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Alaska State Legislature

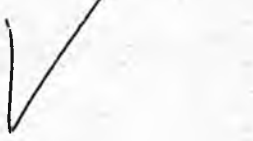
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WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4453/4530



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

Representative Roger Jenkins
DISTRICT 11



April 16, 1986 APR 18 1986

The Honorable Jack Coghill
Alaska State Senate
P.O. Box V
Juneau, Alaska 99811

Dear Senator Coghill:

Thank you for your support on the Senate Floor today of my bill, CSHB 409 (Transportation), "An Act relating to training and licensing of school bus drivers; and providing for an effective date."

I am particularly grateful to you for standing up against today's proposed amendment.

Cordially,

Roger Jenkins
Representative Roger Jenkins

P.S. Again Thanks

CSHB 409(TRSP) NOTEBOOK INDEX

- I.....CSHB 409 (TRSP); Bill Outline/Sectional Analysis; Letter by Bill Brown, Chief of Driver Services, addressing background checks and licenses
- II.....Fiscal Notes
- III.....Costs and Summary of Proposed School Bus Driver Training Program
- IV.....Position Papers and Letters of Support
- V.....Committee Recommendations
- VI.....Articles, Studies, and Statistics:
- "School Bus Accidents, 1984" from the National Safety Council's 1985 Edition of Accident Facts.
 - National School Bus Loading & Unloading Survey for Calendar Year 1984, School Year 84-85.
 - Alaska Department of Education Accident Statistics for 07/01/83-06/30/84 and 01/07/84-06/31/85.
 - "Kids Need To Be Watched Too" from June-July 1985 School Bus Fleet.
 - "Safe Passage: Driver Training Is The Key" from February 1986 American School & University.
 - "Dallas County Checks Bus Drivers For Felony Records", January 29, 1986 Education USA Newslite.
 - "School Bus Driver Training and Bus Safety" by the Alaska State Legislature House Research Agency.
- VII.....Minutes from House Transportation, House State Affairs, and House Finance Committees
- VIII.....Statutes and Regulations

Offered: 1/29/86
Referred: State Affairs

Original sponsors: Jenkins, Larson,
Hurley, et al

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

5 A BILL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (3) incest (AS 11.41.450);

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

29 (5) contributing to the delinquency of a minor

1 (AS 11.51.130);

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

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

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

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

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

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

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

Alaska State Legislature

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

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



MEMBER
HOUSE RESOURCES COMMITTEE
MEMBER
HOUSE STATE AFFAIRS COMMITTEE

Representative Roger Jenkins

DISTRICT 11

OUTLINE OF CSHB 409(TRSP)

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

I. Background of bill

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

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

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

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

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

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

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

II. Sectional Analysis

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

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

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

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

Section 4 effective date section.

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 Pette 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

bcc: Representative Jenkins ✓

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : 2/27/86

REQUEST

Bill/Resolution No. : CSHB 409 (Trans)
 Title : Training and licensing
School Bus Drivers
 Sponsor : Jenkins
 Requestor : House Finance Committee
 Date of Request : 2/27/86

FISCAL DETAIL

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

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

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

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

Approved by Commissioner : _____ Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note) :

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

Note: * Endorsed by Finance Cmte. Appears in H. Journal Supp. 78

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.

1/20/86

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

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

STATE OF ALASKA

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

January 27, 1986

BILL SHEFFIELD, GOVERNOR

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

MEMORANDUM

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

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

SUBJECT: HB 409 - School Bus Driver Training

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

Enclosure

cc: Romyne Kareen

1/27/86

HB 409
Section 2 (b) (6)

SUMMARY OF PROPOSED SCHOOL BUS DRIVER TRAINING PROGRAM

1. Standardization of School Bus Driver Training

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

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

2. Certification of School Bus Driver Instructors

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

3. Increased Licensing Requirements

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

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

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

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

4. Program Activities

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

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

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

a. Subject matter for the two above categories will overlap, and will include, but not be limited to, the following:

- (1) Student Loading and Unloading Procedures
- (2) Student Rider Procedures
- (3) Safety and Emergency Procedures
- (4) First Aid
- (5) Defensive Driving
- (6) Driving Skills

School Bus Driver Training Program
Page Three

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

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

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

DRAFT

FIFTH DRAFT
ANCHORAGE, ALASKA

MASTER PLAN
FOR SCHOOL BUS
DRIVER TRAINING IN
ALASKA

APRIL 30, 1985

DRAFT

I. OPENING STATEMENT

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

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

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

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

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

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

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

II. GOALS AND OBJECTIVES

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

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

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

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

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

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

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

related area is received from the State Transportation Director.

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

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

III. PROGRAM NEEDS ASSESSMENT

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

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

DRAFT

2. SUBJECT MATTER

a. SCHOOL BUS DRIVER TRAINER/SCHOOL BUS DRIVER

- 1) The subject matter for the two above categories will overlap, include, but not be limited to the following:
 - a) State Rules and Regulations
 - b) District Rules and Regulations
 - c) Student Management
 - d) Public Relations
 - e) Driver's Role and Responsibilities
 - f) Student Rider Procedure
 - g) Loading and Unloading
 - h) Safety and Emergency Procedures
 - i) Pre-Trip Inspection
 - j) Bus Components
 - k) Field Trips
 - l) First Aid
 - m) The Exceptional Child
 - n) Defensive Driving
 - o) Driving Skills
- 2) In addition to the above, the curriculum for the Driver Trainer will include the following:
 - a) Setting up a Classroom
 - b) Proper Classroom Procedures
 - c) Instructor Qualities

DRAFT

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

b. STATE LICENSING EXAMINERS

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

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

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

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

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

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

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

IV. MULTI-YEAR PLAN FOR ACCOMPLISHMENT

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

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

PHASE I PLANNING - BUDGETING

- A. Hold a meeting with Director of Management, Law, and Finance and the Commissioner of Education to discuss goals and objectives of the Pupil Transportation training proposal as the first step toward a State approved program.
- B. Prepare package for the Department of Education for the following considerations:
 - 1. Approval of the program
 - 2. Budgetary appropriations

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

PHASE II CURRICULUM - REPORTING

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

PHASE III IMPLEMENTATION - EVALUATION

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

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

PHASE IV RESTRUCTURE - REORGANIZE

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

VI. CLOSING STATEMENT

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

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

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

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.

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - CS HB 409 (Trans)

Neutral

February 3, 1986

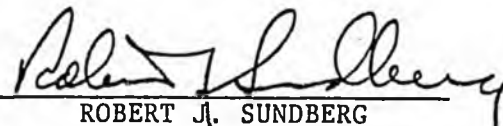
CS HB 409 (Trans) An Act relating to the training and licensing of school bus drivers.

This bill does not make any drastic changes in the licensing of school bus drivers. The major concern of school bus contractors and school bus drivers was taken care of in the committee substitute.

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. This 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.

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)(4) if the applicant has resided outside Alaska within the two years prior to application.

Recommend Section 2 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

POSITION PAPER OF THE DEPARTMENT OF EDUCATION

FOURTEENTH ALASKA LEGISLATURE

House Bill 409

March 7, 1986

The Department supports this bill.

for Steve Nole

Harold Reynolds, Jr.
Commissioner

MEMORANDUM

State of Alaska

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

DATE: March 10, 1986

FILE NO.:

THRU: *Steve Hole*
Marshall L. Lind, Commissioner
Department of Education

TELEPHONE NO.: 465-2800

SUBJECT:

FROM: Romyne Kareen, Administrator *PK*
Pupil Transportation Services
Department of Education

CSHB 409

Per your request, following is information regarding CSHB 409.

CSHB 409 requires school bus drivers to complete a state-approved school bus driver training program before being licensed by the Department of Public Safety to transport school children in school buses. Currently a driver need only pass a written and performance test in order to be issued a school bus driver permit.

The following are reasons for the department's support of this bill:

1. Adequate training of school bus drivers is essential in order to assure the safety of school children who ride buses to and from school.
2. Current training programs of school districts and bus contractors throughout the state range from approximately four hours to 40 hours for beginning drivers.
3. Training offered by school districts and bus contractors is inconsistent due to lack of statutory or regulatory requirements for content and amount of training.
4. During 1984, 45 pupils were killed nationwide in accidents involving school buses. Approximately ten were passengers on school buses and 35 were pedestrians either approaching or leaving the school bus loading zone. More than half of the pupil pedestrians were struck by the school bus which they were entering or leaving.
5. In Alaska, three pupils were fatally struck by school buses in the last three years.
6. During 1984, the Department appointed a committee of school district representatives and bus contractors to develop a master plan for school bus driver training needs in the state. A summary of the plan is attached. The plan is ready for implementation contingent upon available funding.

Attachment

cc: Larry Huxel
Steve Hole
Mary Hakala

1/27/86

HB 409
Section 2 (b) (6)

SUMMARY OF PROPOSED SCHOOL BUS DRIVER TRAINING PROGRAM

1. Standardization of School Bus Driver Training

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

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

2. Certification of School Bus Driver Instructors

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

3. Increased Licensing Requirements

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

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

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

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

4. Program Activities

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

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

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

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

School Bus Driver Training Program
Page Three

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

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

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

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of Education

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586-1632

BOARD REPORT

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

FOR IMMEDIATE RELEASE
February 6, 1986

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

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

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

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

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

The Board also:

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

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

*Gramm - Rudman - Hollings
Dictates Balanced Budget in 5 yrs
Don't have self-responsibility.*

FEB 18 1986



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

February 11, 1986

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

Dear Representative Jenkins;

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

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

Sincerely,

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

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

Pupil Transportation Systems

6631 East 9th Avenue

Anchorage, Alaska 99504

(907) 333-5708

Feb. 24, 1986

Rep. Pat Pourchot
Pouch V
Juneau, Alaska 99811

Re: CSHB 409

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

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

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

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

Therefore, I respectfully request your support for CSHB 409.

Sincerely;



Cecil Whitehurst

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

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

FEB 26 1986

148 North Binkley Street

Soldotna, AK 99669

Phone 907/262-5846

February 24, 1986

House Finance Committee
Pouch V
Juneau, AK 99811

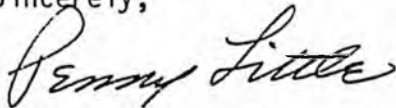
Dear Representatives:

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

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

Thank you for your representation and support.

Sincerely,



Penny Little
Transportation Coordinator

cc: Roger Jenkins ✓

COMMITTEE REPORT

HOUSE

1/29

(7)

4/29/35

FURTHER:

STATE AFFAIRS

Date: 1-28-86

The Committee on TRANSPORTATION has had HB 409

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

under consideration and recommends:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for HB 409 (TRSP) [X] same title [X] new title

and recommends do pass

[] AND attaches a "Letter of Intent" [X] ² ~~new~~ Fiscal Note S sup 78

[] reports it back without recommendation [] Zero Fiscal Note Attached

[] referred to the _____ Committee

MEMBERS SIGNING DO PASS

Bette Pate

Dick Shutt

Walt Furnarez

MEMBERS HAVING OTHER RECOMMENDATIONS:

Adelheid Herrmann No Rec

AUM MARROU Do Not Pass

(ONEROUS BUREAUCRACY)

Mike Deery NO REC

Bette Pate

CHAIRMAN

HOUSE
COMMITTEE REPORT

2/5
Rules

(7)

Date referred: 1/29/86

FURTHER REFERRALS:

DATE: 2/3/86

The STATE AFFAIRS Committee has considered HB 409

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

and recommends:

- dc pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with C.S.N.B 409 (2/24) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Katie Hurley

Mike Savane

Roger Jenkins

Edmund Walsh

Betty Carter

R. A. Parker

Y. W. Hall no rec

Katie Hurley
Chairman

HOUSE
COMMITTEE REPORT

Today 2/5/86
3/3

(11)

Date referred: 2/5/86

FURTHER REFERRALS:

(Finance added 2/5)

Rules

DATE: 2-28-86

The FINANCE Committee has considered HB 409

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

and recommends:

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

and recommends do pass

further referral to the _____ Committee

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

{ Finance wants it known that it endorses the zero fiscal note #2 which appear in House Supplement #7.

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Alberto. C. Lora

Ronald J. Jaro

Pat Pouchot

Steve Kinn

Al Trout

John P. Bily

Gene Coste

Mike Symandoli

Alberto. C. Lora
Chairman

12/13/85

School bus accidents, 1984



School bus transportation accidents killed about 100 persons in 1984, including 45 pupils, 5 bus drivers and 50 other persons.

Of the pupils killed, about 10 were passengers on school buses and 35 were pedestrians either approaching or leaving a loading zone. More than half of the pupil pedestrian victims were struck by the school bus which they were entering or leaving.

Injuries in school bus related accidents totalled about 8,400 of which 5,500 were students.

The table on page 91 shows certain details of the injury and property damage accidents which occurred in 1984. Types of school bus accidents not itemized include an estimated 400 pedestrian, 100 bicycle, and 10 railroad accidents. About eight out of ten accidents involved property damage with no injuries.

Characteristics of school bus transportation

Interpretation of school bus accident data is complicated by the many variations between state operations, by lack of standard definitions of terms, and by lack of comparable reporting by states.

The state totals in the table on page 91 are shown as reported by the states. The U.S. totals are National Safety Council estimates developed by inflating the total from reporting states to compensate for the portion from missing states. State figures are weighted based on the number of pupils transported in that state. Procedures for estimating all U.S. totals on this page and in the table on page 91 were revised for the 1985 edition of *Accident Facts* and are not comparable to estimates from previous editions.

Terms and reporting classifications

Vehicles. Included are regular school buses and other nonfamily-owned vehicles used in transporting pupils.

Annual bus mileage. Total mileage includes deadheading (traveling with no pupil passengers) and extracurricular activity trips. Data from seven states indicate that deadheading may average about 14 per cent of total mileage, ranging from practically none in some states, up to one fourth of the total bus mileage in others, depending on arrangements for driver and bus storage. Extracurricular mileage, based on 18 states, is indicated to be about 9 per cent of total mileage, also with a wide range among states. Such mileage includes athletic and field trips, shuttle service, and so on.

Pupils transported daily. A pupil is counted only once for each day transported, although usually two one-way trips or more are made daily.

Pupil passenger miles and average bus occupancy. Total pupil passenger miles cannot be computed directly from total bus mileage and pupils transported. Reports indicate average bus occupancy as upwards of 35 pupils, but it may rise or fall several times on a single route trip, as a bus in some instances may serve several schools along the route. Average occupancy for all bus mileage, including deadheading, may be only about 40 per cent of capacity. The National Safety Council estimate of total pupil passenger miles for 1984 is 78.3 billion.

Route trip. A route trip may represent (1) a one-way trip from the point where the first pupil boards the bus to the point where the last pupil leaves it, (2) a round trip, or (3) several separate trips ending at the same school(s). Miles per route trip reported for 16 states ranged from 18 to 76, averaging 33 miles. Pupils carried per route trip ranged from 13 to 79, averaging 54 pupils. Route trips per bus ranged from 1 to 4, averaging 2.2 trips daily.

