

HB

409

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) *file*

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 Shultz

bcc: Representative Jenkins ✓



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.

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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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 state-wide 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 strobe.

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 program)
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.	Adm. 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 rate 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, SI 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 5 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

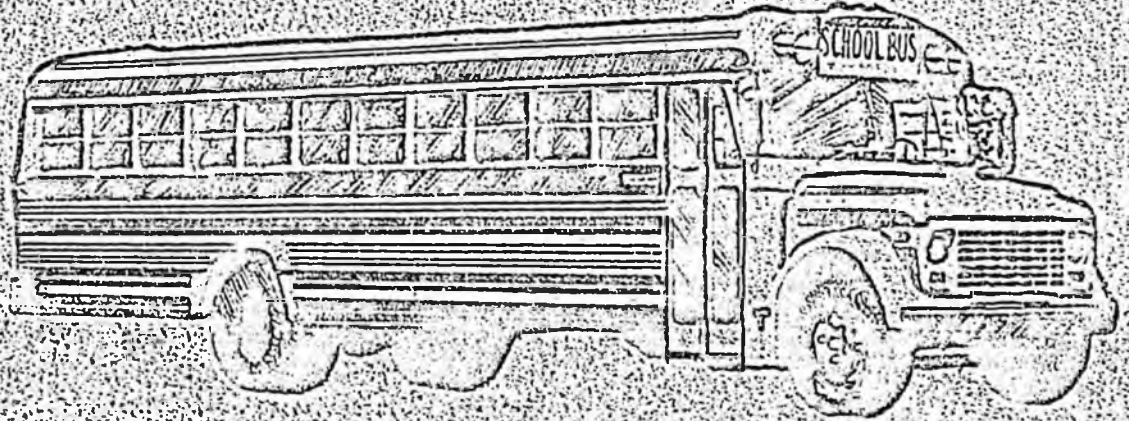
Prepared by the House Research Agency, November 1985.

ATTACHMENT A
Alaska School Bus Drivers Manual
Revised 1981

#3

Alaska School Bus Drivers Manual

Revised 1981



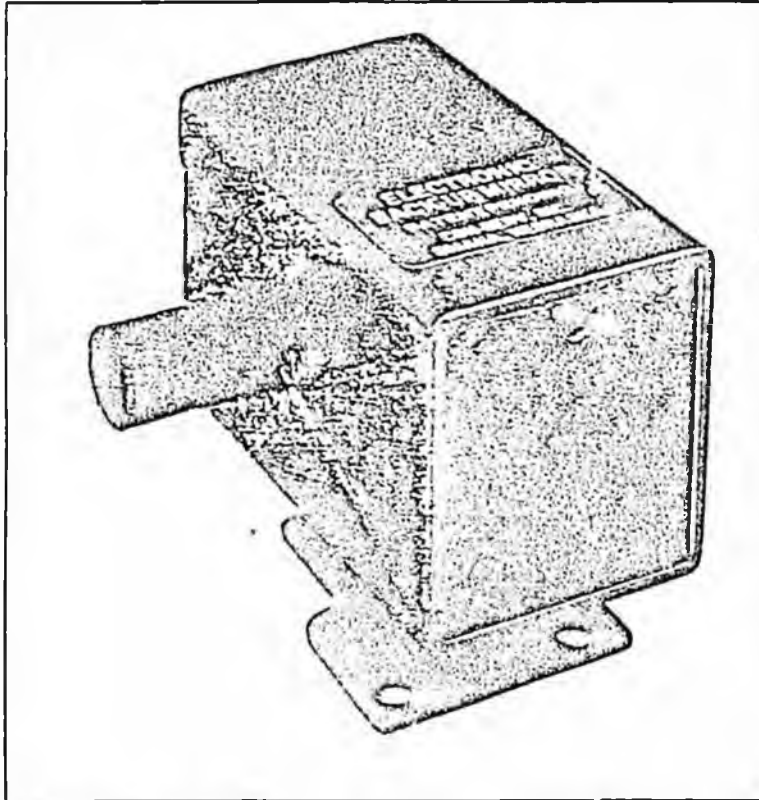
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ATTACHMENT B
New Product Update

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.

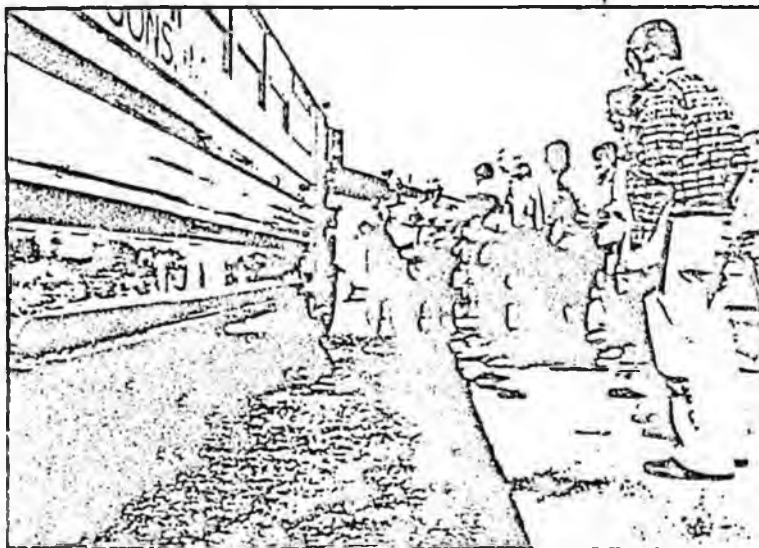
For example:

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

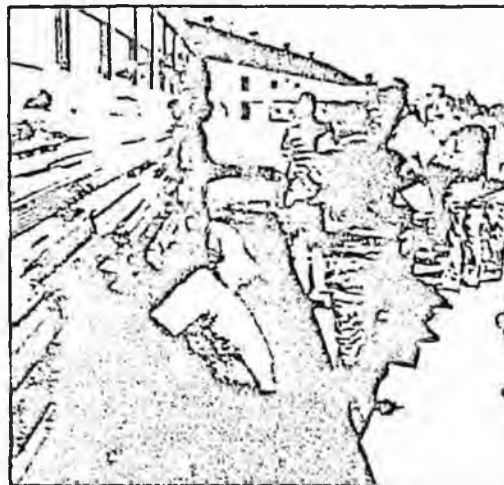
Recent actions by courts and legislative bodies have left the issue of "sovereign immunity" in a state of ambiguity. School administrators and elected officials are very uncertain of their liability when entering into litigation. The courts have established precedent where school administrators and board 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

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.

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.

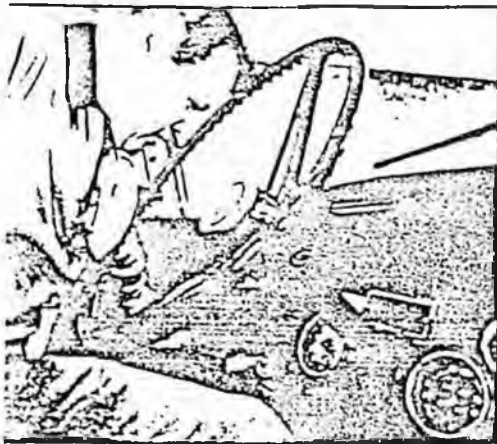
The above is an excerpt from "Safety Legislation Concerning School Buses", prepared for the 34th Annual Southeastern State Pupil Transportation Conference by the American Transportation Corporation, Conway, Arkansas.

