal note applied with the CS as it did the original bill.

Romayne said the driver training portion of the bill hasn't changed and the Department of Education's note was still accurate.

Rep. Davis asked where the temporary license costs would be counted.

Number 118

Rep. Furnace asked if the committee should view the two most recent fiscal notes to get the whole fiscal impact: one from Dept. of Public Safety and the most recent from Dept. of Education.

Romayne Kareen clarified that the Public Safety fiscal note balance was zero.

Number 142

Rep. Marrou said the fiscal note from the Dept. of Education is obsolete and does not apply to the CS.

Romayne Kareen restated that the same program has been brought forth to the CS and, therefore, the same fiscal note applies.

Rep. Marrou said the CS establishes a school bus driver training course but the original bill specifies a "state approved" training course.

Rep. Davis expressed his interpretation of the bill.

Number 215

Rep. Cato said she agreed with Rep. Davis.

Rep. Herrmann asked Romayne Kareen for clarification on contractor requirements pertaining to this bill.

Number 278

Rep. Shultz asked Bill Brown if the Division of Motor Vehicles could include in their regulations the temporary licensing procedure.

Rep. Cato said the committee will request a written commitment from the Dept. of Public Safety that they will adopt a temporary licensing procedure.

Romayne Kareen asked why the bill referenced the Dept. of Public Safety rather than the Dept. of Education.

Ronda Cargill clarified that the Dept. of Education is to oversee and coordinate the Dept. of Public Safety's shared role in regard to the bill's program.

Number 349

Rep. Marrou voiced his opposition to the "excessive" times stipulated in HB 409 and CS HB 409 in regard to DWI's and child molesters.

Rep. Marrou moved that the 20 years be changed to 10 on page 2, line 22 1/2, and on page 3, line 11 1/2, change 20 years to 5 years.

Rep. Davis objected to the motion.

Rep. Jenkins added that he derived these numbers for years from the Division of Motor Vehicle regulations.

Number 425

Rep. Shultz requested that the motion be divided into two parts.

Rep. Marrou restated the motion: page 2, line 22 1/2, change 20 years to 10 years.

Rep. Davis, Rep. Furnace, Rep. Herrmann and Rep. Cato objected to the motion. Rep. Marrou and Rep. Shultz voted yes. The motion was denied.

Rep. Marrou moved that page 3, line 11 1/2, change 20 years to five years.

Bill Brown clarified, " The current regulation in regards to the second DWI is permanent (license forfeiture) for school bus drivers".

Rep. Shultz said, "twenty years is about as close to permanent as you can get".

Every representative voted no on the second motion except Rep. Marrou.

Rep. Shultz moved that page 3, line 11 1/2, be changed from 20 years to 10 years.

This amendment was passed by Rep. Cato, Rep. Shultz, Rep. Herrmann, and Rep. Davis voting yes.

Rep. Shultz moved that CS 409 with the amendment be moved out of committee with individual recommendations.

Rep. Marrou voted against the motion to move the bill out of committee but was the only objection.

Rep. Shultz noted that the next committee should look at the proposed Dept. of Public Safety regulations.

Rep. Jenkins noted the fiscal notes should be "reprepared" before this bill is read across the floor.

The meeting was adjourned at 8:06.

DRAFT

FIFTH DRAFT
ANCHORAGE, ALASKA

MASTER PLAN
FOR SCHOOL BUS
DRIVER TRAINING IN
ALASKA

APRIL 30, 1985

DRAFT

I. OPENING STATEMENT

The school bus industry is the largest transportation system in the world today. In order to understand its magnitude, we must visualize 400 thousand buses transporting 23 million students a total of 3 billion miles a year. Not only is it the largest system in the world, but statistics reveal it also to be the safest. Nationwide, pupil transportation is reported to be 7 times safer than the family car.

Research throughout the State of Alaska revealed a significant disparity of training requirements at the respective local levels ranging from practically nothing to those in excess of 40 hours. The obvious need for conformity of school bus driver training on a statewide basis became very apparent following that research.