ACCIDENT FACTS 1985 EDITION

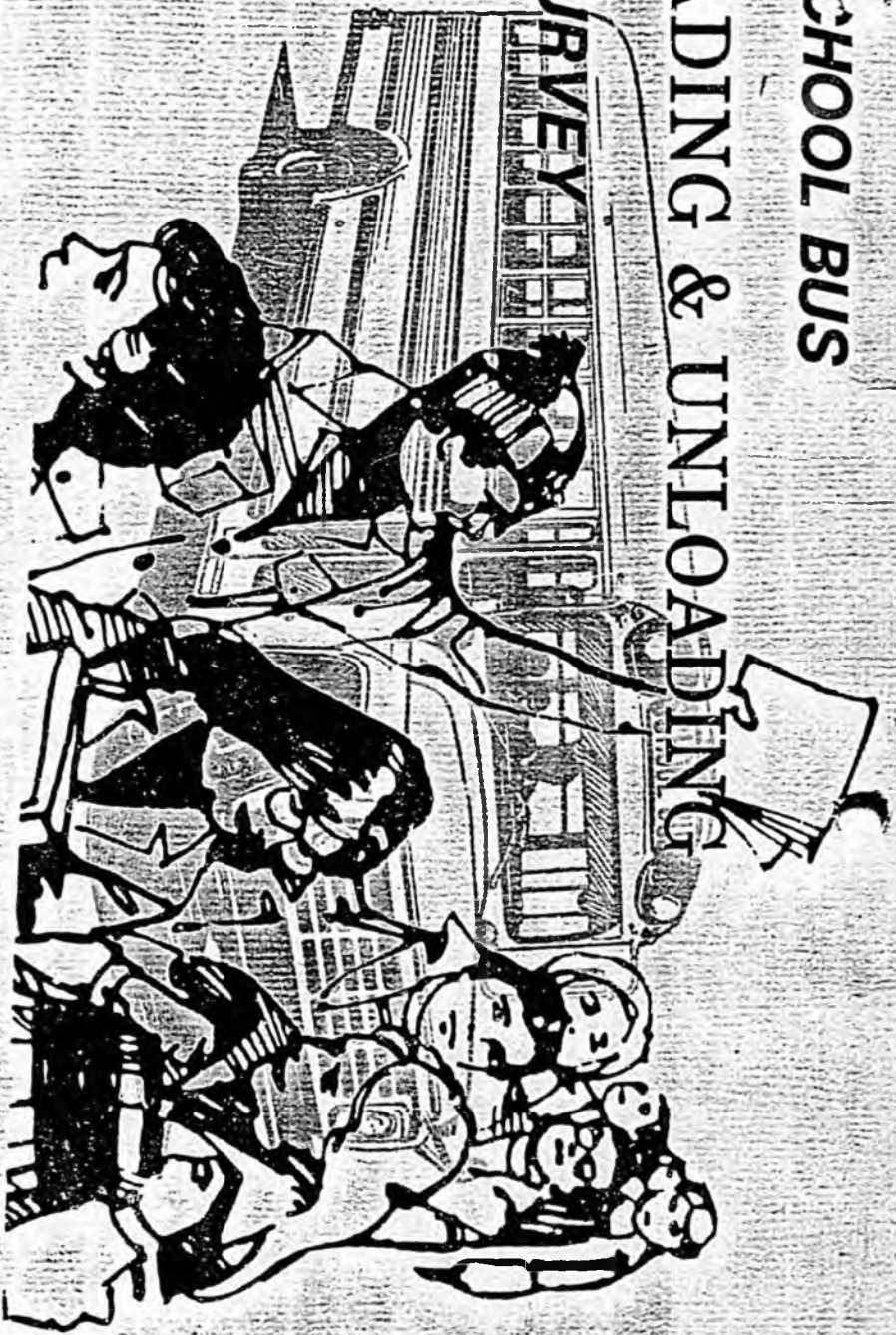


**National
Safety
Council**

SCHOOL BUS

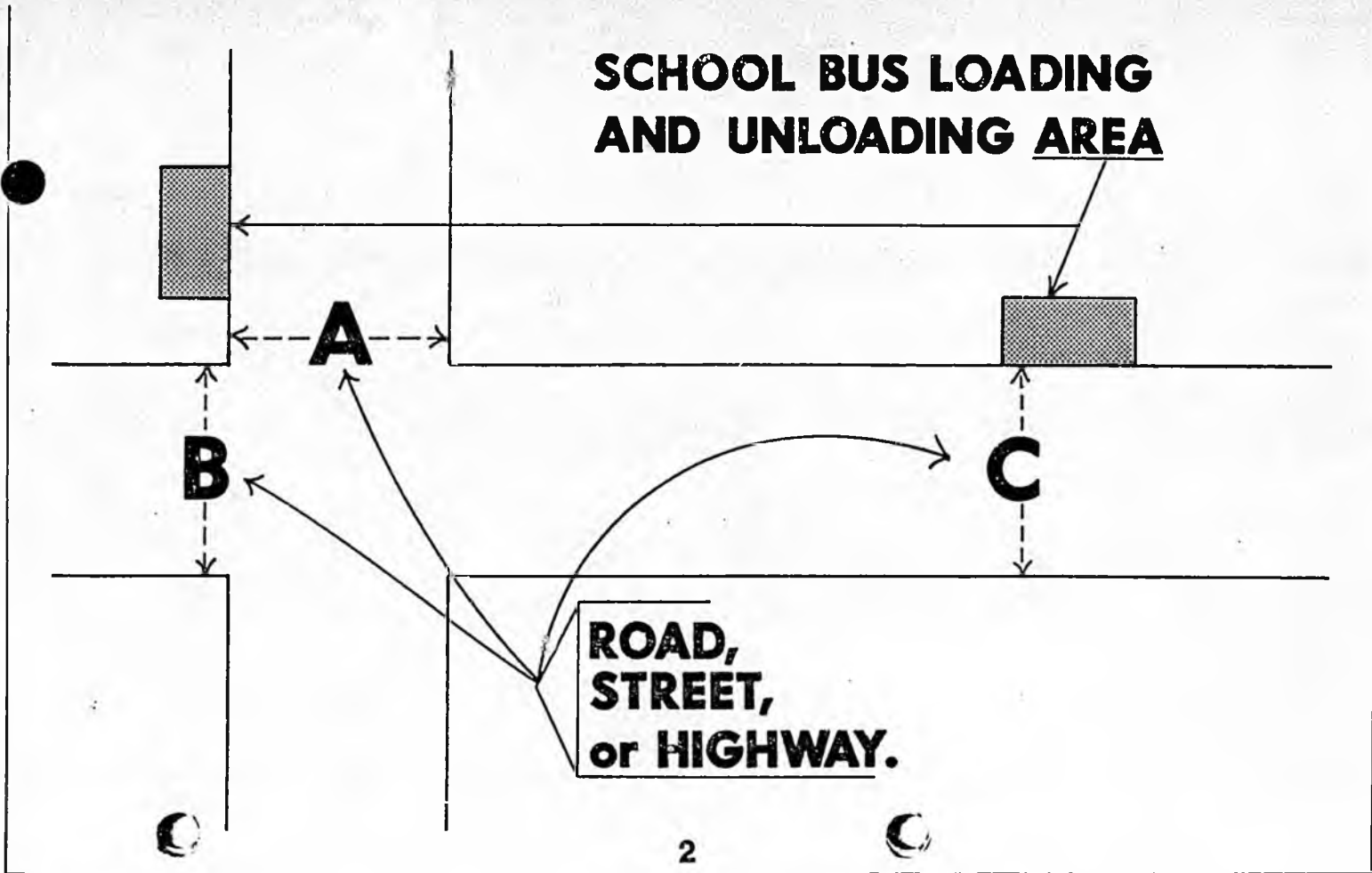
LOADING & UNLOADING

SURVEY



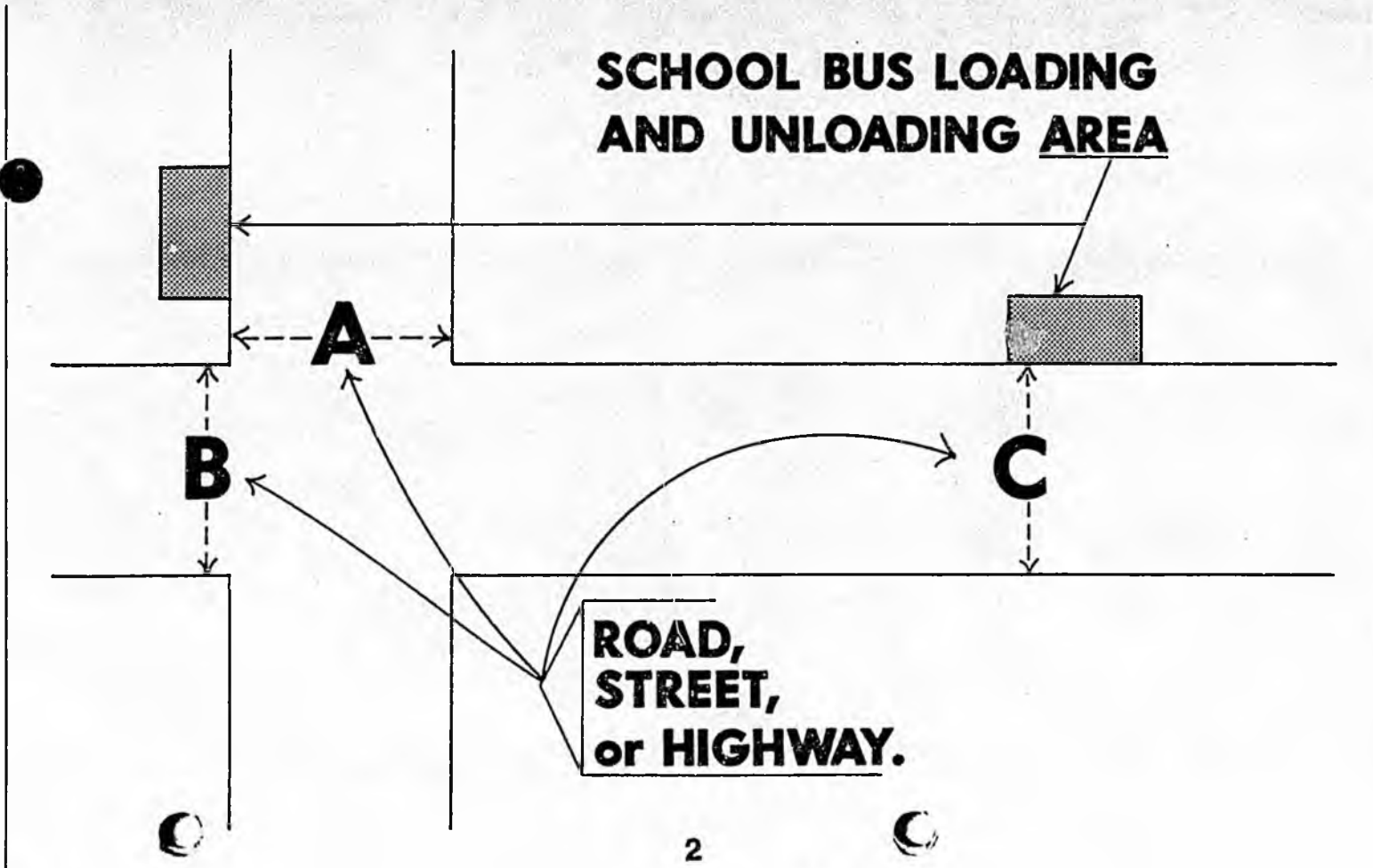
CALENDAR YEAR 1984 SCHOOL YEAR 84-85

The National School Bus Loading and Unloading Survey is a collection of fatality accident records provided by the state agencies responsible for school transportation safety and/or accident records. Only those fatality accidents involving school children in or around the loading or unloading areas of a school bus are included in this survey. On-board fatalities are excluded, as are pedestrian-type fatalities that occur when the school bus is not in the near vicinity at the time of the accident.



50 States and Washington, D.C. surveyed

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Number reporting fatalities.....	19	17	24	22
Number reporting no fatalities.....	31	33	25	26
Number not reporting	1	1	2	3