Reactions to the Safety Sensor from Various Pupil Transportation Groups

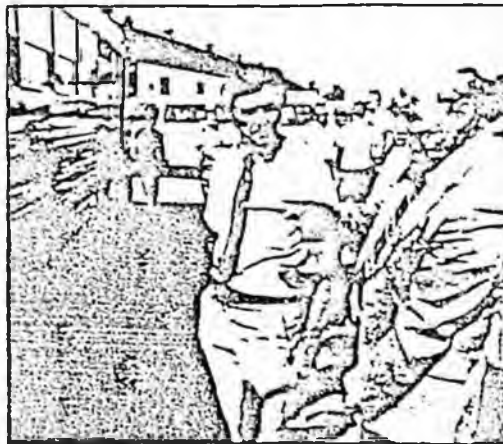
Nebraska: "With a device like this, we should be able to eliminate our pupil fatalities!"

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.

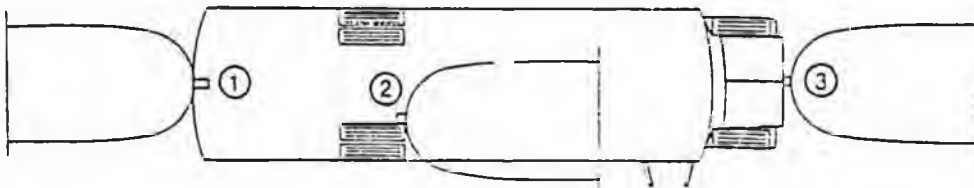
The Safety Sensor's transceiver is unaffected by magnetic fields. Its amplifier is designed to interface with any existing switch in order to activate the

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.

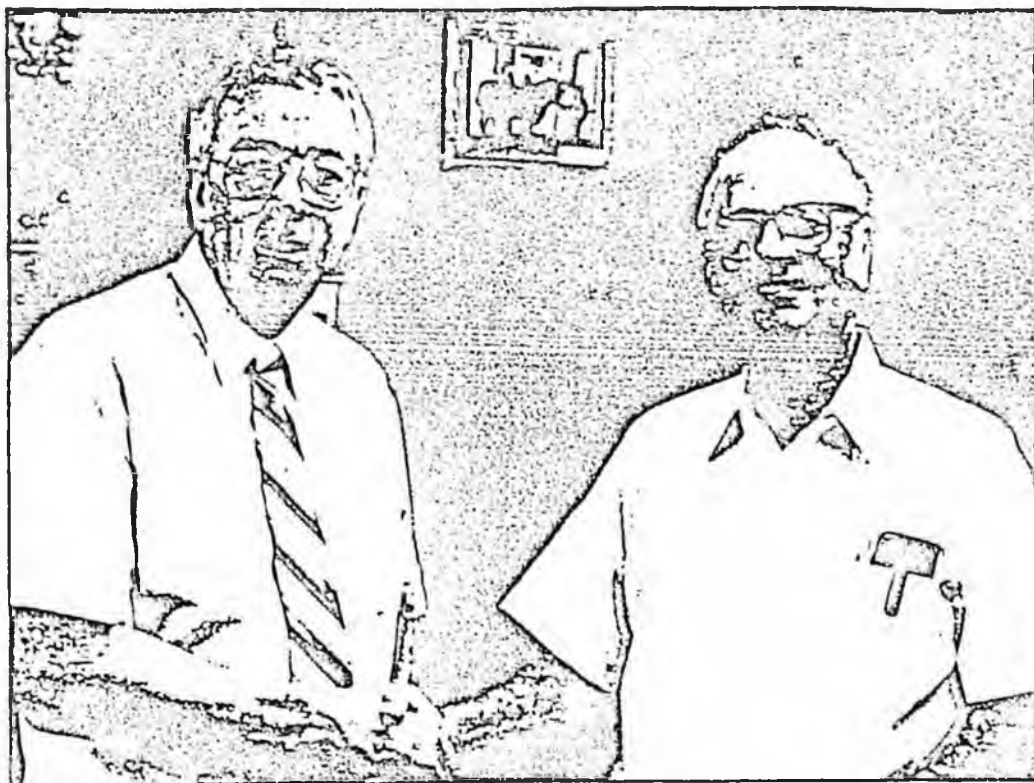
Placements of the Safety Sensor



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. B. 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:



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

**safety
sensor™**

by Con-Serv, Inc.
3801 Dahlman Ave.
Omaha, NE 68107
(402) 733-8561

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

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

BILL SHEFFIELD, GOVERNOR

JAN 30 1986

P.O. BOX 20
JUNEAU ALASKA 99802-0020

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 Shultz

JAN 31 1986

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 * DELIVER TO: JFOM *
 *
 * ORIGINAL *
 * SENT: 01/31/86 TIME: 09:59 * 8 *
 * FROM: LIOJOL *
 * SUBJECT: POM *
 * PRINT DATE: 01/31/86 TIME: 10:09 *
 *

POM

TO REPS. BOUCHER, CATO, COLLINS, HURLEY, JENKINS, MILLER, M.M., NAVARRE

FROM PENNY LITTLE/TRANSPORTATION SUPERVISOR
 148 NORTH BINKLEY
 SOLDOTNA, AK 99669
 262-5846

RE: HB 409 SCHOOL BUS DRIVERS

file
 MESSAGE: ON BEHALF OF THE KENAI PENINSULA BOROUGH SCHOOL DISTRICT I WISH TO LET YOU KNOW THAT HB 409 HAS OUR SUPPORT. THIS BILL IS IN THE BEST INTEREST OF OUR CHILDREN. OUR MAIN BUS CONTRACTOR, EMPLOYING 90 PLUS DRIVERS ALSON SUPPORTS THIS BILL. THANK YOU FOR YOUR TIME.
 EOM

R

 *
 * DELIVER TO: JFOM JAN 27 1986 *
 * *
 * ORIGINAL *
 * SENT: 01/24/86 TIME: 09:06 *
 * FROM: BARBARA NORRELL * 61 *
 * SUBJECT: FOM *
 * PRINT DATE: 01/24/86 TIME: 09:07 *
 * *

TO: ALL LEGISLATORS

FROM: DIXIE ARMSTRONG, P.O. BOX 670503, CHUGIAK, AK 99567, 688-3140

SUBJECT: HB 409, LICENSING SCHOOL BUS DRIVERS

SCHOOL BUS TRAINING MUST HAVE ACCOUNTABILITY. WILL NOT SUPPORT HB 409 UNLESS AMENDED. TMS HAS BEEN SUPPORTED AS HAVING THE BEST TRAINING PROGRAM IN THE STATE. TMS HAS THE WORST SAFETY RECORD. TO SUPPORT TRAINING I MUST BE ASSURED THAT IT IS PART OF THE CRITERIA OF INVESTIGATION IN CASE OF AN ACCIDENT INVOLVING DEATH OR INJURY.