A classic example of a disaster arising from non-conformity happened in Martinez, California in 1976 when a driver, untrained on a particular type of bus that had not been inspected by state authorities because of the pending sale of that bus, embarked on a field trip to another city. Because of a series of events contributing directly to driver error, the trip ended tragically on an off ramp with 29 student fatalities. The personal loss and suffering felt by so many, in this and many other school bus accidents involving injuries and fatalities, is magnified by the fact they could have been prevented by proper training and follow-up procedures.

In order to maintain the integrity of a system with a safety record second to none, there must be a formal, structured program of driver training

combined with a monitoring system that will ensure compliance throughout the state.

The growth and increasing population of Alaska intensified the demands on all concerned to establish a school bus transportation system which incorporates the ultimate in safe and efficient safety practices. As the business of transporting children becomes more professional and visible with all its related problems, more precise guidelines have been and continue to be established. Responsibilities of states, local districts, contractors, administrators, supervisors, and school bus drivers are becoming greater and greater. In our modern society, it appears that safe school bus transportation awareness is fast becoming more acute.

Although the burden of providing this safe transportation is the responsibility of everyone involved with the program, the State Department of Education has the primary responsibility for the formulation, direction and overall administration of the program.

II. GOALS AND OBJECTIVES

The ultimate goal is the assurance that all instructors and drivers will receive the same quality education necessary for optimum safety, efficiency and ultimate cost effectiveness.

To accomplish this goal, there must be designed, financed, implemented, administered, and monitored an ongoing comprehensive training and reporting program for all school bus related personnel in the State of Alaska. This would ensure that the State Department, School Districts, and local

contractors would be in compliance with a program designed for the protection and safety of all concerned.

Programs shall be designed for school bus driver trainer instructors, certified school bus driver trainers, certified school bus drivers and state licensing examiners.

Although a quality program for all is the ultimate goal, the diversification of the State of Alaska has to be taken into consideration. Therefore, in order not to handicap a district or contractor with an unreasonable program that may be unsuited to their size or respective areas and unique conditions, the Transportation Director of the local school district will be responsible for designing a school bus driver training program using material and information out of the approved training manual adopted by the Department of Education. Using the 40 hour recommendation as a yardstick to have properly trained drivers meet local requirements, programs can then be designed utilizing local expertise with training emphasis being directed to specific needs relative to that particular area of the state.

These respective training programs and/or all subsequent updates or revisions, shall be submitted to the State Transportation Director for approval by July 1, prior to the opening of school in that district.

No drivers will be certified by the Division of Motor Vehicles until notification of acceptance and approval of the training program for that

related area is received from the State Transportation Director.

Each training program will be limited to the life of the transportation contract in each respective area and none will exceed the life of that contract.

Because of inherent difficulties in designing programs for Alaska, with its size and unique situations, implementation of these training programs, approval of appropriate administrative authority, and providing for budgetary procedures, a realistic outlook should involve a multi-year plan.

III. PROGRAM NEEDS ASSESSMENT

A. Develop or obtain curriculum and all related training aids to fit the following categories with the corresponding time frames and subject matter:

<u>1. CATEGORIES</u>	<u>TIME FRAME</u>
CERTIFIED SCHOOL BUS DRIVER TRAINER.....	80 hrs.
CLASSROOM.....	40 hrs.
BEHIND-THE-WHEEL.....	40 hrs.
CERTIFIED SCHOOL BUS DRIVER.....	40 hrs.
CLASSROOM.....	20 hrs.
BEHIND-THE-WHEEL.....	20 hrs.
STATE LICENSING EXAMINERS.....	8 hrs.