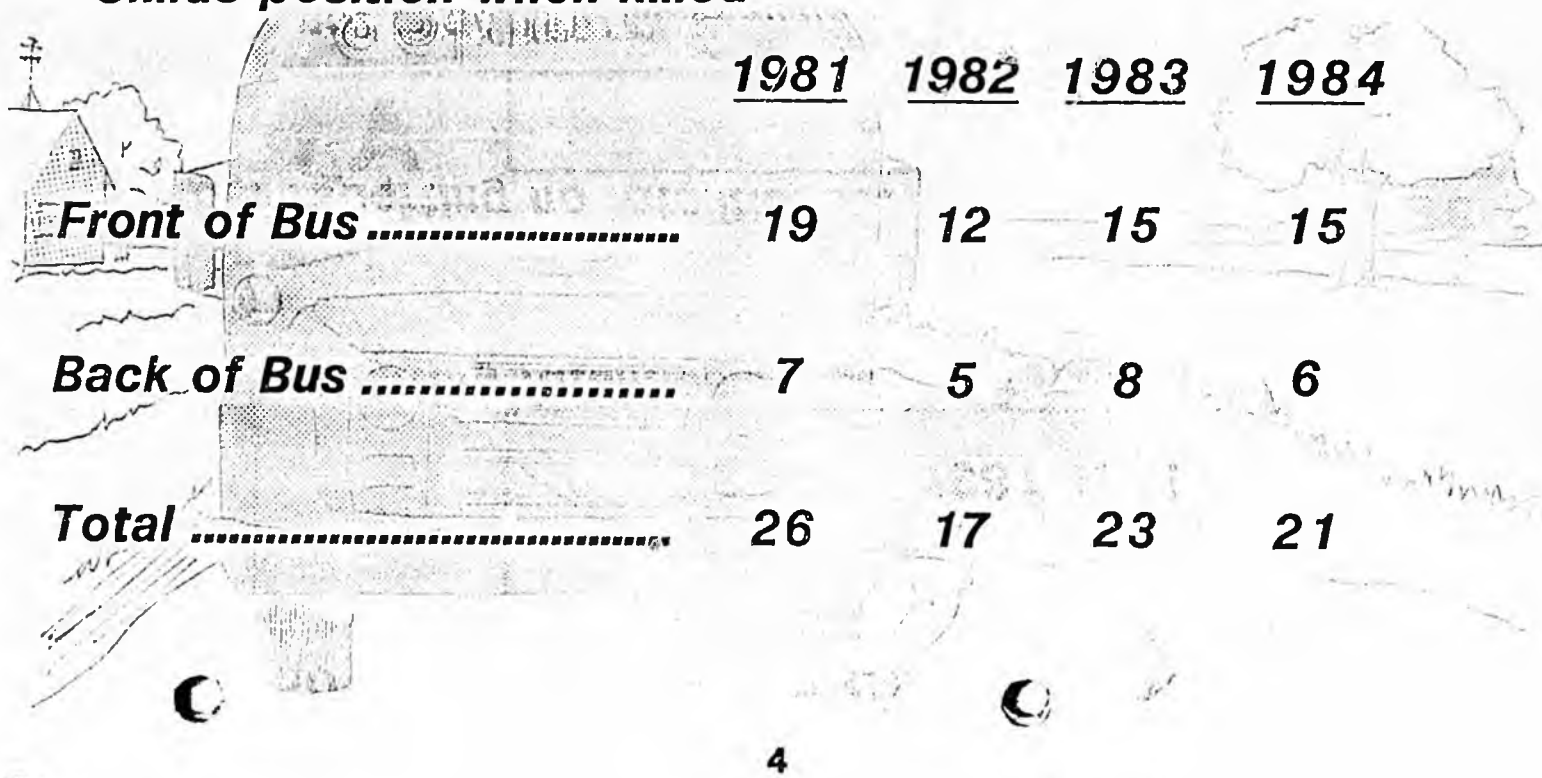


50 States and Washington, D.C. surveyed

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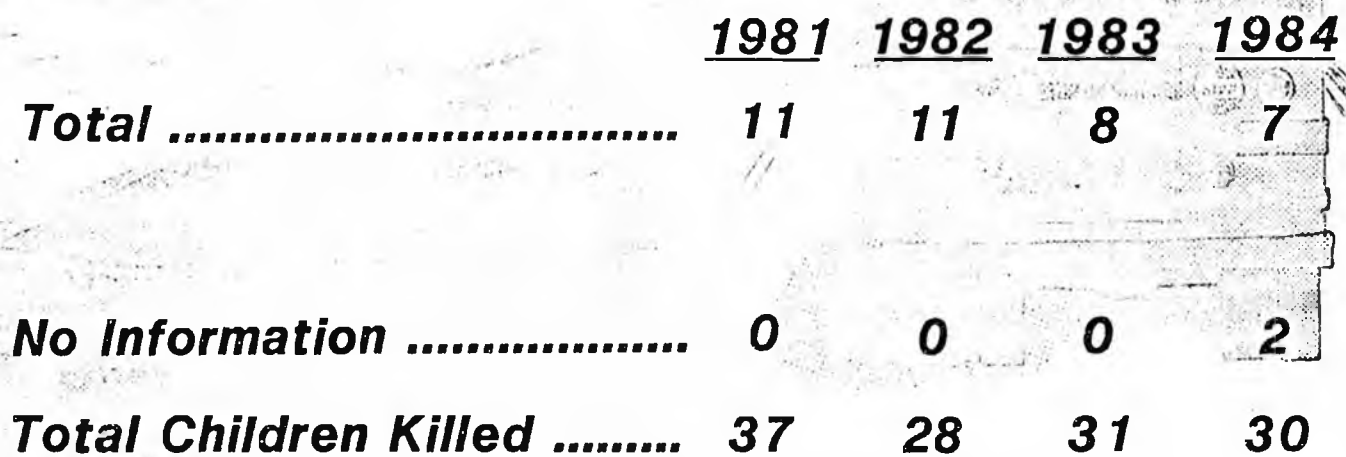
School Children Killed by School Bus

Childs position when killed



	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Front of Bus	19	12	15	15
Back of Bus	7	5	8	6
Total	26	17	23	21

School Children Killed by Vehicle Passing School Bus



	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Total	11	11	8	7
No Information	0	0	0	2
Total Children Killed	37	28	31	30

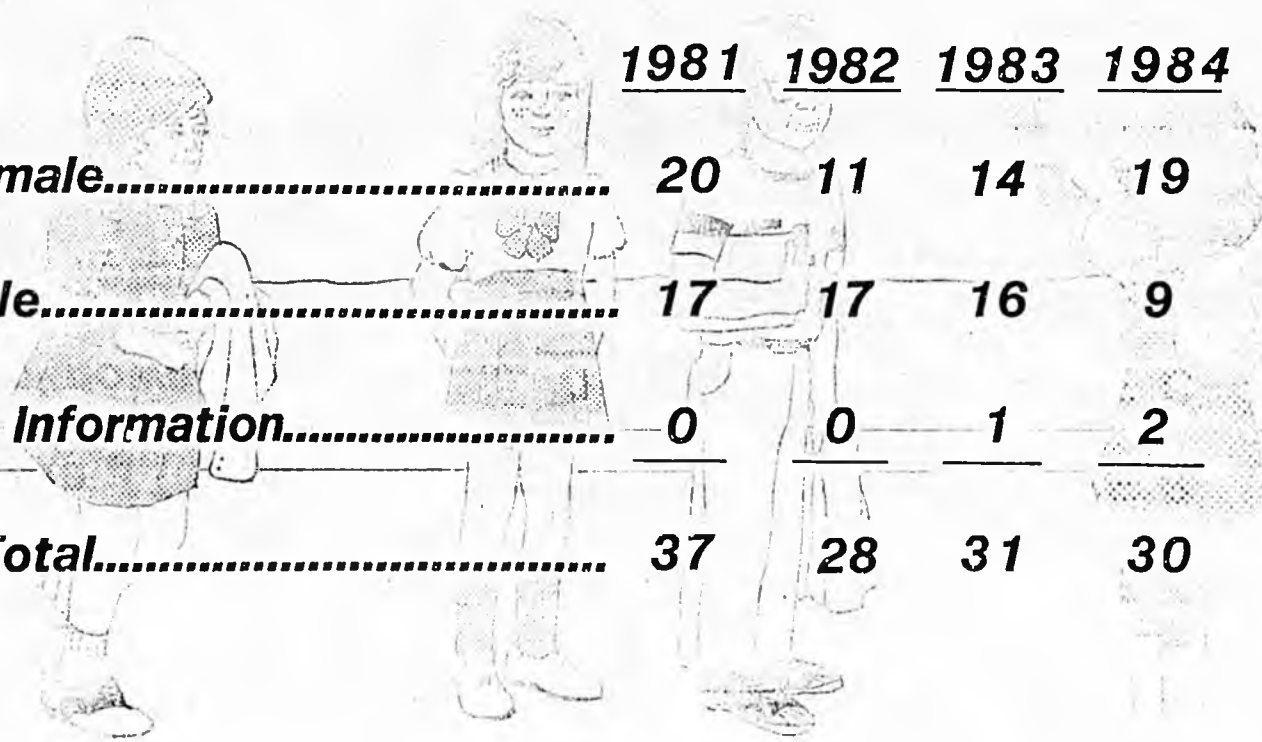
**(school bus &
other vehicle)**

<i>Light Condition</i>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
<i>Dawn</i>	0	1	2	1
<i>Dusk</i>	0	0	0	0
<i>Daylight</i>	36	27	28	27
<i>Dark</i>	1	0	1	0
<i>Unknown</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>
<i>Total</i>	37	28	31	30

6

<i>School Bus Size</i>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
<i>Type I (Large Bus)</i>	37	27	31	TYPE A 11
<i>Type II (Small Bus).....</i>	0	1	0	TYPE B 1
<i>Unknown</i>	<u>0</u>	<u>0</u>	<u>0</u>	TYPE C 7
<i>Total</i>	37	28	31	TYPE D 4
				UNK. 7
				<u>TOTAL 30</u>

Sex of Child



	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Female.....	20	11	14	19
Male.....	17	17	16	9
No Information.....	0	0	1	2
Total.....	37	28	31	30

School Children Killed

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Going to School.....	9	6	6	5
Activity Trip.....	0	0	0	0
Coming Home.....	28	22	25	21
No Information.....	0	0	0	4
Total.....	37	28	31	30

Place Pupil Was Killed

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Loading & Unloading Area..	2	2	6	15
School Ground	0	0	1	1
Road, Street or Highway.....	35	26	24	12
No Information	0	0	0	2
Total.....	37	28	31	30

10

Age of Pupil Killed

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
5 Years Old or Under	12	7	8	3
6 Years Old.....	7	4	5	8
7 Years Old.....	7	4	4	5
8 Years Old.....	3	5	4	3
9 Years Old.....	3	2	4	0
10-17 Years Old.....	5	6	5	8
No Information.....	0	0	1	3
Total.....	37	28	31	30

Area Accident Occurred

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Urban.....	16	15	15	11
Rural.....	21	13	16	15
No Information.....	<u>0</u>	<u>0</u>	<u>0</u>	<u>4</u>
Total.....	37	28	31	30

12

Weather Conditions	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Clear.....	31	26	26	22
Cloudy.....	5	1	2	2
Rain.....	1	0	0	0
Snow/Sleet/Ice.....	0	1	1	2
Fog.....	0	0	2	1
Unknown.....	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>
Total.....	37	28	31	30

DAY OF THE WEEK FATALITY OCCURRED
1984 (Only)

MONDAY.....	3
TUESDAY.....	1
WEDNESDAY.....	4
THURSDAY.....	7
FRIDAY.....	9
SATURDAY.....	0
SUNDAY.....	0
UNKNOWN.....	6



MONTH FATAL ACCIDENT OCCURRED

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
JANUARY.....	4	4	1	4
FEBRUARY.....	3	3	4	4
MARCH.....	7	1	4	5
APRIL.....	5	2	3	2
MAY.....	3	0	4	5
JUNE.....	0	0	0	1
JULY.....	0	0	0	0
AUGUST.....	0	2	0	0
SEPTEMBER.....	1	2	1	3
OCTOBER.....	4	7	6	1
NOVEMBER.....	5	3	5	1
DECEMBER.....	2	1	2	2
NO INFORMATION.....	3	3	1	2
TOTAL.....	37	28	31	30

16

ACCIDENT SUMMARY REPORT

1. The driver of a vehicle passes through the stop arm and alternately flashing red lights of a school bus that was stopped to discharge students at a regularly scheduled stop. The fatality occurred as the student was crossing in front of the school bus. (7 yr. old female)

2. The students exited the bus and crossed the street in front of the bus. The driver was distracted a moment, looked in the mirrors (including the crossover mirror) and saw nothing. The driver started the bus forward. The child was underneath the bus, in front of the left front wheel. The bus moved approximately 18 inches with the left front wheel passing over the child. (6 yr. old female)

3. Three children exited the bus, two going around the front and one going around the rear. The child going around the rear slipped or fell under the right rear wheel and was run over. (8 yr. old male)

4. Child slipped or fell and was run over by the right rear wheel. (5 yr. old female)
5. The school bus was stopped at a loading area and the ignition wires began to spark and smoke; thus, the engine would not start. The bus driver went to call for another bus at a nearby residence. The bus started rolling down a slight negative grade. The students started jumping out of the entrance. The victim jumped as the bus swerved to the right off the shoulder and the right wheels ran over the victim. (7 yr. old female)
6. At a regular stop on the bus route one boy and two girls exited the bus. One girl usually crosses the street in front of the bus and the other two children stay on the side of the street which they exit the bus from. The driver became involved in a conversation with the mother of the boy concerning the child's behavior on the bus. When ready to leave the stop the driver shut off the amber and red flashing light system, checked the mirrors and proceeded forward. The driver felt a bump and several cars were blowing their horns. The driver then stopped the bus and saw the child lying in the roadway. The bus was noisy with the 14 or 15 remaining passengers and the driver stated that the crossover mirror moves out of adjustment all the time. (6 yr. old female)

18

7. Three students exited the bus at a regular stop. The driver observed the students begin to talk on the sidewalk and after waiting an undetermined amount of time, shut off the warning lights and checked all the mirrors (including the crossover mirror). The driver then moved the bus forward not knowing that the incident took place until looking in the rearview mirror. The child had been struck by the front of the bus. (5 yr. old female)
8. Oncoming vehicle was unable to stop for a child that was being unloaded from a school bus. (5-9 yr. old female)
9. Child was struck by a dump truck loaded with 25 tons of lime as child departed the bus.
10. Child was struck by an out of control pick up truck while waiting in front of house for the bus to arrive.
11. Child darted between school buses parked in the school drive into the path of an approaching school bus.

19

12. Child was struck by an approaching auto while waiting in front of her house for the bus to arrive.
13. A student departed the bus. The student dropped a book - the bus driver did not see the student and started the bus in motion. The student was struck by the front of the bus. (15 yr. old female)
14. The student exited the bus, darted across the front of the bus and was struck by a passing school bus. (10 yr. old male)
15. One bus was stopped for another (oncoming) school bus discharging passengers. When the stop arm of the bus discharging passengers was pulled in the driver of the other bus started forward. The driver then felt a bump and stopped the bus. The bus had hit a student who had exited one bus and then crossed in front of both busses. (10 yr. old male)
16. A child was struck by the right rear wheel of a school bus. (7 yr. old male)

20

17. 23 students were discharged at a five-way intersection. The Driver who was facing a stop sign, was distracted by traffic approaching from the left. The student, near the front of the bus, was waiting for an older sister to disembark. The sister, who was already on the other side of the street, called to the student at the same moment the driver closed the door, started forward and turned right. The student was knocked down by the front of the bus and run over by the right rear dual wheels. (6 yr. old female)
18. School bus was eastbound, stopped and let off 4 students. The bus continued east about 10 feet and turned onto a north-south road. The bus ran over a pedestrian at the intersection of the two roads. (5 yr. old female)
19. In both accidents the students got off the bus and walked around in front. The school bus driver did not see the children in front of the bus and ran over them. (5 yr. old male/6 yr. old female)