FEB 12 1986

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* DELIVER TO: JFOM
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* ORIGINAL
* SENT:          02/11/86  TIME: 12:24
* FROM:          LIOSOL
* SUBJECT:       POM
* PRINT DATE:   02/11/86  TIME: 12:24
*
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12

POM

TO SENATORS DEVRIES, FISCHER, P., KERTTULA
TO REPS. CATO, COTTEN, GRUENBERG, JENKINS, MARROU, NAVARRE,
PHILLIPS, THOMPSON

FROM
PENNY L. LITTLE
TRANSPORTATION COORDINATOR
KENAI PEN. SCHOOL DISTRICT
148 N. BINKLEY
SOLDOTNA, ALASKA 99669
262-5846

RE: HB 409 AMENDMENT
MESSAGE: I WOULD QUESTION THE LEGALITY OF SUBJECT AMENDMENT.
OUR DISTRICT'S BUS TRANSPORTATION CONTRACT IS BETWEEN THE
CONTRACTOR AND THE DISTRICT, NOT CONTRACTOR AND STATE. I BELIEVE
THE "COMMITTEE" DIXIE ARMSTRONG REPRESENTS IS A VERY SMALL ONE.
THIS AMENDMENT DOES NOT APPEAR IN THE BEST INTEREST OF THE
MAJORITY OF ALASKANS.
EON...

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 (AS 11.51.-

1 130);

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 ¹⁵20 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) ^{delete} and (5) of this section shall be paid by the applicant. A
20 license issued under this section expires on September 1 of the year
21 following issuance. Application for renewal may be made by submitting
22 to the department the results of a current physical examination and
23 paying the required fee.

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

HB 409 cont'd

Senator Rodey offered Amendment No. 1:

Page 1, line 20:

After "age"
Insert "has had an Alaska driver's license
for at least one year."

Senator Rodey moved Amendment No. 1. Senators Abood and Coghill objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 409 TRSP AM 1

Yeas: 5 Fischer Vic, Josephson, Kerttula, Rodey, Zharoff

Nays: 14 Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Halford, Kelly, Ray, Sackett, Ziegler

Excused: 1 Sturgulewski

Senator Paul Fischer changed from "yea" to "nay".

and so, Amendment No. 1 failed.

Senator Halford moved and asked unanimous consent that CS FOR HOUSE BILL NO. 409 (TRSP) be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 409 (TRSP) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 409 (TRSP) (training and licensing of school bus drivers; efd) pass the Senate?" The roll was taken with the following result:

CSHB 409 TRSP 3RD

Yeas: 19 Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Zharoff, Ziegler

Nays: 0

Excused: 1 Sturgulewski

HB 409 cont'd

and so, CS FOR HOUSE BILL NO. 409 (TRSP) passed the Senate.

Senator Halford moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 409 (TRSP) was signed by the President and Secretary and returned to the House.

SECOND READING OF SENATE RESOLUTIONS

SJR 45

SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 45 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 45 was read the third time.

The question being: "Shall SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen) pass the Senate?" The roll was taken with the following result:

SJR 45 3RD

Yeas: 19 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Zharoff, Ziegler

Nays: 0

Excused: 1 Sturgulewski

and so, SENATE JOINT RESOLUTION NO. 45 passed the Senate and was referred to the Secretary for engrossment.

April 11, 1986

2315

file
HD 409

The Rules Committee considered CS FOR HOUSE BILL NO. 409 (TRSP) (training and licensing of school bus drivers; efd) and recommended calendar April 14. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Coghill, Faiks and Josephson.

CS FOR HOUSE BILL NO. 409 (TRSF) will be on the April 14 calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 476

SENATE BILL NO. 476 by the Finance Committee, entitled:

"An Act relating to hydroelectric projects; and providing for an effective date."

was read the first time and referred to the Finance Committee.

SB 477

SENATE BILL NO. 477 by the Finance Committee, entitled:

"An Act making a special appropriation to the Alaska Power Authority for the Devil Canyon dam project; and providing for an effective date."

was read the first time and referred to the Finance Committee.

UNFINISHED BUSINESS

SB 367

Senator Kelly moved and asked unanimous consent that he be added as a co-sponsor on SENATE BILL NO. 367 (Alaskan resident employment preference; efd). Without objection, it was so ordered.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 367

SENATE BILL NO. 367 (Alaskan resident employment preference; efd) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2296. Without objection, CS FOR SENATE BILL NO. 367 (FIN) was adopted.

CS FOR SENATE BILL NO. 367 (FIN) was read the second time.

Senator Josephson offered Amendment No. 1:

Page 1, delete lines 18-28 and reletter subsequent subsections accordingly.

Senator Josephson moved Amendment No. 1 and asked unanimous consent. Senators Kelly and Sturgulewski objected, then withdrew their objections. There being no further objection, Amendment No. 1 was adopted.

Senator Josephson offered Amendment No. 2:

Page 3, line 28: Delete "are" insert "were"
After "preference" insert "at the time
of hire"

Page 4, line 5: After "preference" insert
"in hiring"

line 9: Delete "eligible"

line 10: After "residents" insert "who
were eligible for an employment preference
under this chapter at the time of hiring."

Page 5, line 3: After "preference" insert
"in hiring"

line 23: After "preference" insert
"in hiring"

SB 471 cont'd

The question being: "Shall CS FOR SENATE BILL NO. 471 (TRSP) (title am) (drivers' licenses for pilot car operators) pass the Senate?" The roll was taken with the following result:

CS SB 471 TRSP TITLE AM 3RD

Yeas: 18 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Ray, Rodey, Sackett,
Zharoff, Ziegler

Nays: 0

Excused: 1 Sturgulewski

Absent: 1 Kerttula

and so, CS FOR SENATE BILL NO. 471 (TRSP) (title am) passed the Senate and was referred to the Secretary for engrossment.

SENATE BILLS IN SECOND READING

SB 294

CS FOR SENATE BILL NO. 294 (RES) am (guiding; efd) which had been held from April 15, with an objection pending to adopt Amendment No. 2 (page 2352), was before the Senate in second reading.

Senator Rodey withdrew Amendment No. 2.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 294 (RES) am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 294 (RES) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 294 (RES) am (guiding; efd) pass the Senate?" The roll was taken with the following result:

SB 294 cont'd

CSSB 294 RES AM 3ED

Yeas: 11 Bennett, Coghill, Fahrenkamp,
Faiks, Ferguson, Josephson, Kelly,
Rodey, Sackett, Zharoff, Ziegler

Nays: 7 Abood, DeVries, Eliason,
Fischer Paul, Fischer Vic,
Halford, Ray

Excused: 1 Sturgulewski

Absent: 1 Kerttula

Senator Zharoff changed from "nay" to "yea".

and so, CS FOR SENATE BILL NO. 294 (RES) am passed the Senate.

Senator Halford moved the effective date clause.