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2. SUBJECT MATTER

a. SCHOOL BUS DRIVER TRAINER/SCHOOL BUS DRIVER

1) The subject matter for the two above categories will overlap, include, but not be limited to the following:

- a) State Rules and Regulations
- b) District Rules and Regulations
- c) Student Management
- d) Public Relations
- e) Driver's Role and Responsibilities
- f) Student Rider Procedure
- g) Loading and Unloading
- h) Safety and Emergency Procedures
- i) Pre-Trip Inspection
- j) Bus Components
- k) Field Trips
- l) First Aid
- m) The Exceptional Child
- n) Defensive Driving
- o) Driving Skills

2) In addition to the above, the curriculum for the Driver Trainer will include the following:

- a) Setting up a Classroom
- b) Proper Classroom Procedures
- c) Instructor Qualities

DRAFT

- d) Lesson Planning
- e) Four Step Instruction Process:
 - 1] Preparation
 - 2] Presentation
 - 3] Application
 - 4] Evaluation
- f) Teaching Techniques:
 - 1] Creating Positive Teaching Environment
 - 2] Motivating Students to Learn
 - 3] Provide Learning Resources
 - 4] Guiding Students on Subject Matter
- g) Practice Teaching
- h) Proper and Effective Use of Teaching Aids

b. STATE LICENSING EXAMINERS

- 1) Hold a one day workshop to cover the following topics:
 - a) Explanation of the overall school bus driver Training program.
 - b) A behind-the-wheel segment to demonstrate the driving skills being taught in the program.
 - c) Coordinate any new requirements or testing procedures from the D.P.S. or possible future changes or revisions.

- B. State Department of Education Pupil Transportation Director be authorized to certify and/or choose school bus driver trainer instructors from qualified authorities throughout the nation because of their many years of experience, education, and expertise in all aspects of the school bus industry and related subject matter.
- C. The State Pupil Transportation Director shall be supplied with:
1. A list of school bus driver trainers to be certified upon the satisfactory completion of the required authorized programs. This affidavit shall be signed and attested to by the participating Driver Trainer Instructor(s).
 2. A list of the School Bus Drivers, subsequent to the satisfactory completion of the required authorized training programs and prior to the application of the certified driver's license, shall be supplied with appropriate affidavit signed by the Driver Trainer(s).
- D. The 20 hours behind-the-wheel time frame may be waived if the applicant can furnish proof or produce credentials verifying the satisfactory completion of a comparable training program or if the applicant's past driving experience, education and knowledge in the field of pupil transportation becomes evident to the driver trainer.

After an appropriate behind-the-wheel session of at least 2 hours for verification, a Training Waiver Certificate signed by the Certified Driver Trainer attesting to the qualifications and ability of the applicant may be issued for presentation to the D.M.V.

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- E. Prepare a training program for the State Licensing Examiners that would make them cognizant of training procedures and program content putting them in a position to question the legitimacy of either affidavit. The State Licensing Examiners would serve as an excellent check and balance of the driver training program.
- F. Provide that a certified school bus driver's license shall be renewed every 2 years and:
1. Require 10 hours of in-service training per year in order to remain current in such subjects as:
 - a. Classroom Instruction
 - b. Behind-the-wheel Training
 - c. Safety Road Check
 - d. Safety Meetings
 - e. "Rodeo" Competition
 - f. State Conferences
 - g. Job-Related Courses
 2. Require an appropriate affidavit accompany the school bus driver and reflect the required 20 hours of in-service training when applying for license renewal.
- G. Require a year-end report showing all training received by each certified school bus driver be supplied to the state pupil transportation director.

- H. Design the appropriate form and establish reporting procedures for the necessary data to be provided to the State Department of Education Pupil Transportation Director. Examples:
1. List of all employees in their proper categories, showing subject matter, type, and amount of training received
 2. State Licensing Examiners in-service
 3. Copies of all Certified Training Affidavits and Certified Training Waiver Affidavits.
 4. Proper and comprehensive accident reporting becomes a larger priority. The statistical data gleaned from this material could provide excellent subject matter for in-service training.
- I. Utilize when possible, because of their strategic location throughout the state, Community Colleges and Extension Rural Education Facilities as sites for regional instruction or in-service training to minimize travel for rural personnel.
- J. Develop video tape programming for certain types of training.
- K. Design an on-site monitoring system to compliment the regularly established reporting procedure.
- L. Establish a dollar value for budgetary purposes with immediate attention being given to the writing, study and evaluation of all the proposed programs.