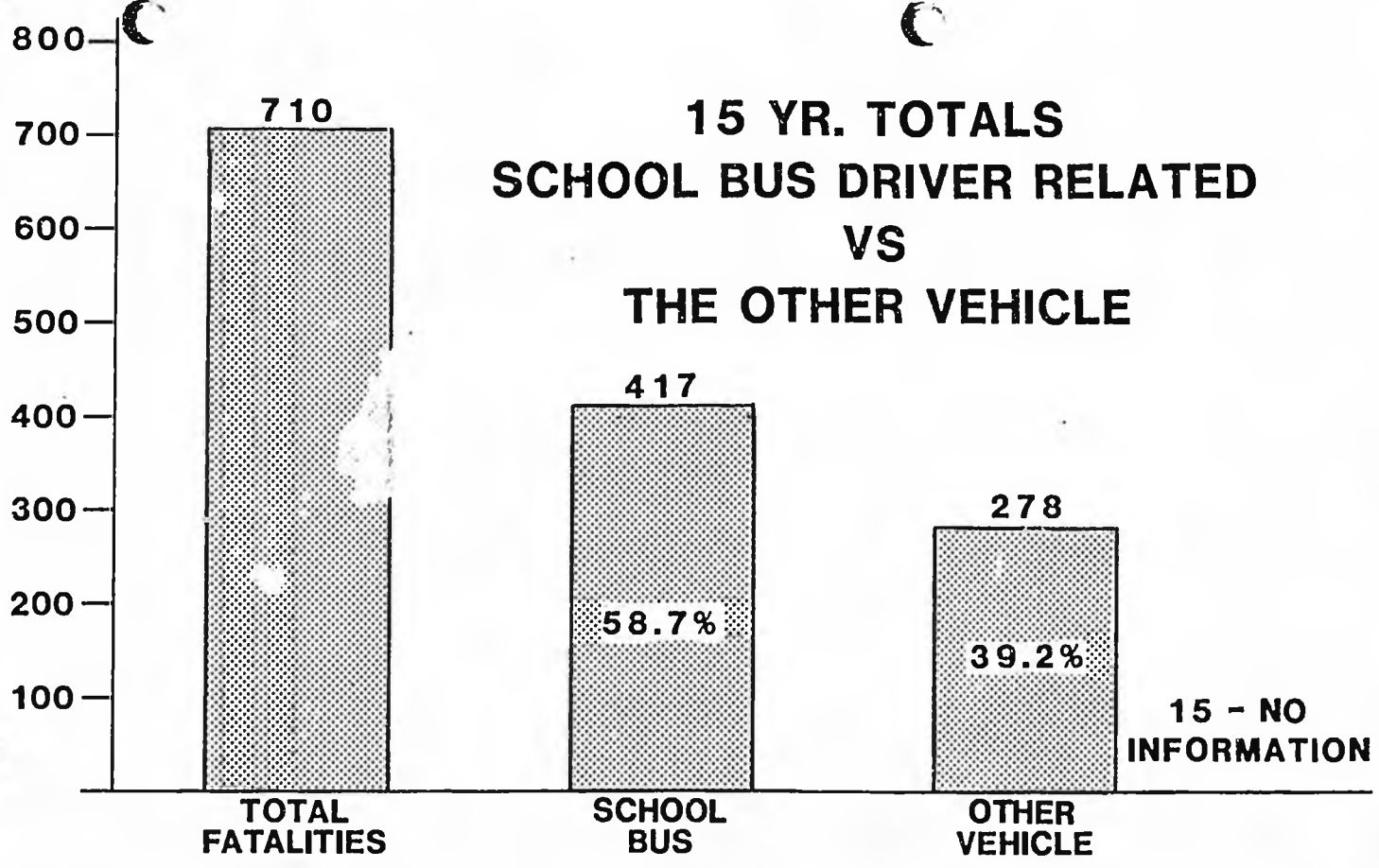
21

20. The student was at the bus stop and was hit by a passing automobile. The school bus was not at the stop at the time of the accident. (13 yr. old male)

THE ABOVE SUMMARY REPORTS WERE THOSE THAT HAD SUFFICIENT INFORMATION REPORTED TO INCLUDE IN THIS REPORT. THERE ARE ALSO AN OVERALL TYPICAL REPRESENTATION OF THE FATALITY ACCIDENTS WHICH OCCURRED.

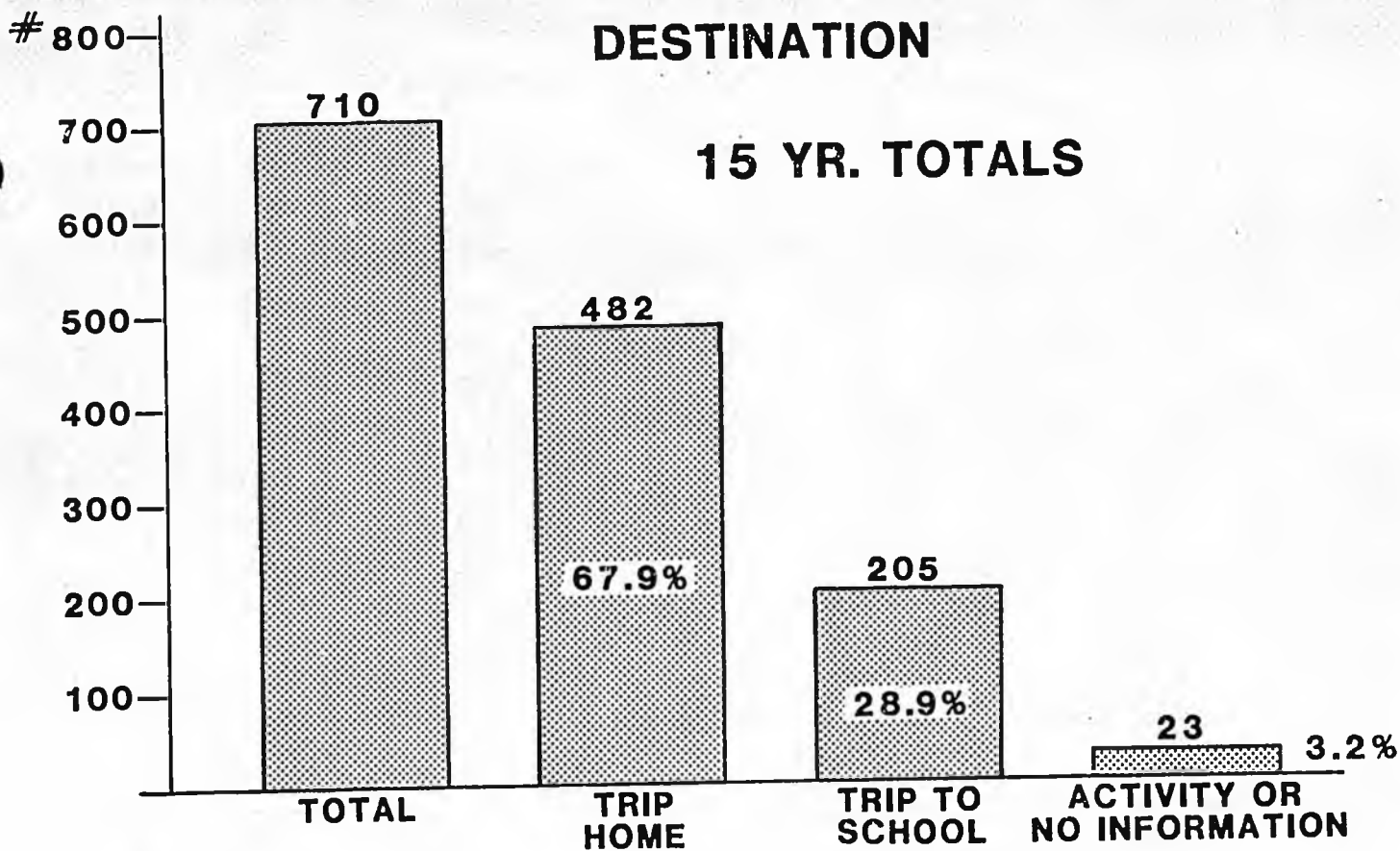
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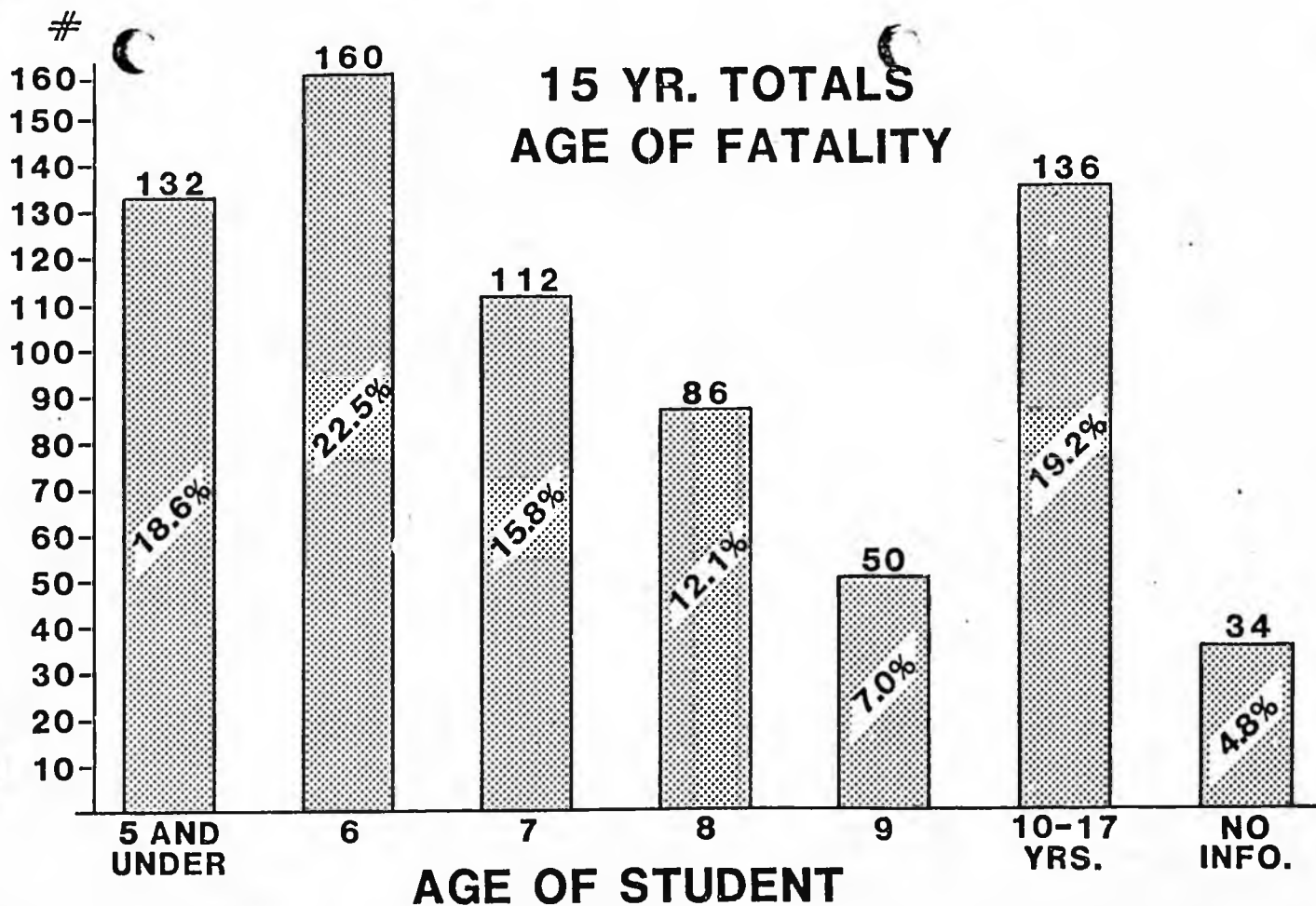
DESTINATION

15 YR. TOTALS



24

15 YR. TOTALS AGE OF FATALITY



SUMMARY

- **490 fatalities occurred to students 5, 6, 7 & 8 yrs. of age, or 69.0% of total.**
- **Students departing bus on way home involved in 67.9% of all fatalities in the study.**
- **School bus related accidents outnumber those involving "the other vehicle"**
- **In the 80,-84 calendar years, the school bus was involved in 69.2% of the accidents or 108 of the 156 fatalities that occurred.**

26

This survey is provided annually to the school transportation industry in an effort to alert individuals and organizations of the dangers involved in loading and unloading school children. Fatalities continue to occur at the bus stop, caused by a variety of circumstances and errors on the part of the school bus driver or a passing motorist. It points out the continuing need for forceful, advanced instruction to school bus drivers, and the need to increase our efforts to thoroughly inform the driving public about the requirements of the school bus stop law.

Limited quantities of this document are available from the address provided below. Please feel free to reproduce and utilize the survey data as desired, as it is provided specifically for this purpose.

**Kansas Department of Transportation
Bureau of Management Services
Safety Education Section
State Office Bldg., 7th Floor
Topeka, Kansas 66612-1568
(913) 296-3551**

ENTER SCOPE PARAMETERS FOR SCHOOL BUS ACCIDENT REPORT.

BOROUGH CODE (OR "STATE" FOR STATEWIDE): | STATE

DATE SPAN: FROM (YYMMDD) | 830701 THRU (YYMMDD) | 840630

TIME SPAN: FROM (HHMM) | 0 THRU (HHMM) | 2400

INTERSECTION RELATED ONLY (X) |

OPTION: M - MAIN MENU; L - LEAVE HIGHWAY ACCIDENT SYSTEM |

MORE
07JUNE 1985 SCHOOL BUS ACCIDENT REPORT PAGE 2

NUMBER OF RECORDS BY ACCIDENT TYPE:

2 PEDESTRIAN
107 COLLISION WITH OTHER MOTOR VEHICLE
0 NON-COLLISION IN ROADWAY, OVERTURNING
0 COLLISION WITH RAILROAD TRAIN
0 COLLISION WITH PEDACYCLE
14 COLLISION WITH FIXED OBJECT
***** INFORMATION NOT AVAILABLE FOR ON-BOARD ACCIDENTS
1 OTHER ACCIDENTS
124 TOTAL OF ACCIDENTS BY TYPE

NUMBER OF ACCIDENTS BY SEVERITY:

1 WITH FATALITIES
10 WITH INJURIES BUT NO FATALITIES
113 WITH PROPERTY DAMAGE ONLY
124 TOTAL OF ACCIDENTS BY SEVERITY

MORE
07JUNE 1985 SCHOOL BUS ACCIDENT REPORT PAGE 3

OTHER STATISTICS:

1 BUS DRIVER INJURIES
4 NON-DRIVER BUS OCCUPANT INJURIES
0 ACCIDENTS WITH OVER 5 NON-DRIVER BUS OCCUPANT FATALILTIES
0 TOTAL NON-DRIVER BUS OCCUPANT FATALITIES
1 HIGHEST TOTAL NUMBER OF FATALITIES IN A SINGLE ACCIDENT

230 SCHOOL BUS VEHICLE RECORDS FOUND
230 VEHICLE RECORDS READ
2619 OCCUPANT RECORDS READ
227 ACCIDENT RECORDS READ

28FEBRUARY 1986 SCHOOL BUS ACCIDENT REPORT PAGE 1
SCOPE OF THIS REPORT:

AREA: STATEWIDE
DATE SPAN (DD-MM-YY): FROM 01-07-84 THRU 31-06-85
TIME OF DAY SPAN (HHMM): FROM 0000 THRU 2400

MORE
28FEBRUARY 1986 SCHOOL BUS ACCIDENT REPORT PAGE 2
NUMBER OF RECORDS BY ACCIDENT TYPE:

2 PEDESTRIAN
75 COLLISION WITH OTHER MOTOR VEHICLE
0 NON-COLLISION IN ROADWAY, OVERTURNING
0 COLLISION WITH RAILROAD TRAIN
0 COLLISION WITH PEDACYCLE
18 COLLISION WITH FIXED OBJECT
***** INFORMATION NOT AVAILABLE FOR ON-BOARD ACCIDENTS
0 OTHER ACCIDENTS
95 TOTAL OF ACCIDENTS BY TYPE

NUMBER OF ACCIDENTS BY SEVERITY:

1 WITH FATALITIES
15 WITH INJURIES BUT NO FATALITIES
79 WITH PROPERTY DAMAGE ONLY
95 TOTAL OF ACCIDENTS BY SEVERITY

MORE
28FEBRUARY 1986 SCHOOL BUS ACCIDENT REPORT PAGE 3
OTHER STATISTICS:

1 BUS DRIVER INJURIES
9 NON-DRIVER BUS OCCUPANT INJURIES
0 ACCIDENTS WITH OVER 5 NON-DRIVER BUS OCCUPANT FATALILTIES
0 TOTAL NON-DRIVER BUS OCCUPANT FATALITIES
1 HIGHEST TOTAL NUMBER OF FATALITIES IN A SINGLE ACCIDENT

PROGRAM EXECUTION STATISTICS:

180 SCHOOL BUS VEHICLE RECORDS FOUND
180 VEHICLE RECORDS READ
1979 OCCUPANT RECORDS READ
178 ACCIDENT RECORDS READ

Kids Need To Be Watched Too

A drop in passing vehicle-related fatalities is more than offset by a rise in school bus-caused fatalities.