The question being: "Shall the effective date clause be adapted?" The roll was taken with the following result:

CSSB 294 RES AM EFD

Yeas: 18 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Ray, Rodey, Sackett,
Zharoff, Ziegler

Nays: 0

Excused: 1 Sturgulewski

Absent: 1 Kerttula

and so, the effective date clause was adopted.

Senator Ray gave notice of reconsideration.

SECOND READING OF HOUSE BILLS

HB 409 *file*

CS FOR HOUSE BILL NO. 409 (TRSP) (training and licensing of school bus drivers; efd) which had been held from April 14 (page 2340) was read the second time.

school bus driver contractor. We learned that most of our school bus drivers are from out-of-state, or are seasonal workers, whereby driving a school bus is a supplemental income for the winter months.

PAGE 2, LINES 17-19

(5) has completed... established under AS 14.07.020(a)(14)
...

This language was added because of the new language on page 1, section 1 pertaining to this course.

PAGE 3, LINES 14 AND 17

(e) For purposes of determining whether...(c) or (d) of this section...offenses listed in (c) or (d)...

This was added at the request of the Department of Public Safety and Ms. Hutchins as it appeared to be an oversight. (c) listed offenses within 20 years of application and (d) applies to driving while intoxicated.

PAGE 3, LINE 24

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

The effective date was changed to September 1, 1987 at the request of the Department of Education as we were told that the driving training program would begin in the development phase in July 1, 1986, pending an appropriation, and implementation would begin July 1, 1987.

file
 HB 409

Senator Halford moved and asked unanimous consent that CS FOR HOUSE BILL NO. 409 (TRSP) be held to the April 15 calendar. Senator Coghill moved and asked unanimous consent that the motion be amended and CS FOR HOUSE BILL NO. 409 (TRSP) be held to the April 16 calendar. Without objection, the bill will be on the April 16 calendar.

SJR 48

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 48 be held to the April 15 calendar. Without objection, the resolution will be on the April 15 calendar.

SJR 41

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 41 be returned to the Rules Committee. Without objection, the resolution was returned to the Rules Committee.

CITATIONS

Honoring - Lions District 49A and 49B, District
 49A Lions Foundation
 by Representatives Pignalberi, Furnace, Gruenberg,
 Marrou, Hanley, Jenkins and Cotten
 Senators Kelly, Bennett, Sturgulewski, Rodey,
 Halford, Vic Fischer and Kerttula

Honoring - The Sisters of Saint Ann in Alaska
 1886-1986
 by Representatives Wallis, Martin, M.M. Miller and
 Hurley
 Senators Sackett, Sturgulewski, Bennett, Ray,
 DeVries, Rodey, Halford, Vic Fischer and
 Kerttula

Senator Halford moved and asked unanimous consent that the citation calendar be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

SB 478 cont'd

dependent children program and the adult public assistance program, during state fiscal year 1987. This bill is one more painful part of our efforts to contain state expenditures during this period of severe revenue shortfalls.

Under current state law (AS 47.25.320(d) and 47.25.430(b)), if federal benefits to these state/federal programs are increased because of an increase in the cost of living, a corresponding increase in state benefits is required. However, the state will not be out of compliance with federal requirements if the operation of these state statutes is suspended. It is the intent that, when these statutes again become applicable, they will not be given retroactive effect. In other words, if there is a three percent cost-of-living increase in FY 87 and another one in FY 88, only that second three percent increase would be given effect.

Sincerely,

/s/ Bill Sheffield

Bill Sheffield
Governor

CONSIDERATION OF THE CALENDAR

SB 100

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 100 be held to the April 15 calendar. Without objection, the bill will be on the April 15 calendar.

SB 294

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 294 be held to the April 15 calendar. Without objection, the bill will be on the April 15 calendar.

SB 469

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 469 be held to the April 15 calendar. Without objection, the bill will be on the April 15 calendar.

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 Phone : 465-2650
 Division : Motor Vehicles Date : 1-21-86
 Approved by Commissioner : [Signature] 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.

HB	342	2757
HB	402	2758
HB	409	2754 2767
HB	417	2759 2760 2766
HB	438	2760-2763 2766
HB	482	2758
HB	493	2755
HD	505	2758
HB	517	2763 2764 2766
HB	550	2758 2759
HE	601	2764 2766
HB	604	2765
HB	610	2759
HB	637	2765
HB	699	2766
HB	700	2766
SB	138	2755
SB	319	2756
SB	461	2756
SB	471	2756
SJR	45	2755

ENROLLMENTCSHB 409(Trsp) *file*

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:00 a.m., April 17, 1986:

CSHB 409(Trsp)
 Relating to training and licensing of
 school bus drivers; effective date

ANNOUNCEMENTS

Finance Subcommittee on HESS	Capitol 505	4:00 p.m., 4/17
Finance Subcommittee on Corrections	Capitol 519	5:30 p.m., 4/17
State Affairs Added to schedule: HB 679 Purchase of Alaska products	Capitol 102	3:00 p.m., 4/17
Oil & Gas Added to schedule: SB 309 Royalty gas contracts HB 491 Establishing a national petroleum - Alaska special revenue fund	Capitol 519	4:00 p.m., 4/17

ADJOURNMENT

Representative Clocksin moved and asked unanimous consent that the House adjourr until 10:00 a.m., April 18, 1986. There being no objection, the House adjourned at 12:20 p.m.

Irene Cashen
 Chief Clerk

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

April 17, 1986

Ninety-fifth Day

Pursuant to adjournment, the House was called to order by Speaker Grussendorf at 10:07 a.m.

Roll call showed 39 members present. Representative Pearce had been previously excused from a call of the House today.

The invocation was offered by the Chaplain, Pastor Jon Paden of the Church of Christ. Representative Davis moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

"Our loving God,

We thank You for life, and for the challenges it brings. We truly have a great sense of accomplishment in work well done, and we thank You for this also.

Lately, we find ourselves under great pressure to meet the needs of all Alaska's people. We ask for Your wisdom to discern between matters of genuine conviction and matters of personal preference. May we continue to act on this wisdom appropriately.

And, in this, we pray that we will always respect those of us who see it differently.

I come to You in the name of the Lord of life, Jesus Christ.

Amen."

The Pledge of Allegiance was recited.

CERTIFICATION OF THE JOURNAL

Representative Clocksin moved and asked unanimous consent that the journal for the 94th day and House Journal Supplement No. 117 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated April 16, 1986, was read stating the Senate accepts the invitation to meet in joint session April 22, 1986, at 10:30 a.m. to consider the Governor's appointees to boards and commissions and other appointments.

A message dated April 16, 1986, was read stating the Senate has approved the following citation and it is transmitted for consideration:

Honoring - Irene Ryan - Alaskan of the
Year 1986
by Senators Sturgulewski, Ziegler, Bennett,
Fahrenkamp, DeVries, V. Fischer, Ferguson,
Halford, Kerttula, Faiks, Josephson, Abood,
Rodey, Ray, Eliason, Coghill and all other
members of the Senate; and Representatives
Jenkins and Pearce

The citation was referred to the Rules Committee for placement on the calendar.