M. Provide for adequate personnel for proper administration of the program.

N. Prepare, print and distribute the desired and related material.

IV. MULTI-YEAR PLAN FOR ACCOMPLISHMENT

Obviously a program of this magnitude will need an adequate amount of time to phase in the appropriate segments as they are developed and as budgetary consideration will allow.

The following listing will indicate the priorities for incorporating the different aspects of the total program and will no doubt encompass a multi-year time frame.

PHASE I PLANNING - BUDGETING

A. Hold a meeting with Director of Management, Law, and Finance and the Commissioner of Education to discuss goals and objectives of the Pupil Transportation training proposal as the first step toward a State approved program.

B. Prepare package for the Department of Education for the following considerations:

1. Approval of the program

2. Budgetary appropriations

3. Recommendations to include the appropriate language in the Department of Education Regulations that would assure a State mandated, regulated, and monitored school bus driver training program and related services.
4. Recommendations to include the appropriate language in the Department of Education Regulations that would provide for State Certification for School Bus Driver Trainers and School Bus Drivers.

PHASE II CURRICULUM - REPORTING

- A. Prepare curriculum and establish visual aids needed for driver training program.
- B. Print and distribute materials to local districts along with guidelines for the preparation for approval of their respective training programs.
- C. Design, print, and distribute all forms to all related agencies needed for required reporting.
- D. Determine and prepare curriculum and material needs for the driver trainer instructors workshop.

PHASE III IMPLEMENTATION - EVALUATION

- A. Establish necessary workshops to acquaint contractor and district personnel with programs, forms, procedures, etc.

- B. Establish workshops with D.M.V. personnel for program coordination.
- C. Establish and begin annual workshop to qualify driver trainers.
- D. Begin driver training program on local level.
- E. Evaluate program for efficiency of training and reporting procedures.

PHASE IV RESTRUCTURE - REORGANIZE

Alter, change, redesign, or upgrade any portion of the program as needed or required.

VI. CLOSING STATEMENT

This plan has identified a need, spelled out the process to rectify that need, and provided for an ongoing program with room to fluctuate as the business it regulates varies according to the educational requirements of the community.

One of the major endeavors of the plan was to alleviate the discrepancies regarding school bus driver training while allowing a good measure of local control of respective school districts.

The concepts of permitting school districts, in conjunction with the local contractors, to submit their own training programs for approval is

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totally new, but has a tremendous amount of merit. Factors such as attitudes, public relations, and cooperation will be greatly enhanced and possibly the programs submitted will even be more stringent than one developed on a state level, because of the flexibility to stress the proper emphasis where needed.

The adoption of this plan by the State Department of Education will fulfill their responsibility to formulate and administer a school bus driver training program and pave the way for future developments and progress.



Telegram

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PMS

REP AL ADAMS, CHAIRPERSON

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JUNEAU AK

A handwritten signature in cursive script, appearing to read 'L. Adams', written over a horizontal line.

DEAR REPRESENTATIVE ADAMS

WE WISH TO EXPRESS OUR SUPPORT FOR HOUSE BILL 409. WE FEEL THAT IT IS
IMPERATIVE THAT SCHOOL BUS DRIVER TRAINING STANDARDS NEED TO BE SET AND
CURRENT INDIVIDUAL PROGRAMS BROUGHT UP TO COMPLIANCE IF NEEDED. FURTHER,
BY THE SUPPORT AND ENACTMENT OF HOUSE BILL 409 WE FEEL THAT SCHOOL BUS
SAFETY WILL BE ENHANCED STATEWIDE.