By Roscoe Bernard

Whenever I learn of another child being killed by a school bus, I am tempted to emulate the often-quoted movie character Howard Beal, who in an agony of frustration, leaned from his window and shouted, "I'm mad as hell, and I'm not gonna take it anymore."

This seemingly facetious remark is not without merit because the number of children being killed by their own bus represents a terrible blight on an otherwise fantastic safety record. The blight can, in this writer's opinion, be substantially reduced if not totally eliminated.

Although the school bus industry may point with pride to its overall safety record (National Safety

Council Accident Facts, 1984 statistics show that the yellow school bus is the safest vehicle on the road), there is little pride in this one area. There is also no indication of appreciable improvement. Conversely, just when it seemed that there was a downward trend (see figure 1), the recently released School Bus Loading and Unloading Survey issued by the Kansas Department of Transportation reflects an alarming 35 percent increase over the preceding year.

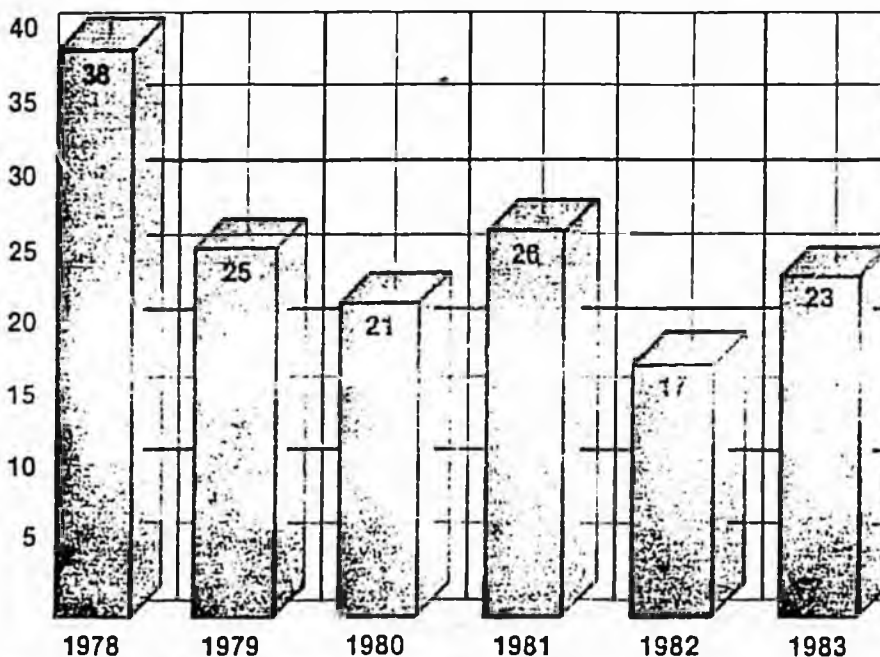
The six year fatality average of 25 is relatively close to the average number killed by the vehicles passing a stopped school bus, i.e., 33, but the latter reflects a downward

trend over the last few years (see graph 2).

We must address the question of why, in 1983-1984, our school bus drivers killed nearly three times as many children as did drivers of other vehicles in loading and unloading situations. Such statistics refute the argument that we have little control over those who jeopardize safety by passing a stopped school bus.

In recent years there has been a major push by individual companies, school districts, and state and federal organizations to increase public awareness. Thousands of dollars and countless man hours have gone into this effort and there, fortunately, is no indication that interest is abating. The market is presently saturated with safety devices ranging from crossing gates to radar screens, and experiments with strobe lights and signaling devices are on-going. Many states have either passed new legislation to deal with passing violations or have revised and strengthened existing laws already in place. In short, there has been a great deal of emphasis in this particular area, and it appears that progress is being made. Although it's probably premature to predict a trend, there has been a steady decline in this particular type of fatality. Its total elimination, however, is unrealistic for the simple reason that we don't have complete control. In some instances we have no control at all, and drivers are very often frus-

GRAPH 1
SCHOOL CHILDREN KILLED BY SCHOOL BUS



are possible. It is far more important that we are absolutely certain we're not going to run over an unsuspecting child than it is to concern ourselves with the momentary delay to a motorist. There should never be any question.

Finally, it was suggested that the driver has the additional responsibility to those whose name is on the paycheck, i.e., the owner-operator or board of education. The inevitable suggestion that schedules must be met at all costs was made. Unfortunately, this is more truth than fiction; so long as we place anything before safety, nothing will change. I submit that the time of decisions is long overdue; the safety of children must never be compromised.

Reviewing the situation

It seems to me that we are continually looking at the situation in retrospect. Webster defines "retrospect" as a review or meditation of past events. In view of the record, we need to do more than meditate, and we must dwell on the future rather than the past. We can no longer accept the premise that these are unfortunate but unavoidable accidents, and they are going to happen regardless of what or anything we can do.

At the risk of sounding like a complete monster, let me suggest that in addition to letters of sympathy to distraught bus drivers, we should consider a letter or reprimand as well. To date, rarely, if ever, has there been any stigma attached to such an unfortunate tragedy other than the personal trauma and psychological burden that will never be erased.

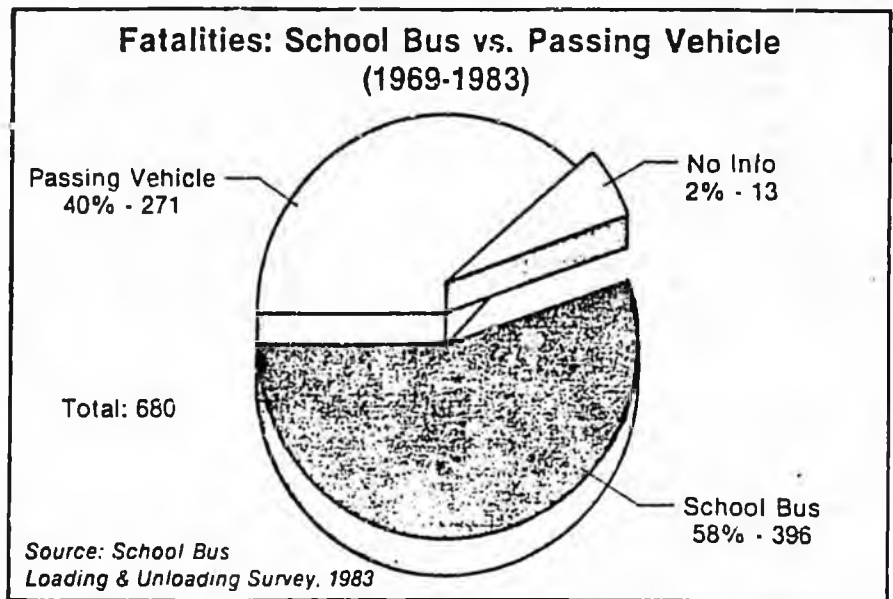
The burden of responsibility rests squarely on the shoulders of the child who is, of course, no longer available to plead his case. What defense do we have anyway? After all, he's only a six-year-old who is supposed to know better than to ever bend down in front of a vehicle to pick up some dropped papers. And then too, everyone who has ever driven a school bus or is remotely associated with school bus transportation knows that the

beleaguered school bus driver has too many responsibilities and distractions already. They can't be held responsible, right? WRONG — if they cannot be then who can? Although nothing will ever bring back the child or ease the pain of driver and parents, we should not fail to use every means at our disposal to draw attention to such senseless tragedies.

It's an accepted fact that the rear and sides of school buses are oftentimes difficult, if not impossible, to observe, but just as it is true with lights, stop arms and cross arms, a great deal of time and money has been spent perfecting mirrors that

frequently too late or too little.

I was disappointed when I read a recent article in the *Kansas City Star*, January 10, 1985, outlining a four-part safety program in the school district where a six-year-old was killed by her bus. The well-meaning district has focused its program on teaching school children about the possible dangers when they are near school buses, and the children will be taught from the manual the district has prepared. In addition, they will encourage children to take the manuals home and go over them with their parents. Possibly the most significant aspect of the entire plan is the involvement



make it relatively easy to observe the area in front of a conventional school bus. Many states and districts now require a double set of mirrors on both right and left fenders which, if properly adjusted, enable the driver to clearly observe any object in front of the vehicle as well as along both sides.

One major bus body builder (American Transportation Corporation) has gone a step further in designing the new generation Patriot which noticeably enhances the driver's line of vision. It represents a substantial improvement in an area that has long plagued school bus operations and may well be a significant step in the right direction.

Many districts are becoming increasingly concerned, but unfortunately their heightened interest is

of the drivers, who will visit kindergarten through sixth grade classrooms to discuss safety. It has not, however, gone nearly far enough. Although my personal knowledge of this particular operation tells me that no effort will be too great insofar as ensuring that a similar tragedy will never occur, there is a decided void in the overall program. Everything they are doing is commendable, but they need to go much further. Drivers as well as children, parents and teachers, need to be heavily involved because they have the ultimate control. And what of school and transportation officials and board members? Where does their responsibility begin and end? School bus fatalities are everyone's responsibility. With total involvement this statistic can be eliminated.

trated by their inability to protect their children.

The reverse is true with children being killed by their own school bus drivers. With the possible exception of child unpredictability, our drivers *do* have absolute control. They need *never* run over a child who is in the process of loading or unloading. They *are* capable of *complete control* because they alone control the movement of the vehicle.

A continuing tragedy

The unremarkable aspect of this particular brand of genocide (it's systematic if not deliberate) is that findings continue to reveal identical patterns: "Child dropped item in front of bus and was in the process of picking it up when struck by the bus." Or, "Student struck by the rear wheels of the bus after departing on trip home." Or, "Student crossing in front of stopped bus and bent over to pick up some dropped papers."

The tragic statements go on, year after year. The only change involves the item being retrieved: A construction paper Christmas tree, Valentine, Easter bunny, or a bright orange pumpkin. These are signs of the season — the dangerous season between late August and early June. They clearly tell us that kids are kids, and they need to be watched over and protected by supposedly mature, intelligent adults.

This writer believes such an assumption is reasonable or else maturity would occur at a much earlier age. Nearly 80 percent of all children killed by their own bus or passing motorists are under 10 years of age. Such statistics cause some to conclude that children should not be exposed to traffic before they have had the maturity to cope with it.

At one time or another we have all witnessed a child's excitement or rampant emotion during special times like Halloween, Christmas or Easter. They really do not need the additional emphasis to let us know that they're kids; they're already supercharged and unpredictable — but given this extra shot of adrenaline it's small wonder that they

often act without benefit of thought or reason. The seasonal aspect should tell us nothing more than that we should redouble our awareness during these special times.

Brainstorming for solutions

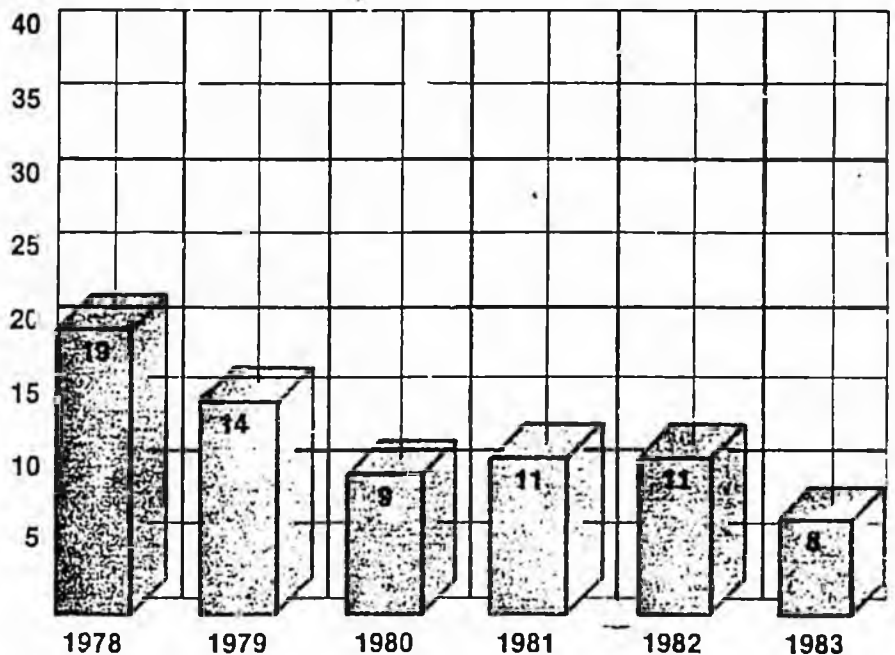
During a recent brainstorming session fellow staff members discussed the impractical aspects of my contention that it is altogether possible to erase this statistic.

Among the several arguments presented was the suggestion that school bus drivers could not realistically be expected to always count

depressed conditions and numerous pre-school children around the bus stops. Unfortunately, a subsequent decline in parental supervision and insistence on basic rules and regulations associated with proper loading and unloading procedures is frequently noted.

Although the forgoing is unfortunate, it should be all the more reason why drivers should never fail to count and record the exact number and location of all children and, under no circumstances, move until each is personally accounted for.