The message also stated that the Senate has approved the following citation and it is being enrolled:

In Memoriam - Jessie L. Dodson

CSHB 409(Trsp) *file*

A message dated April 16, 1986, was read stating the Senate has passed:

COMMITTEE SUBSTITUTE FOR HOUSE BILL
NO. 409 (Transportation)
Relating to training and licensing of
school bus drivers; effective date

CSHB 409(Trsp) was referred to the Chief Clerk for enrollment.

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; *If suspended or revoked -
considered to be licensed 1 yr*

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 *4/10/02
2 weeks
outside of
8 weeks* (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 *Deliver* (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 (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.

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

*Take out
of present
code & put
in new
section*

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

2 (7) a felony or ^{new} ~~misdemeanor~~ involving distribution of a
3 controlled or ^{new} ~~imitation~~ controlled substance (AS 11.71 or AS 11.73);

4 ^{new} (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 ^{from} → convicted of an offense listed under (c) ⁽¹⁾ 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.

Suggested Changes to HB 409

- 1) Delete Driver Training Course (p. 2, lines 15-17). (Cato)
- 2) Change 20 years to 5 years (p. 2, line 20; p. 3, line 9). (Marrou)
- 3) Clarify 1 year minimum of possession of license to take in account, for example, revocation cases (p. 2, lines 5-6). (Brown)
- 4) Add or (d) after "(c)" (p. 3, lines 12 and 14). (Brown)
- 5) Issue permit/license pending out-of-state background checks (p. 2, lines 9-12). (Hutchins)

NOTES FROM COMMITTEE

Rep. Jenkins outlined bill. Rep. Cato suggested deleting school bus training course since state cannot fund. Later on this section was deleted by "mutual consent."

Rep. Marrou asked about any problems up to now to justify legislation; questioned finger-print check; suggested changing 20-year period to 5 years for someone who has committed crimes in Sec. 2(c) and Sec. 2(d).

Rep. Pignalberi suggested title was too narrow because of changes in Sec. 1.; suggested title change. Asked about costs of background checks (Bill Brown later answered: \$12.00).

Bill Brown, DMV, suggested clarifying page 2, lines 5-6 to take into account revocations. Suggested adding or (d) after (c) in Sec. 2(e).

Rep. Shultz asked for the contractors' view. Sandra Hutchins later said that the contractors and school district officials were in agreement about the provision in this bill re: training program. Rep. Marrou objected to the new fiscal note. Suggested that school districts set up own driver training programs.

Sandra Hutchins suggested having a temporary/pending license given to drivers pending out-of-state background checks. Rep. Furnace and Rep. Marrou objected to this. Ms. Hutchins mentioned clarifying page 2, lines 5-6 to refer to having an Alaska license for at least one year. She stated that the most important part of the bill is on page 2, lines 15-17 which refers to the Driver Training Program.

Sandra Hutchins stated that half of child deaths related to school bus transportation are caused by the driver and the other half are caused by stop arm violations. Suggested that state could regulate program and set minimum standards; the state could set up district programs; the state could provide trainers to remote parts of the state.

Rep. Herrmann asked if there was written evidence which showed the contractors' support for the training program and background checks. Ms. Hutchins mentioned ... from Fairbanks who represents contractors and who could not make it down to Juneau for this morning's hearing.

Romayn Kareen provided the committee with statistics and a review of the Driver Training Program. She gave the following figures for the fiscal note:

FY87	\$108,496	FY90	68,000
FY88	68,000	FY91	70,000
FY89	67,000		

Rep. Pignalberi suggested adding a letter of intent which would state the preference for a DOE-ran Driver Training Program. Rep. Cato said that the committee would hear the bill next week and suggested Rep. Jenkins, Rep. Pignalberi, Sandra Hutchins, Romayn Kareen, and committee staff work on the changes suggested in committee.

TESTIMONY/OUTLINE ON HB 409

"AN ACT RELATING TO LICENSING OF SCHOOL BUS DRIVERS;
AND PROVIDING FOR AN EFFECTIVE DATE."

I. THANK REPRESENTATIVE CATO FOR HEARING THE BILL.

II. BACKGROUND OF BILL

HOUSE BILL No. 409 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.

HOUSE BILL No. 409 TAKES THE EXISTING 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. [SUBSECTION (B)(6), PAGE 2, LINES 15-17.]
2. THE APPLICANT MUST SUPPLY THE DEPARTMENT OF PUBLIC SAFETY WITH SUFFICIENT INFORMATION TO COMPLETE NATIONAL CRIMINAL RECORDS CHECK. [SUBSECTION (B)(4), PAGE 2, LINES 9-11.] [SEE ALSO: 13 AAC 08.015(2)]
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. [SUBSECTION (B)(5), PAGE 2, LINES 12-14.]
4. THE APPLICANT MUST NOT HAVE BEEN CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING DISTRIBUTION OF A CONTROLLED OR IMITATION CONTROLLED SUBSTANCE. [SUBSECTION (C)(7), PAGE 3, LINES 2-3.] [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. [SUBSECTION (C)(6), PAGES 2-3, LINES 29-1.]
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. [SUBSECTION (D), PAGE 3, LINES 6-10.]

7. THE APPLICANT MUST BARE THE COST OF BACKGROUND CHECKS. [SUBSECTION (F), PAGE 3, LINES 16-21.]

THE CHILDREN, WHOSE PARENTS HAVE ENTRUSTED THE STATE TO EDUCATE, MUST HAVE SCHOOL BUS DRIVERS OF GOOD CHARACTER WHO ARE EDUCATED IN SAFETY.

III.

SECTIONAL ANALYSIS

SECTION 1 DELETES THE EXISTING AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY TO REGULATE LICENSING OF SCHOOL BUS DRIVERS. [SEE ALSO: COMMISSIONER SUNDBERG'S MAY 2, 1985 POSITION PAPER, LAST PARAGRAPH. THE COMMISSIONER RECOMMENDS THAT "SECTION 1 OF THE BILL BE REPEALED. LICENSING OF TAXI DRIVERS IS PRESENTLY HANDLED AT THE LOCAL GOVERNMENT LEVEL AND THE DEPARTMENT WOULD PREFER TO LEAVE THE CONTROL AT THE LOCAL LEVEL.]

SECTION 2 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) ONE NEEDS A LICENSE BEFORE DRIVING SCHOOL BUS.
- (B) REQUIREMENTS BEFORE ISSUING LICENSE: MINIMUM AGE (19), NATIONAL AND STATE BACKGROUND CHECK, DRIVER TRAINING COURSE. (SEE 13 AAC 08.015(2).)
- (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 3 EFFECTIVE DATE SECTION. NEED TO UPDATE.

A M E N D M E N T

Offered in the HOUSE FINANCE COMMITTEE

TO: CSHB 364 (Transportation)

Page 1, line 6, after "to" insert "the licensing of"

Page 1, lines 6 - 7:

Delete "licensing" after "and" insert "school bus drivers; commercial motor vehicle"

Page 1, after line 13, insert the following new bill section to read:

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

(b) A person may not 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 the person 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."