THOMAS F HYATT, PRESIDENT
ALASKA SCHOOL TRANSPORTATION ASSOCIATION
VICE PRESIDENT AND GENERAL MANAGER,
TRANSPORTATION AND MARKETING SYSTEMS INC

Introduced: 4/29/85
Referred: Transportation
and State Affairs

BY JENKINS, LARSON, HURLEY,
HANLEY, COLLINS, PEARCE,
PHILLIPS, RIEGER, THOMPSON,
UEHLING AND COTTEN

1 IN THE HOUSE

2 HOUSE BILL NO. 409

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensing of school bus drivers;
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 28.15.041(b) is amended to read:

10 (b) A person may not drive a [SCHOOL BUS TRANSPORTING SCHOOL
11 CHILDREN, OR A BUS TRANSPORTING SCHOOL-AGE CHILDREN OR ANOTHER] motor
12 vehicle when in use for the transportation of persons for compensation
13 until the person has applied for and has been issued a license for
14 that purpose under (a) of this section. The department may not issue
15 a license under this subsection unless the applicant is at least 19
16 years of age, has had at least one year of driving experience, and the
17 department is satisfied as to the applicant's good character, compe-
18 tence and fitness to be licensed; nor may the department issue the
19 license until proper application has been made and all required driv-
20 ing, written, and physical examinations have been successfully com-
21 pleted. A license issued under this subsection expires on September 1
22 of the year following issuance. Application for renewal may be made
23 by submitting to the department the results of a current physical
24 examination and paying the required fee.

25 * Sec. 2. AS 28.15 is amended by adding a new section to read:

26 Sec. 28.15.046. LICENSING OF SCHOOL BUS DRIVERS. (a) In addi-
27 tion to the requirements of AS 28.15.041(a), a person may not drive a
28 school bus transporting school children, or a bus transporting school-
29 age children until the person has applied for and has been issued a

1 license for that purpose under this section.

2 (b) The department may not issue a license under this section
3 unless the applicant

4 (1) is at least 19 years of age;

5 (2) has had a license to operate a motor vehicle at least
6 one year before the date of application;

7 (3) has successfully completed all required driving,
8 written, and physical examinations;

9 (4) has submitted information sufficient to complete a
10 background check consisting of a fingerprint check of national crimi-
11 nal records;

12 (5) has successfully completed a background check consist-
13 ing of a fingerprint check of state criminal records of the state or
14 states in which the applicant has resided for the past two years;

15 (6) has completed a state approved school bus driver train-
16 ing course or has for the previous two years been licensed by the
17 state to operate a school bus.

18 (c) The department may not issue a license under this section to
19 an applicant who has been convicted of any of the following offenses
20 within 20 years of the time of application:

21 (1) sexual abuse of a minor in any degree (AS 11.41.434 -
22 11.41.440);

23 (2) sexual assault in any degree (AS 11.41.410 or 11.41.-
24 420);

25 (3) incest (AS 11.41.450);

26 (4) unlawful exploitation of a minor (AS 11.41.455);

27 (5) contributing to the delinquency of a minor (AS 11.51.-
28 130);

29 (6) a felony involving possession of a controlled or

1 imitation controlled substance (AS 11.71 or AS 11.73);

2 (7) a felony or misdemeanor involving distribution of a
3 controlled or imitation controlled substance (AS 11.71 or AS 11.73);

4 (8) promoting prostitution in the first or second degree
5 (AS 11.66.110 or 11.66.120).

6 (d) The department may not issue a license to an applicant who
7 has been convicted of driving while intoxicated (AS 28.30.030) within
8 two years of the time of application or to an applicant who has two or
9 more convictions for driving while intoxicated within 20 years of the
10 time of application.

11 (e) For purposes of determining whether an applicant has been
12 convicted of an offense listed under (c) of this section, a conviction
13 under prior state law or in another jurisdiction of an offense having
14 elements substantially similar to those of the offenses listed in (c)
15 of this section is considered a conviction.

16 (f) Costs of conducting the background check required under
17 (b)(4) and (5) of this section shall be paid by the applicant. A
18 license issued under this section expires on September 1 of the year
19 following issuance. Application for renewal may be made by submitting
20 to the department the results of a current physical examination and
21 paying the required fee.

22 * Sec. 3. This Act takes effect September 1, 1985.