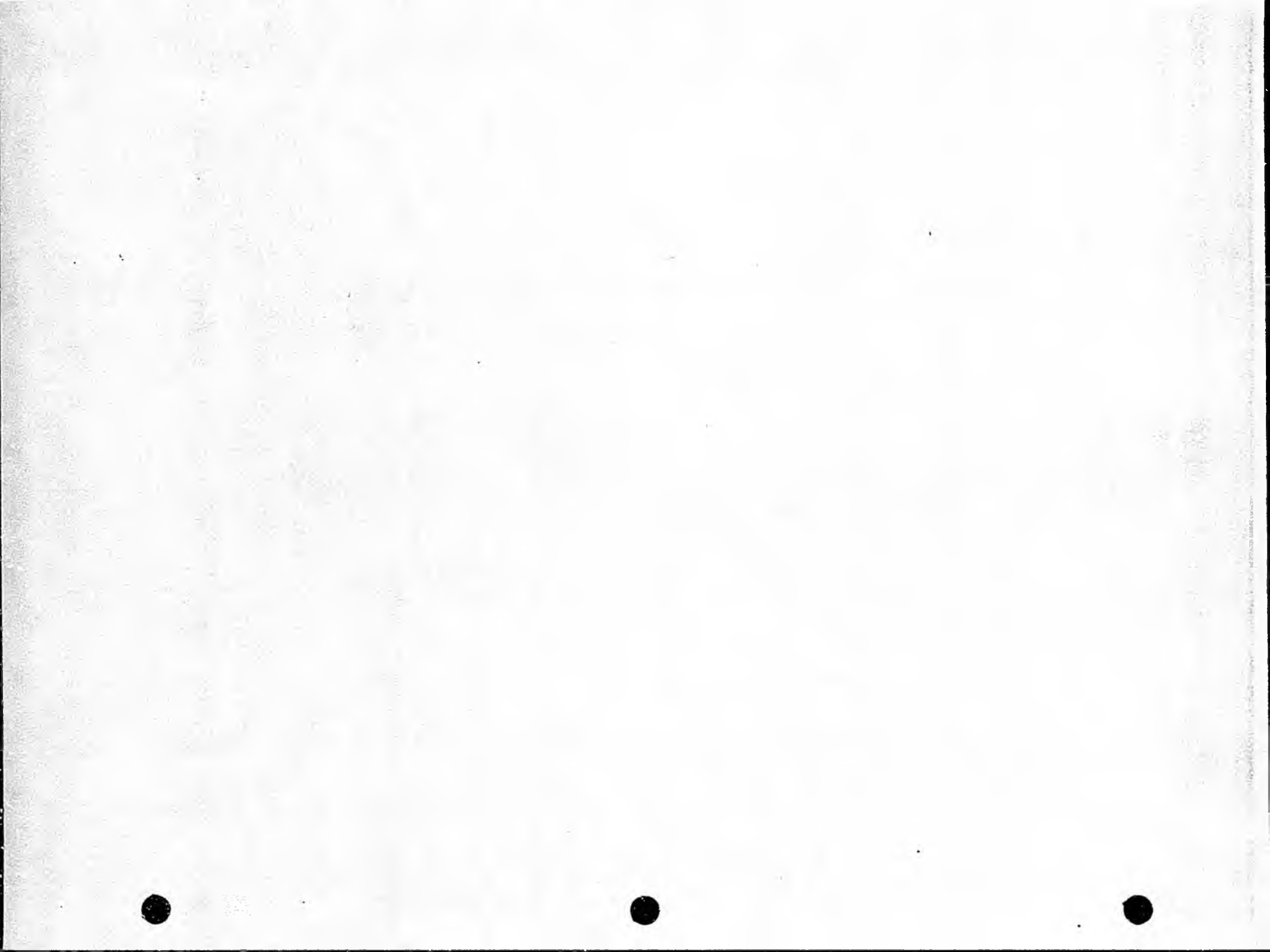
GRAPH II
SCHOOL CHILDREN KILLED
BY VEHICLE PASSING SCHOOL BUS



and keep track of each child entering or leaving the bus. It was pointed out that in many instances, primarily in heavily populated urban areas, there are frequent bus stops during which numerous children load and unload. These children frequently disperse rapidly and go in many different directions. In like manner, when loading, they sometimes approach the bus in the same fashion. Additionally, these large stops are very often concentrated in the high density areas typified by trailer courts and public housing developments. These areas are often-times associated with

Another very valid argument presented was the suggestion that such accounting would be difficult at times because of additional stress placed upon already harassed drivers in heavy traffic conditions. Any additional delays can only add to already dangerous situations involving waiting motorists and passing violations. Here again I submit that this is all the more reason why there should be accurate accounting for every child.

Insofar as community relations, a great deal may be said for keeping everyone happy, or reasonably so, but at what cost? Misplaced values



Safe Passage

Driver training is the key

by Bill G. Loshbough

The good ol' days of handing a driver a set of keys, pointing him in the direction of the bus, and handing him a route sheet are gone. Districts must take an aggressive role in their pupil transportation programs. All too often, administrators ignore transportation until something serious happens and the lawsuits start, the community reacts and insurance costs escalate.

DRIVER training is one of the *most* critical areas of pupil transportation safety. Studies we have conducted in New Mexico indicate that there is a direct correlation between loss reduction and training and experience. We believe that a solid basic preemployment training program and an aggressive in-service training program—along with experience—will bring about a significant loss reduction.

Many times school officials question whether they can afford a driver training program. The answer is that you cannot afford *not* to have it. School districts have experienced, and will continue to experience, higher costs in fleet insurance. Districts must have a loss reduction program that not only includes an aggressive driver training program, but also includes a strong driver selection component, periodic evaluation, route supervision and vehicle maintenance. Districts should evaluate all accidents, regardless of severity, to determine how future incidents can be prevented. Tailor the program to meet those needs.

A comprehensive driver training program will also assist the district in protecting itself in lawsuits that may result from an accident or incident. The district must be in a position to show that they have done what is reasonable to provide their driver with adequate training.

The National School Transportation Association completed a survey in May, 1985, "School Bus Driver Licensing Procedures, Rules and Regulations." In the study, eleven states had no state law or policy requiring courses of instruction. Requirements ranged from seven hours to forty hours. Twenty states had no requirement for refresher courses. Several states do not have a requirement for a written or a road test at the end of the instruction. Nineteen states did not require trained instructors to teach the driver training course. This study points out that states have made significant progress in the area of driver training, but that we need to continue to expand and improve in this area.

Documentation

Another important aspect of the driver training program is documentation for the district's protection. Adequate training and certification of driver trainers is a must from a state or regional recognized program. In order to provide uniform, accurate training to drivers, the driver trainer should be given the tools to do the best job possible. Certification from a recognized program will assist the district in defending its program before the community or in the case of legal action.

Detailed records on each driver's training, including preemployment and in-service, are a *must*. These documents become invaluable in the case of a lawsuit or allegations by the community that a driver has not been properly trained.

Lessor plans used in each training session should be developed and maintained in order for the district and the driver trainer to document the training that drivers have received. These plans should include reference to all materials and training aids used in the program.

A file on all written and road tests should be maintained on all drivers, and should include periodic evaluations of drivers.

The driver training program should have generally standardized criteria (generally established by the state, but should have the flexibility to meet certain special needs of the local district).

The basic program should include, but not be limited to, state and local regulations and policies, general motor vehicle operating procedures, passenger management, familiarity with bus and equipment, procedures for loading/unloading children and actual driving tasks. This should be accomplished through classroom, behind-the-wheel and observation time.

Special education drivers need additional specialized training in the areas of the various exceptionalities and special procedures established by the district. Special education transportation aides should also receive this specialized train-

Safe Passage . . .

ing so they have an understanding of the driver's role and responsibility.

Many outstanding driver training programs have been developed in the United States and Canada. I have had the opportunity to observe many of the programs in operation and will highlight a few.

In New Mexico, we have a 40-hour preemployment requirement which includes a minimum of six hours classroom, six hours behind-the-wheel, six hours observations, eight hours American Red Cross First Aid Course, eight hours National Safety Council Defensive Driving Course, and six hours additional behind-the-wheel classroom, based on the evaluation of the driver.

New Mexico has conducted a one-week Pupil Transportation Institute since 1940. Drivers must attend the institute their first year of driving and then every three years in order to maintain their certification. The institute is held in late July/early August. The state provides funding to the districts for per diem and mileage, registration fees and a salary while the drivers are in attendance at the Institute. In addition, a minimum of eight hours per year must be spent in the local district on in-service training.

Detailed records on each driver's training are a must; these documents become invaluable in the case of a lawsuit or other allegations.

Volusia County, Florida, has an excellent training program for their drivers which includes a behind-the-wheel evaluation of each driver regardless of the number of years a driver has been employed. The behind-the-wheel evaluation instrument is one of the most comprehensive I have seen and gives a good evaluation tool to the district for determination of further training needed.

Safety Road-e-os

School Bus Safety Road-e-os are also an excellent training design that can be used to encourage competition among drivers. The National School Bus Safety Road-e-o booklet, which is printed by the National School Transportation Association, is an excellent resource.

Many training aids can be developed at low cost to the districts. Locally produced training aids are many times actually more effective than commercially produced, since drivers can relate to them. The use of videotapes and 35mm slides produced locally can be of great assistance. Transparencies, flip charts and posters can be developed at low cost to complement the training program. Numerous commercial films and slides are available that can be used effectively, but are more costly to the district. The National Safety Council has several low-cost training aids in the area of pupil transportation.

Driver training is a must regardless of the size of the school district, and it can be accomplished at relatively low cost by qualified instructors. A successful program will bring about a school transportation program that your community has confidence in. Remember, your school bus drivers can be your most visible public relations tool. ○

Loshbough is state transportation director for the New Mexico Department of Education. This article is based upon a presentation he made at ASBO's Las Vegas meeting in September, 1985.

EMERGENCY Water Diverter

OVERHEAD PROTECTION FROM
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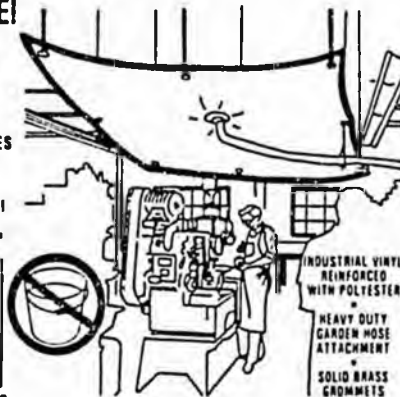
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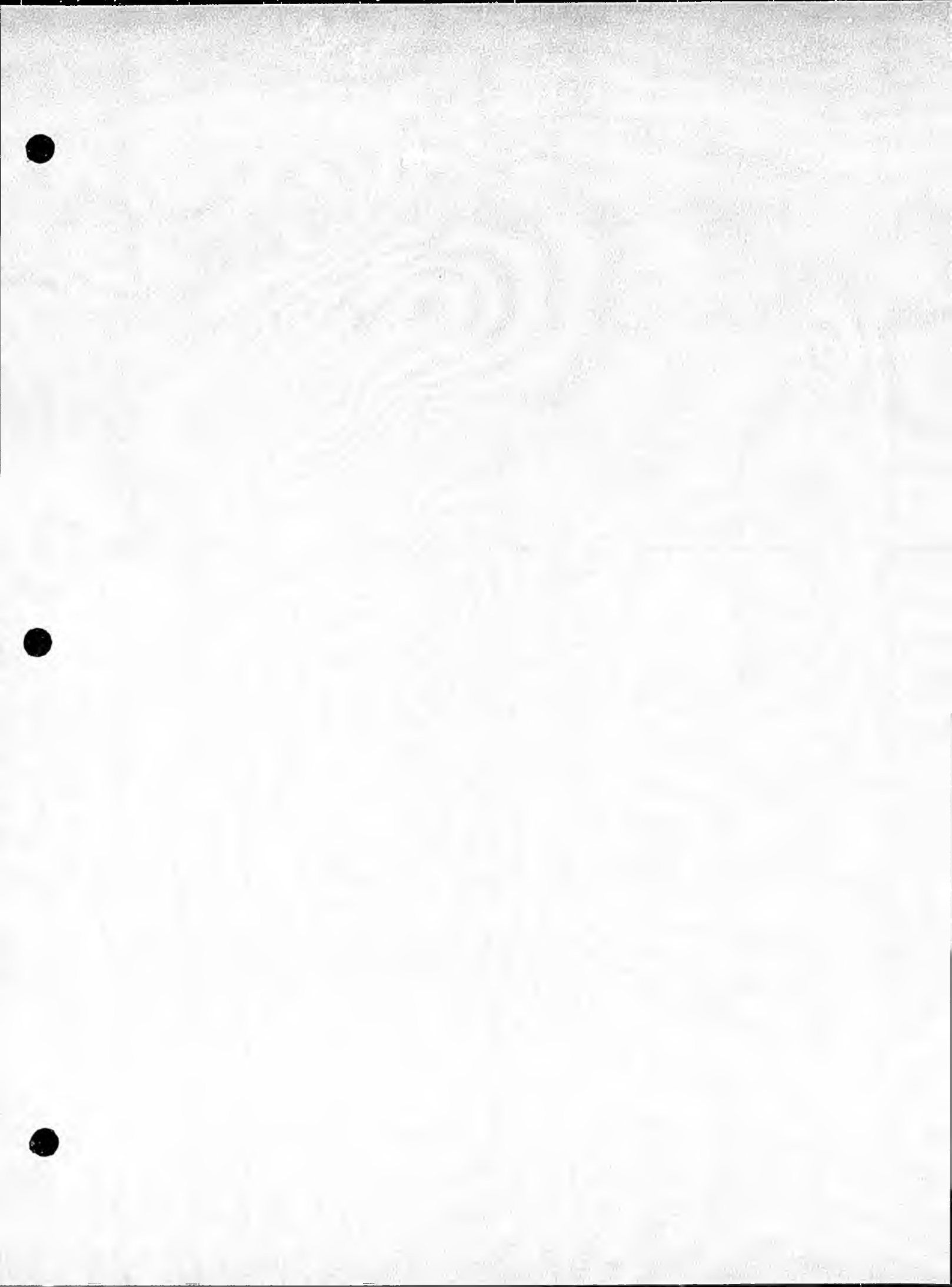
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DALLAS COUNTY CHECKS BUS DRIVERS FOR FELONY RECORDS

DALLAS, Jan. 29, (ED-LINE)--Dallas County school officials began an investigation into the records of its 900 school bus drivers after it was revealed that a bus driver, charged last week with molesting a 13-year-old special education student who rode his bus, had four criminal convictions--including two for aggravated rape.

A spokesperson for the county schools agency, which provides bus service for the Dallas school district and five suburban school districts, said immediate termination will result if drivers have committed "any vicious crime, such as rape, incest or molestation, or a crime with a firearm."

A check of county records by THE DALLAS MORNING NEWS indicated that 32 of the 900 bus drivers identified by the county schools agency late last year had at least one felony conviction, ranging from murder and attempted murder to aggravated rape and sex abuse. The study was based on data obtained from the county district clerk's office.

At least nine school bus drivers had one or more convictions for driving while intoxicated, according to the newspaper. The paper said computer records disclosed felony convictions that included two murders, two attempted murders, three aggravated robberies, a sex abuse case, an aggravated rape, 15 thefts, five burglaries and five cases involving delivery of a controlled substance.

The Dallas County schools provide transportation for about 43,000 students in six districts--Dallas, Irving, Coppell, Lancaster, Cedar Hill and DeSoto.

CAMPUS NOTEBOOK: JAN. 29, 1986

* College students at public four-year institutions paid an average of 7 percent more to go to school last fall. Tuition, fees, room and board for undergraduates increased to an average of \$4,587 from \$4,284 in the fall of 1984. The figures come from a survey by the American Assn. of State Colleges and Universities and the National Assn. of State Universities and Land Grant Colleges. Survey respondents said the increases were necessary because of inflation and inadequate state funding. Texas reported the highest increase in tuition and fees for state residents, rising 57 percent from \$446 to \$701. Non-state residents' tuition and fees increased 162 percent from the previous year to \$3,764. Previously, Texas had the lowest in-state tuition and fee rates of any state. (STUDENT CHARGES AT PUBLIC INSTITUTIONS: ANNUAL SURVEY 1985-86; AASCU Publications, One Dupont Circle, Suite 700, Washington DC 20036; \$5)



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.

Representative Phillips
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Page Two

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.

Representative Phillips
November 14, 1985
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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 0 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.

Representative Phillips
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Page Five

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

Other safety devices under testing by various states include:

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

Alaska experimented with strobe lights on stop arms on 17 buses 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.