Page 1, line 14, delete "* Sec. 2" and insert "* Sec. 3"

Page 1, after line 21 insert the following new bill section to read:

"* Sec. 4. AS 28.15 is amended by adding a new section to read:

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

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

- (1) is at least 21 years of age;
- (2) has had a license to operate a motor vehicle at least one year before the date of application;
- (3) has successfully completed all required driving, written, and physical examinations;
- (4) has submitted information sufficient to complete a background check consisting of a fingerprint check of national criminal records;
- (5) has successfully completed a background check consisting of a fingerprint check of state criminal records of the state or states in which the applicant has resided for the past two years;
- (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.

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

- (1) sexual abuse of a minor in any degree (AS 11.41.434 - 11.41.440);
- (2) sexual assault in any degree (AS 11.41.410 or 11.41.-420);
- (3) incest (AS 11.41.450);
- (4) unlawful exploitation of a minor (AS 11.41.455);
- (5) contributing to the delinquency of a minor (AS 11.51.-130);
- (6) a felony involving possession of a controlled or imitation controlled substance (AS 11.71 or AS 11.73);
- (7) a felony or misdemeanor involving distribution of a controlled or imitation controlled substance (AS 11.71 or AS 11.73);
- (8) promoting prostitution in the first or second degree (AS 11.66.110 or 11.66.120).

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

(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.

(f) Costs of conducting the background check required under (b)(4) and (5) of this section shall be paid by the applicant. A license issued under this section 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."

Renumber succeeding bill sections accordingly.

Bitte -

HB 409 takes existing regulations and puts them into statute, plus adds specific language for governing licensing of school bus drivers

The Dept. of Public Safety has provided a neutral position paper and an up-dated fiscal note. As you can see there seems to be alot more school bus drivers this year than last year (350-700)

Sandra Hutchins, Chairman, Alaska School Bus Safety Committee and Rosslyn Kieren, Pupil Transportation officer with the Dept. of Education, testified in favor of the bill last year and will be

was a strong feeling among school district people & the contractors that procedurally this won't work as is presently written.

Also, Saurba pointed out that the bill does not state who is responsible for developing the driver program.

Would like to see the Dept. of Education charged with that responsibility

Last year Bill Brown was concerned about p. 3, subsection 3 lines 12-14 (c). Need to add (d) — ~~the~~
~~page 14 of contract removed~~ because
(d) is very specific, ~~also he told~~

~~XXXXXXXXXX~~

We also need to make certain
to charge the register date

- I know Dept. of Education needs
funding for this program, as well as
you want to put it, as far as
take care of it

Materials in file folders:

Copy of HB 409

Explanation of HB 409 by Rep. Jikens

Sectional Analysis of HB 409 by Legal Services

Public Safety's Position Paper on HB 409

Fiscal Note dated 1-21-86

" " " 5-1-85

~~Statute~~ AS 28.15.05 / Classification of driver's
license

Regulations

House Transportation Committee Minutes
May 9, 1985

EXHIBIT IV

DRAFT

FOURTH DRAFT
ANCHORAGE, ALASKA

MASTER PLAN
FOR SCHOOL BUS
DRIVER TRAINING IN
ALASKA

JANUARY 17, 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. The nature of the business, because of the cargo involved, presents a potential for problems, litigations and disaster unlike any other.

Research throughout the state revealed a significant disparity of training requirements ranging from practically nothing to those in excess of 40 hours. The lack of both a formal, structured program and a monitoring system of any kind has set the stage for the aforementioned disaster.

A classic example of that possibility happened in Martinez, California in 1976 when a driver, untrained on that particular type bus, that incidentally had not been inspected by state authorities because of the pending sale of that bus, embarked on a field trip to another city that ended tragically on an off ramp with 29 fatalities. Aside from the personal loss and suffering felt by so many, the astronomical legal settlement reached an eight figured amount.

The growth and increasing population of Alaska intensifies 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 assurance that all instructors and drivers have received the same quality education necessary for optimum safety, efficiency and ultimate cost effectiveness is the primary goal.

In these days of astronomical litigation awards, it has become absolutely essential that the State Department, School Districts, and local contractors be in compliance with a program designed for the protection and safety of all concerned.

To accomplish these goals, there must be designed, financed, implemented, administered, and monitored an ongoing comprehensive

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training and reporting program for all school bus related personnel in the State of Alaska.

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 at least a month 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 Qualifications

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- 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.

DRAFT

- 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

DRAFT

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.

Honoring - Koliganek High School Girls'
Basketball Team Class A State
Champions

Honoring - Master Sergeant James L.
Bondsteel

Honoring - Lindi Wolf

A message dated April 30, 1986, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

CSSB 339(Fin)

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 339 (Finance), by the Finance Committee, entitled:

"An Act relating to mercury classics."

was read the first time and referred to the Rules Committee.

CSSB 405(Fin)

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 405 (Finance), by the Finance Committee, entitled:

An Act relating to loans under the
Alaska grain reserve program; and
providing for an effective date."

was read the first time and referred to the House Special Committee on State Loans and the Finance Committee.

SB 474am

SENATE BILL NO. 474 amended, by the Labor and Commerce Committee, entitled:

"An Act relating to exemptions from
licensing requirements as electrical
administrators; and providing for an
effective date.

was read the first time and referred to the Labor & Commerce Committee.

HJR 34

HOUSE JOINT RESOLUTION NO. 34
 Urging Congress to maintain the current
 level of federal funding for child
 nutrition programs.

Legislative Resolve No. 43

CSHB/409(Trsp)

A message dated April 30, 1986, was read stating the
 Governor has signed the following bill and is transmitting
 the engrossed and enrolled copies to the Lieutenant
 Governor's office for permanent filing:

COMMITTEE SUBSTITUTE FOR HOUSE BILL
 NO. 409 (Transportation)
 An Act relating to training and
 licensing of school bus drivers; and
 providing for an effective date.

Chapter No. 19, SLA 1986

MESSAGES FROM THE SENATE

A message dated April 30, 1986, was read stating the Senate
 has approved the following citations and they are
 transmitted for consideration:

Honoring - Juneau Students State Champions
 Alaska Future Problem Solving Bowl
 by Senators Ray, Fahrenkamp and DeVries

Honoring - Morgen Paul - 1986 Alaska
 Spelling Bee Champion
 by Senators Coghill, Bennett, Fahrenkamp,
 DeVries, Faiks and Kerttula; and
 Representative Shultz

Honoring - Delta Junction High School
 Girls' Volleyball Team AAA State
 Champions
 by Senator Coghill; and Representative
 Shultz

The citations were referred to the Rules Committee for
 placement on the calendar.

The message also stated the Senate has approved the
 following citations and they are being enrolled:

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 409

NEUTRAL

MAY 2, 1985

*2/10/13
m...*

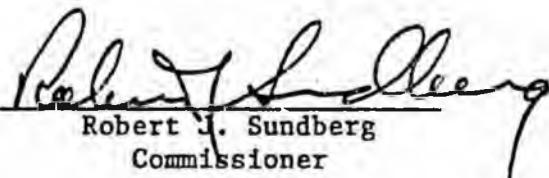
This bill does not make any drastic changes in the licensing of school bus drivers. The major impact will be on school bus contractors and school bus drivers in that a background check must be completed prior to issuance of the original license rather than after issuance. If the applicant has resided in Alaska only for the two years immediately preceding application, the delay in issuing the license will be approximately three weeks. If the applicant has resided in other states during the two years immediately preceding application, the delay in issuing the license will be approximately eight weeks. Contractors will have to plan accordingly in hiring and training new drivers.

Present law indicates a school bus permit will not be issued until "the department is satisfied as to the applicant's good character, competence, and fitness to be licensed...." Thus, the department adopted regulations which specify who cannot be licensed. This bill takes the discretion away from the department and specifies in statute who cannot be licensed. The bill adds one criminal offense that is not in the regulations which disqualify an applicant, however, the department's regulations are much stricter in regard to driving offenses. With the above wording being deleted, the regulations dealing with good character and competence may have to be repealed.

The cost mentioned in proposed section 28.15.046(f) is currently \$12.00 for a fingerprint search of the national criminal records as required in AS 28.15.046(b)(4). Individual states do not charge for a fingerprint search for another state, as required in AS 28.15.046(b)(5) if the applicant has resided outside Alaska within the two years prior to application.

In regard to AS 28.15.046(b)(6), this will require the state to have an approved school bus driver training course. The Department of Education is currently working on a master plan to include this. It does not appear it will be complete by the effective date of this bill. Without such a program, no school bus driver permits could be issued. Each contractor presently has a training program, however, they are not state approved.

Recommend Section 1 of the bill be repealed. Licensing of taxi drivers is presently handled at the local government level and the department would prefer to leave the control at the local level.


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 409
 Title: An Act relating to
licensing of school bus drivers....
 Sponsor: Jenkins
 Requestor: House Transportation
 Date of Request: 4-30-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles
Driver Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		4.2	4.4	4.6	4.8	5.0
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		4.2	4.4	4.6	4.8	5.0

CAPITAL						
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REVENUE		4.2	4.4	4.6	4.8	5.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND		4.2	4.4	4.6	4.8	5.0
FEDERAL FUNDS						
OTHER						
TOTAL		4.2	4.4	4.6	4.8	5.0

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 receives approximately 350 original applications per year. DMV will be required to pay the FBI for the searches, however, the applicant is required to cover this cost. Thus, 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. 350 applicants x \$12.00 per search = \$4,200. A 5% growth factor was used for FY87 & subsequent years.

Prepared By: Bill Brown Phone: 465-4335
 Division: Motor Vehicles Date: 5-1-85

Approved by Commissioner: [Signature] Date: 5-1-85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

Better
for you
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DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER

WITH STAFF COMMENTS RECEIVED FROM REP. JENKINS

(All underlined portions were given by David Garrison, Rep. Jenkins office)

NEUTRAL POSITION

This bill does not make any drastic changes in the licensing of school bus drivers. The major impact will be on school bus contractors and school bus drivers in that a background check must be completed prior to issuance of the original license rather than after issuance. If the applicant has resided in Alaska only for the two years immediately preceding application, the delay in issuing the license will be approximately (According to David Garrison, Rep. Jenkins staff, he talked with Commissioner Sundberg and according to him, with the computer doing the finger prints the turn around is one week. They made it three weeks in case of sickness, computer breakdown, etc. Three weeks would be the longest it would take for a state check.) If the applicant has resided in another state during the two years immediately preceding application, the delay in issuing the license will be approximately eight weeks. Contractors will have to plan accordingly in hiring and training new drivers.

Present law indicates a school bus permit will not be issued until " the department is satisfied as to the applicant's good character, competence, and fitness to be licensed..." Thus, the department adopted regulations which specify who cannot be licensed. this bill takes the discretion away from the department and specifies in statute who cannot be licensed. The bill adds on criminal offense that is not in the regulations which disqualify an applicant, however, the department's regulations are much stricter in regard to driving offenses. With the above wording being deleted, the regulations dealing with good character and competence may have to be repealed.

The cost mentioned in proposed section 28.15.046(f) (costs of conducting the background check of fingerprinting) is currently \$12.00 for a fingerprint search of the national criminal records as required in AS 28.15.046 (b)(4). Individual states do not charge for a fingerprint search for another state, as is required in AS 28.15.046(b)(5) if the applicant has resided outside Alaska within the two years prior to applicant. (Mike Ford, the drafting attorney assured David of Rep. Jenkins staff, that this bill would not reduce the existing code or stop the department from requiring more stringent codes. this would only be the minimum requirements. David spoke with Bill Brown of Public Safety and he Bill will check this out with the attorneys if additional language is required, which perhaps could be done with a committee substitute.)

In regard to AS 28.15.046(b)(6), this will require the state to have an approved school bus driver training course. The Department of Education

is currently working on a master plan to include this. It does not appear it will be complete by the effective date of this bill. Without such a program, no school bus driver permits could be issued. Each contractor presently has a training program, however, they are not state approved (According to Commissioner Sundberg, just delete this section. They are not enforcing it to the full letter of the law).

Recommend Section 1 of the bill be repealed. Licensing of taxi drivers is presently handled at the local government level and the department would prefer to leave the control at the local level.

*Signed by Commissioner Sundberg, May 2, 1985

HOUSE BILL 409 "An Act relating to licensing of school bus drivers..."

Rep. Jenkins has provided us with a position paper on HB 409 which explains that HB 409 sets minimum requirements for school bus drivers.

It also takes the existing state department of public of safety regulations and introduces them into statute. Plus he has listed the additions made to the statute.

The department of public safety has provided a neutral position paper. They have suggested deleting "AS 28.15.046(b) which will require the state to have an approved school bus driver training course. The Department of Education is currently working on a master plan to include this. It does not appear it will be complete by the effective date of this bill."

In talking with the Department of Education, committee staff learned that DOE would like ~~the opportunity to address this bill~~, but the individual with the ~~answers to any questions and comments~~ is out of town and unable to get that information to us for this ~~morning's~~ meeting.

They also expressed their concern regarding ~~AS 28.15.046(b)~~ since their ~~Master Plan for School Bus Driver Training~~ is still in draft form.

In addition, the department of Education stated that they support the concept of the bill, and will be providing us with a fiscal note and position paper per our request.

The only opposition to this bill, was an informal complaint expressed regarding AS 28.15.045(f) which requires the applicant to pay for the costs of conducting the background check required under (b)(4) and (5).

FYI: HB 409 does have a State Affairs referral.

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

HOUSE BILL NO. 409

LICENSING OF SCHOOL BUS DRIVERS

by Rep. JENKINS

House Bill No. 409 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.