Representative Phillips
November 14, 1985
Page Six

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

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

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

* * * * *

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

GK

Attachments

TABLE 1

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

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

TABLE 1 (CONTINUED)

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

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

TABLE 1 (CONTINUED)

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

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

TABLE 1 (CONTINUED)

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

STATE	REQUIREMENTS FOR SCHOOL BUS DRIVER LICENSE	REQUIREMENTS FOR SCHOOL BUS DRIVER TRAINING	DRIVER MANUAL	SAFETY EQUIPMENT PILOT PROGRAMS	RELATED LEGISLATION
Nebraska	Regular license; bus driver permit; annual phys. exam; age 18-65; annual written & road tests; good driving record check.	10 hrs state-approved training.	No	None	No
Nevada	Class 11 license every 4 yrs; phys. exam every 2 yrs; annual written exam.	20 hrs state pre-svc (10 hrs classroom/10 hrs road) & annual refresher course.	No	None	No
New Hampshire	Regular license; bus driver certificate; minimum age 18; English-speaking written test; criminal & driving record check.	State-approved training; 8 hrs pre-service road & classroom instruction; 6 hrs in-service annually.	Yes	None	Yes (two 1985 seat belt bills defeated)
New Jersey	Regular license; certificate every 2 yrs; 3 yrs driving experience; minimum age 18; physical exam; written & road tests; driving record check.	No state requirement; state assistance to local districts offering training.	Yes	None	Yes (seat belt)
New York	Regular license; phys. exam every 2 yrs; no driving record (3 yrs) or criminal record (5 yrs); written & road tests every 2 yrs; 3 yr employment check; annual driving record check; age 21-65.	2 hrs state pre-svc classroom instruction; 2 hrs twice a year in-service training; additional local training optional.	Yes	None	No
Ohio	Chauffeur's license; annual bus certificate; minimum age 18; physical exam; written & road tests; annual driving record check.	20 hrs state pre-svc (12 hrs classroom/8 hrs road); 2 hrs annual in-service training; some local districts require more.	Yes	None	Yes (require safety sensors)

TABLE 1 (CONTINUED)

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

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

TABLE 1 (CONTINUED)

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

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

TABLE 1 (CONTINUED)

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

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

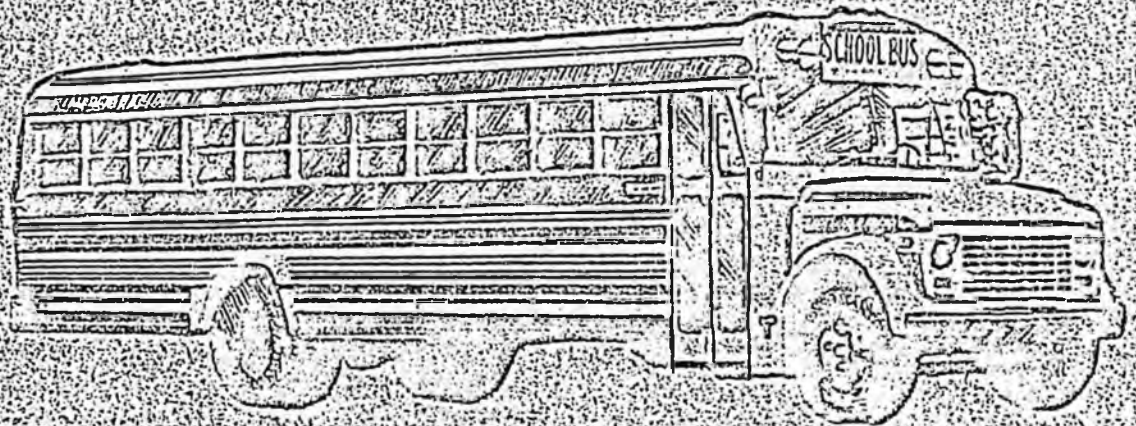
Prepared by the House Research Agency, November 1985.

ATTACHMENT A
Alaska School Bus Drivers Manual
Revised 1981

#3

Alaska School Bus Drivers Manual

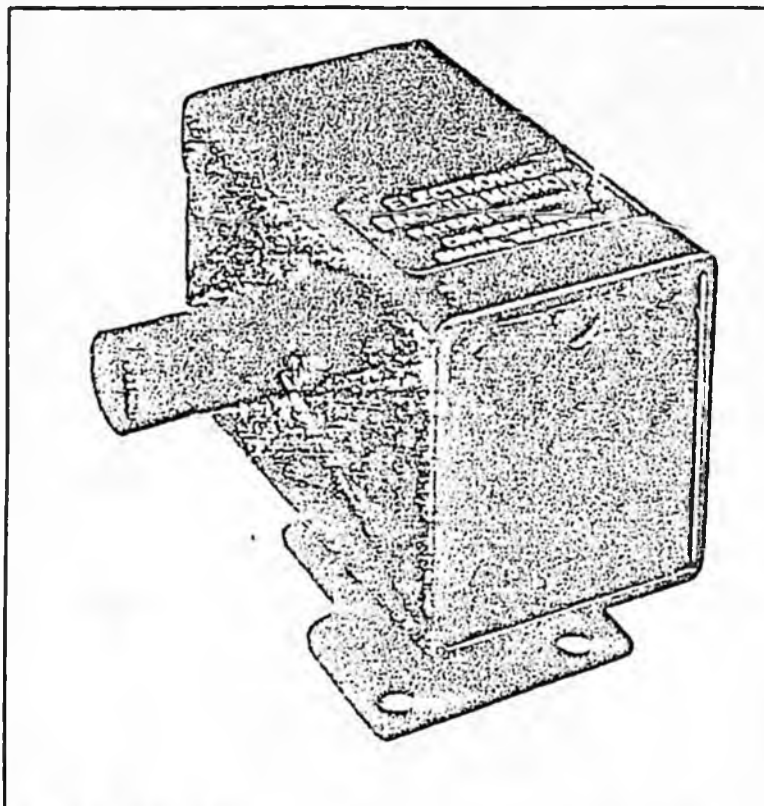
Revised 1981



ATTACHMENT B
New Product Update

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.

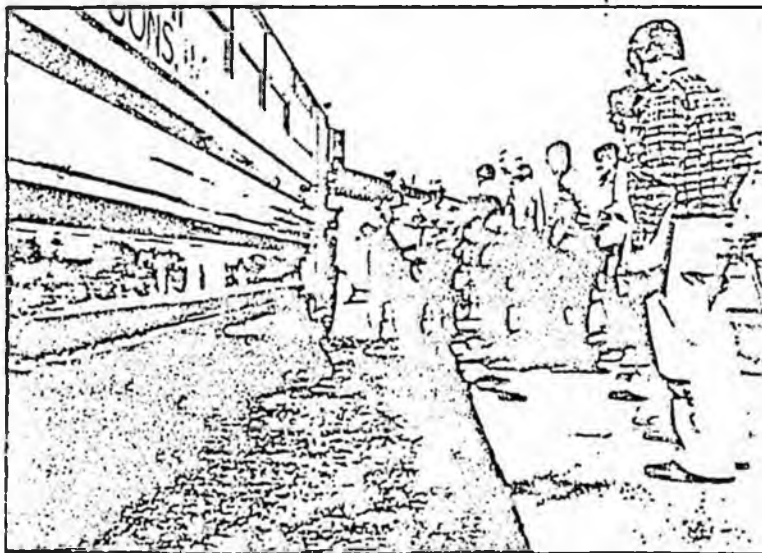
For example:

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

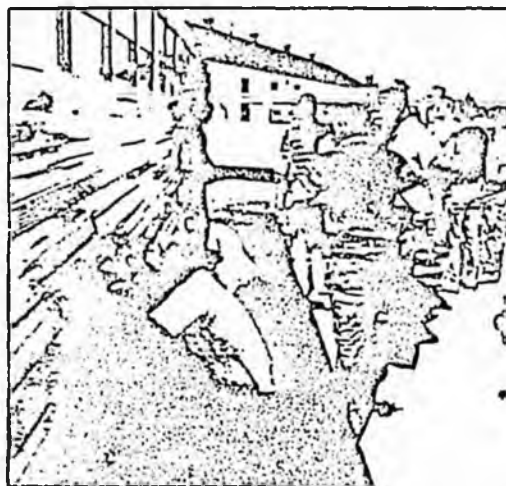
Recent actions by courts and legislative bodies have left the issue of "sovereign immunity" in a state of ambiguity. School administrators and elected officials are very uncertain of their liability when entering into litigation. The courts have established precedent where school administrators and board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

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.

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

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

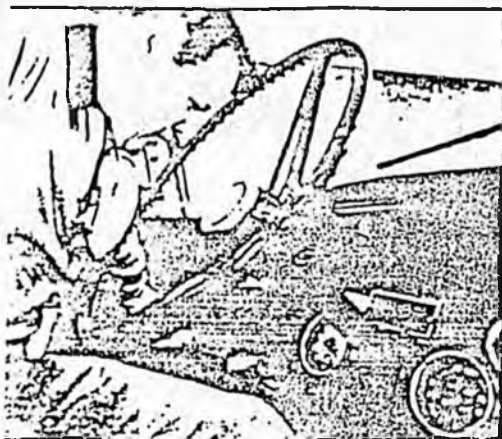
Many other states are now investigating the Safety Sensor's life-and-property-protecting features.

Reactions to the Safety Sensor from Various Pupil Transportation Groups

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

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

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



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



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

Principle of Operation

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

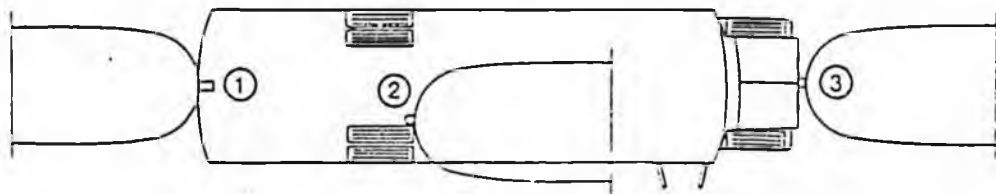
The Safety Sensor's transceiver is unaffected by magnetic fields. Its amplifier is designed to interface with any existing switch in order to activate the

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

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

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

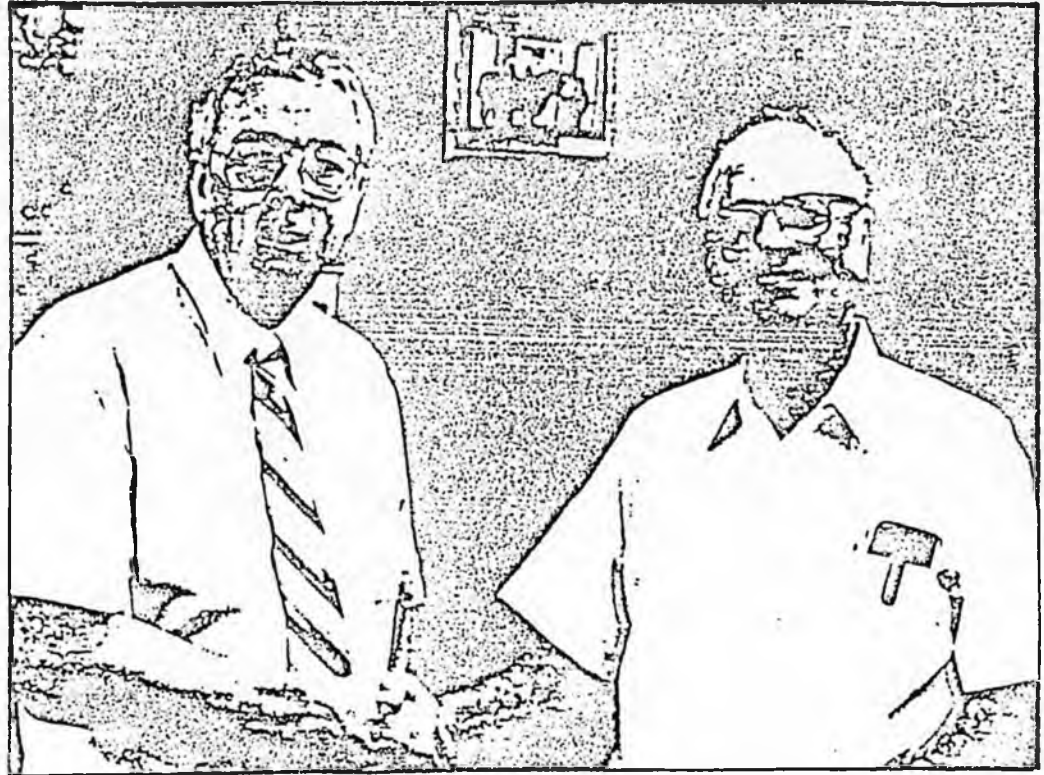
Placements of the Safety Sensor



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

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

A. E. "Tony"
Dombrowski,
President of
Con-Serv, Inc., and
L. 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.
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HOUSE TRANSPORTATION
STANDING COMMITTEE

May 9, 1985
7:00 a.m.

Members Present: Representative Bette Cato, Chairman
Representative Mike Davis, Vice-Chairman
Representative Dick Shultz
Representative Marco Pignalberi

Members Absent: Representative Adelheid Herrmann
Representative Walt Furnace
Representative Andre Marrou

COMMITTEE CALENDAR

HB 409 "An Act relating to licensing of school bus drivers; and providing for an effective date." Original sponsor: Representative Roger Jenkins.

HB 413 "An Act providing for the issuance of general obligation bonds in the amount of \$350,000,000 for the purpose of paying the cost of transportation projects; calling for a special election on the question; and providing for an effective date." Original sponsor: Representative Red Boucher.

WITNESS REGISTER

Representative Red Boucher
Alaska State Legislature
Pouch V
Juneau, AK 99811
Telephone: (907) 465-4931
Position Statement: As sponsor of HB 413, he urged that it do pass.

Representative Roger Jenkins
Alaska State Legislature
Pouch V
Juneau, AK 99811
Telephone: (907) 465-4530
Position Statement: As sponsor of HB 409, he urged that it do pass but he did not object to holding the bill in committee so that more work could be done on it.

Bill Brown
Division of Motor Vehicles

The Department of Public Safety
Pouch N
Juneau, AK 99811
Telephone: (907) 465-4335
Position Statement: Testified on HB 409.

Chip Dennerlein
Municipality of Anchorage
Pouch 6-650
Anchorage, AK
Telephone: (907) 264-4960
Position Statement: Observer.

Mayor Tony Knowles
Municipality of Anchorage
Pouch 6-650
Anchorage, AK 99502 (Via Teleconference)
Telephone: (907) 4960
Position Statement: Strongly supported HB 413.

Saundra C. Hutchins, Chairman
The Alaska School Bus Safety Committee
P.O. Box AB
Palmer, AK 99645 (Via Teleconference)
Telephone: (907) 745-4822
Position Statement: Testified on HB 409.

Romayn Kareen
Pupil Transportation Officer
The Department of Education
Pouch F
Juneau, AK 99811
Telephone: (907) 465-2890
Position Statement: Testified on HB 409.