House Bill No. 409 takes the existing state department of public safety regulations 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. [Subsection (b)(6), page 2, lines 15-17.]
2. The applicant must supply the department of public safety with sufficient information to complete national criminal records check. [Subsection (b)(4), page 2, lines 9-11.]
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. [Subsection (b) (5), page 2, lines 12-14.]
4. The applicant must not have been convicted of a felony or misdemeanor involving distribution of a controlled or imitation controlled substance. [Subsection (c)(7), page 3, lines 2-3.]
5. The applicant must not have been convicted of a felony involving possession of a controlled or imitation controlled substance. [Subsection (c)(6), pages 2-3, lines 29-1.]
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. [Subsection (d), page 3, lines 6-10.]
7. The applicant must bare the cost of background checks. [Subsection (f), page 3, lines 16-21.]

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

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

MEMORANDUM

April 29, 1985

SUBJECT: Sectional analysis
(Work Order No. 14-1144)

TO: Representative Roger Jenkins

FROM: Michael R. Ford *M.R.F.*
Legislative Counsel

The following is a sectional analysis of the above referenced work order:

Section 1 deletes the existing authority of the department to regulate licensing of school bus drivers.

Section 2 adds a new section governing licensing of school bus drivers. Sets forth specific licensing requirements and lists specific criminal convictions that would prevent licensing.

Section 3 effective date section.

MFF:ojb
J14/055

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 409

NEUTRAL

MAY 2, 1985

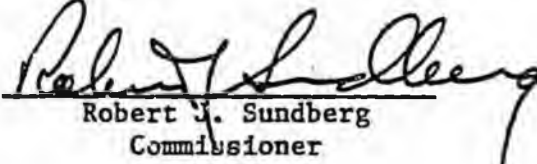
This bill does not make any drastic changes in the licensing of school bus drivers. The major impact will be on school bus contractors and school bus drivers in that a background check must be completed prior to issuance of the original license rather than after issuance. If the applicant has resided in Alaska only for the two years immediately preceding application, the delay in issuing the license will be approximately three weeks. If the applicant has resided in other states during the two years immediately preceding application, the delay in issuing the license will be approximately eight weeks. Contractors will have to plan accordingly in hiring and training new drivers.

Present law indicates a school bus permit will not be issued until "the department is satisfied as to the applicant's good character, competence, and fitness to be licensed...." Thus, the department adopted regulations which specify who cannot be licensed. This bill takes the discretion away from the department and specifies in statute who cannot be licensed. The bill adds one criminal offense that is not in the regulations which disqualify an applicant, however, the department's regulations are much stricter in regard to driving offenses. With the above wording being deleted, the regulations dealing with good character and competence may have to be repealed.

The cost mentioned in proposed section 28.15.046(f) is currently \$12.00 for a fingerprint search of the national criminal records as required in AS 28.15.046(b)(4). Individual states do not charge for a fingerprint search for another state, as is required in AS 28.15.046(b)(5) if the applicant has resided outside Alaska within the two years prior to application.

In regard to AS 28.15.046(b)(6), this will require the state to have an approved school bus driver training course. The Department of Education is currently working on a master plan to include this. It does not appear it will be complete by the effective date of this bill. Without such a program, no school bus driver permits could be issued. Each contractor presently has a training program, however, they are not state approved.

Recommend Section 1 of the bill be repealed. Licensing of taxi drivers is presently handled at the local government level and the department would prefer to leave the control at the local level.


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 409
 Title: An Act relating to
licensing of school bus drivers...
 Sponsor: Jenkins
 Requestor: House Transportation
 Date of Request: 4-30-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles
Driver Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		4.2	4.4	4.6	4.8	5.0
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		4.2	4.4	4.6	4.8	5.0
CAPITAL						
REVENUE		4.2	4.4	4.6	4.8	5.0

FUNDING: (Thousands of Dollars)

GENERAL FUND		4.2	4.4	4.6	4.8	5.0
FEDERAL FUNDS						
OTHER						
TOTAL		4.2	4.4	4.6	4.8	5.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This legislation requires a fingerprint search of FBI files on each original school bus driver applicant. The FBI charges \$12.00 per search. DMV receives approximately 350 original applications per year. DMV will be required to pay the FBI for the searches, however, the applicant is required to cover this cost. Thus, 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. 350 applicants x \$12.00 per search = \$4,200. A 5% growth factor was used for FY87 & subsequent years.

Prepared By: Bill Brown Phone: 465-4335
 Division: Motor Vehicles Date: 5-1-85

Approved by Commissioner: [Signature] Date: 5-1-85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

(8) who is required under ch. 27 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 (1980).
Comm'n v. Apokedak, 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 succeeded § 81 of this chapter an instruction permit in his immediate motor vehicle on a to exceed two years at least 19 years of the type or class of control over the vehicle who accompanies a drives a motorcycle

(b) The department restricted instruction restricted period to is enrolled in a driving and is approved permit allows the possession, to drive an approved instructor the permittee is driving under the immediate

(c) The department applicant for a driver or class of motor vehicle investigation and determination to receive a driver's license. A temporary driver's license has been issued or has been

(d) The department who is at least 14 years of age guardians for the purpose may be issued upon prescribed tests and fees driver's license. The ordinance prohibits under the age of 16 nonareawide basis or basis is acquired under

(e) Notwithstanding the department may issue a special license to a person of age of 16 years become licenses to be issued on an individual basis by the

586. Setting Aside Sentence

(b) 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

(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.

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

(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;

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;

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

POUCH V - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HT 5-9-85

Tam

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 1-21-86

REQUEST

Bill/Resolution No.: HB 409
 Title: An Act relating to licensing of school bus drivers..
 Sponsor: Jenkins
 Requestor: House Transportation
 Date of Request: 1-21-86

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		8.4	8.8	9.2	9.7	10.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	8.4	8.8	9.2	9.7	10.2

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

REVENUE	0	8.4	8.8	9.2	9.7	10.2
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FUNDING : (Thousands of Dollars)

GENERAL FUND	0	8.4	8.8	9.2	9.7	10.2
FEDERAL FUNDS						
OTHER						
TOTAL	0	8.4	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 receives approximately 700 original applications per year. 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 Phone: 465-2650
 Division: Motor Vehicles Date: 1-21-86

Approved by Commissioner: [Signature] Date: 1-21-86
 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. HB 409

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. 700 applicants x \$12.00 per search = \$8,400. A 5% growth factor was used for FY88 and subsequent years.

ASSUMPTION

Effective date of July 1, 1986.

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.

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

MEMORANDUM

Date: January 21, 1986

To: All House Transportation Committee Members
All Co-Sponsors of HB 409

From: Representative Roger Jenkins

Re: January 22 House Transportation Committee Hearing of HB 409, "An Act relating to licensing of school bus drivers; and providing for an effective date."

Enclosed please find a copy of HB 409 and back-up material. As co-sponsor of the bill, you will be interested to know that it will be heard tomorrow, January 22, by the House Transportation Committee at 7:00 a.m.

Included in this packet are:

- HB 409
- my outline of the bill
- Legislative Council's sectional analysis
- The Department of Public Safety's May 2, 1985 Position Paper and Fiscal Note
- AS 28.15.041 (affected by Section 1 of my bill)
- 13 AAC 08.055-.060
- May 9, 1985 House Transportation Committee Minutes
- The Department of Public Safety's January 21, 1986 Fiscal Note and Fiscal Note Analysis