PREVIOUS ACTION

HB 409: Read the first time on 04/29/85 and referred to TRSP, SA and Rules; no previous committee action to record.

HB 413: Read the first time on 05/01/85 and referred to TRSP, Fin and Rules; no previous committee action to record. Today TRSP reported out with 2DP, 3NR.

ACTION NARRATIVE

TAPE #42 SIDE ONE
Recording
Number 005

Chairman Cato called the meeting to order at 7:19 and noted that there was not yet a

quorum. She started the meeting anyway so that Mayor Tony Knowles, who was under a time constraint, could testify via the Legislative Teleconference Network on HB 413, sponsored by Representative Red Boucher and entitled, "An Act providing for the issuance of general obligation bonds in the amount of \$350,000,000 for the purpose of paying the cost of transportation projects; calling for a special election on the question; and providing for an effective date."

Let the record show the following members present: Representative Davis, Representative Pignalberi, and Representative Cato.

Number 015

Mayor Knowles: "Thank you, Representative Cato. Thank you for the opportunity to give testimony on House Bill Number 413. I would like to register with the committee the whole-hearted support of Anchorage in support of the bill sponsored by Representative Boucher and Cotten which would provide for the issuance of \$350,000,000 worth of bonds for the transportation projects all across the state. Obviously, I can not speak to the needs of areas other than Anchorage, but I do note that within that bill that the projects listed, most of which are part of the state and federal highway system, are completely supported through a public process in Anchorage that I have never seen the likes of which in a town that is unique in its diversity, this is the one area of consensus, of the greatest consensus that I have seen--particularly in light of the falling revenues, I applaud Representatives Boucher, Cotten, and other supporters of this measure for coming up with a financing package. If there are other packages, obviously that can meet the financial requirements of the state that still require the completion of the projects, that too would be satisfactory to Anchorage. If it's an important enough project, then we are whole-heartedly in support. I can represent numerous public groups that have formally endorsed the specific bill as well as the Anchorage Assembly."

Number 059

Representative Cato: "Thank you, Mayor

indirectly considered as user's fees for the services and roads that Anchorage does provide? Therefore, to me it's still a disproportionate amount concerning the people having to get there. If they don't have any roads in their district to get to Anchorage, then Anchorage is going to have to suffer also."

Mayor Knowles: "Perhaps in response to your question, there is no city in the nation that through its own, that I am aware of, that through its own financial resources pays for the state and federal road system."

Number 482

Representative Shultz commented that Anchorage isn't the only place which faces rapid growth. He mentioned that several communities in his district have an even higher rate of growth than Anchorage."

Number 494

Representative Davis thanked the mayor for his comments. Representative Cato also thanked the mayor for his testimony.

Number 505

Representative Cato then brought before the committee HB 409, sponsored by Representative Jenkins and entitled, "An Act relating to licensing of school bus drivers; and providing for an effective date." She asked Representative Jenkins to testify on his bill, but he deferred his testimony so that people on the teleconference network could testify. Representative Cato then asked Romaine Kareen of the Department of Education to testify on the bill.

Ms. Kareen thanked the committee for hearing the bill and Representative Jenkins for sponsoring HB 409. Ms. Kareen: "Regarding Section 2(b)(6) that requires drivers to complete a state-approved school bus driver training course. The Alaska School Bus Driver Training Committee is formulating the master plan for a state-wide, mandatory school bus driver training program. We hope to have the plan completed by July and ready for implementation fiscal year 87 and we will need an appropriation to complete that project and implement the master plan. I just want to know that the work was in process regarding the driver training program."

Representative Gato then asked Sandra Hutchins of Mat-Su to testify.

Ms. Hutchins: "I am the Pupil Transportation Coordinator for the Mat-Su school district and I am here to offer testimony on behalf of the Alaska Association for Pupil Transportation which is the district administrator's association and the Alaska School Bus Safety Week Committee which is sponsored by the Department of Education representing school districts and contractors.

"...We support the specifics of the bill. Looking at section 28.15.046(b) and looking down at number (4) and number (5) together. We very much support the criminal and background check both nationally and a state check back through the years. We feel that we have a responsibility to our parents and to our community to hire people who drive school bus drivers that have a good moral background. We feel we have a responsibility to make sure that they are trained properly and competent and able to do the job. We are concerned about individuals who do have a background that is not suitable for contact with children and looking down at section (c), in the same section, and looking at items (1), (2), (3), (4), (5), and (6) and (7) which are interconnected with numbers (4) and (5). We feel that it is very important that we don't have people who don't have this kind of background.

"There are some specific problems with (4) and (5) which are more procedural than in concept. The bill, as I understand it, indicates that we would have, that we would not be able to license and use an individual to drive a school bus until the national and the two-year state background check is complete. In talking with Bill Brown in Juneau in the Department of Public Safety and with Mr. Dave Garrison who is the aide for Representative Jenkins, we understand that that national background check could take as much as seven weeks. Also, that the state two-year check could take the same length of time and certainly up to a month. If this were true and if we were not allowed to license or use an individual to drive a

school bus until that criminal check has been completed, we would, by necessity, have to begin the hiring process and the licensing process as early as the month of June and possibly the end of June in order to have individuals to drive in the last week of August which is when many of our school districts open.

"Procedurally, that is not possible. The school bus drivers support themselves in the summer by other jobs. Many of them fish. The day after the last day of school, most of them are gone. If we were to have to fall into the way the bill is now written, we might even have to put together and give a screen in the month of May when we still have these people aboard just to get the screen process done.

/"What we would like to suggest is that the provision be made similar to that which worked for the present law relating to teachers. Is that they are certified by the state and they may be hired by the district pending a background check, a criminal background check which is very similar to what is being suggested here. We would like to suggest is that we be allowed to licensed and to use these people pending the criminal background check which would make it, procedurally, we would be able to handle. Otherwise, it is not unlikely that we would end up on the first day without everybody that we needed in those buses. We don't want people driving a bus who have this kind of a background. But, procedurally, I am not sure that it will for us as it is presently written. There is strong feeling among school district people and the contractors that procedurally this won't work as it is presently written.

/"I'd like to move to section, let me see, the same section. Go down to number (d). And this has to do with not licensing an individual who has been convicted of DWI and within two years and not licensing him at all if he has had two or more within twenty years. I very strongly support this provision. It is a source of problem now. We often do not know when an individual has been convicted of a DWI. We may have a bus driver out there there who has gotten a DWI

ticket in a private vehicle and we can find out--we have a chance generally. Very strongly support this provision. There needs to be some method to ensure, procedurally, that we will know when these things will occur. We have the same problem with (4) and (5). There needs to be some procedure to assure that school districts will know when an individual does have a DWI because otherwise, the individual is not going to tell us. We have that problem now. We have people who do get DWI and you just, sometimes you find about it and you then you are able to act. Very strong support for number (d)./

/"We very much support number (6) going back. This particular provision has to do with a mandated school bus driver training course./ The Department of Education over the last year has been working with a large committee which represents a cross-section of a school district administrators and contractors to develop a standardized school bus training program. The hope is that it will be mandated as a minimum guide for all districts. That plan is not developed--as I understand it, it is in the final draft and will be ready for the review process with district and administrators and with the Department of Education. It then must be approved by the state school board. We very much support that kind of training program. The problem with it here with this particular bill is that it is not ready. The other problem is that this bill would be effective in 1985. The driver training program is not in place and has not been reviewed. There's no fiscal note for it. And there will be some cause to get it started. We think that it is a very necessary thing to have a mandated program. /If there is some way of keeping this provision in the bill and not allowing for a later date for implementation, we would very much support that. /We support a mandated driver training program. We need to standardize a program across the state and we need to set the minimums and some very good work has been taking place in that area...This bill does not state who would be responsible for developing that driver program. This particular bill comes under Public Safety and I don't know if that

necessarily means that the Department of Public Safety would then be responsible for a driver training program for school bus drivers. That may not be true. We would like to see the Department of Education charged with that responsibility because they are closer to this area than is the Department of Public Safety."

Number 651

Representative Cato: "In the position paper, you might be interested in this fact: we have considered deleting that number (6) from Robert Sundberg it says 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, so they are well aware of what you're doing. It does not appear that 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 board program; however, they are not state approved. What was the completion date that you thought perhaps that if things went well, that you would be able to have the plan in place for a state-approved driver's training school?"

Ms. Hutchins: "Looking at the status and talking with Ms. Kareen, that probably they will have that in place as even as the fall. However, there's no fiscal note for it yet. So that would mean, at least a year before it could be implemented."

Ms. Kareen: "There will be an appropriation required for implementation for this driver training program to get it coordinated, to get the materials to sell it, to conduct work shops for instructors to go back to the respective areas and to train the school bus drivers, to conduct workshops for school districts, and we will have to develop a local plan for their own area for the required school bus driver training needs in their respective areas. So it will take at least a year to get it off the ground in an appropriation required for that. If we had monies in our FY 87 budget, we could begin working July 1, 1986 and could have the workshops conducted etcetera I would think by June 30, 1987."

Number 680

Representative Cato thanked the teleconference participants for their contribution. Ms. Hutchins thanked Representative Jenkins for sponsoring the bill.

Representative Cato then called to the table Bill Brown of the Department of Public Safety, Division of Motor Vehicles.

Mr. Brown: "This basically does two things as far as changing from the present system. We do a background check at this time; however, it's strictly of Alaska arrests. We, therefore, find out of an arrest in another state only if that person has been arrested up here also and therefore the record from the other state has been forwarded to Alaska. The two changes is, number 1, it requires the check to be made before the license is issued and, number 2, it requires..._a national check_."

CHANGE TAPE #42 TO SIDE TWO

Number 003

Mr. Brown described the current system of criminal checks and the issuance of school bus driver permits. Discussion then ensued on this topic.

Mr. Brown: "There's a couple concerns. One of them, I just hit on today: on subsection (e) on page three, on lines 12-14 where it refers to 'listed under (c) of this section,' it should also include, 'under (c) or (d) of this section' if (d) is not added there. You can only count DWI's within Alaska. If (d) is added to that subsection (e), we could also count DWI's that occur in another in another state because (d) is very specific. It refers to DWI under an Alaska statute. Possibly, the statute section would not have to appear on lines 7 of page 3 and just refer to convictions of driving while intoxicated." /

"...Another concern, of course, that we have is in regards to and it was expressed by Ms. Hutchins is is the time period that it takes to get a result of a fingerprint search-- possibly, is something that the department would have to work on. In our position paper we indicated that it would be a three week lag. In my opinion, that's a minimum

at this specific time. It's the mail process that's the delay and not the computer process in Anchorage."

Number 069

Representative Pignalberi expressed his concern of how this bill affects school bus drivers and the contractors. Representative Cato expressed her belief that the bill does not go far enough and that it should apply to janitors and other people who are around school children. She asked Representative Jenkins if he could work on this bill during interim so that it would encompass this issue. Representative Jenkins did not object to this and said that he would work on this during interim. Representative Cato announced, then, that HB 409 would be held in committee.

Number 241

Representative Pignalberi moved to pass out of committee HB 413, "An Act providing for the issuance of general obligation bonds in the amount of \$350,000,000 for the purpose of paying the cost of transportation projects; calling for a special election on the question; and providing for an effective date." Representative Cato repeated his motion and asked if there were any objections. Being none, so ordered.

Representative Cato asked if there was further business to be brought before the committee. Being none, she adjourned the meeting at 8:11.

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

Members present:

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

COMMITTEE CALENDAR:

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

WITNESS REGISTER:

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

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

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

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

PREVIOUS ACTION

ACTION NARRATIVE

TAPE ONE SIDE ONE
Number 000

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

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

Number 040

Rep. Marrou joined the committee.

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

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

Rep. Pignalberi joined the Committee.

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

Number 183

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

Rep. Jenkins agreed.

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

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

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

Rep. Jenkins said he thinks so.

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

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

Number 302

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

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

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

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

Number 372

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

Number 441

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

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

Number 453

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

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

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

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

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

Number 492

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

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

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

Number 534

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

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

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

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

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

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

Number 572

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

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

Rep. Marrou agreed with Rep. Furnace.

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

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

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

Number 606

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

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

Number 610

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

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

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

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

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

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

SIDE TWO
Number 000

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

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

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

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

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

Number 087

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

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

Number 130

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

Number

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

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

Number 170

Rep. Davis joined the committee.

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

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

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

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

Number 205

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

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

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

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

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

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

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

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

Number 356

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

Romaine Kareen responded to previous questions:

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

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

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

Number 405

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

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

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

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

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

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

Number 454

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

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

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

Number 608

Rep. Cato adjourned the meeting at 8:20.

HOUSE TRANSPORTATION COMMITTEE
January 28, 1986
7:00 a.m.

Members present:

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

COMMITTEE CALENDAR:

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

WITNESS REGISTER:

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

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

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

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

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

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

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

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

PREVIOUS ACTION:

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

ACTION NARRATIVE

TAPE ONE SIDE ONE

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

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

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

Number 056

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

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

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

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

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

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

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

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

Rep. Davis joined the committee at 7:07.

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

There were no objections to that motion.

Number 134

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

Bob Shefchik testified from Fairbanks in favor of the bill.

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

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

Number 287

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

Number 317

Don Swain testified from Fairbanks in favor of the bill.

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

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

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

Tom Hyatt testified from Anchorage in favor of the bill.

Number 445

Steve Kalmes testified from Anchorage in favor of the bill.

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

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

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

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

TAPE ONE SIDE TWO

Number 000

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

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

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

Tom Hyatt said most of them are.

Number 062

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

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

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

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

Number 118

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

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

Number 142

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

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

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

Rep. Davis expressed his interpretation of the bill.

Number 215

Rep. Cato said she agreed with Rep. Davis.

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

Number 278

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

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

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

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

Number 349

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

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

Rep. Davis objected to the motion.

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

Number 425

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

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

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

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

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

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

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

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

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

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

HOUSE STATE AFFAIRS
STANDING COMMITTEE
February 3, 1986
3:00 p.m.

Members Present:

Rep. Katie Hurley, Chair
Rep. Bette Cato
Rep. Virginia Collins
Rep. Roger Jenkins

COMMITTEE CALENDAR

CSHB 409 (Transportation):

An Act relating to training and licensing of school bus drivers.

Campaign Financing Work Session

WITNESS REGISTER:

Bill Brown, Chief
Driver Services
Division of Motor Vehicles
P.O. Box 20

Juneau, AK 99802

Phone: 465-4335

Position Statement: Available to answer questions on CSHB 409.

Romayne Kareen
Pupil Transportation Officer
Department of Education
Pouch F

Juneau, AK 99811

Phone: 465-2865

Position Statement: Available to answer questions on CSHB 409.

Theda Pittman, Director
Alaska Public Offices Commission
610 "C" Street, Suite 211
Anchorage, AK 99501

Phone: 276-4176

Position Statement: Comments on proposed campaign finance legislation.

PREVIOUS ACTION

HB 409

04/29/85 (HO 1159 Read the first time - referrals
01/29/86 (H) 1916 TRSP RPT CS new title
3DP 1NR 1DNP
2 fiscal notes HSE SUPPL 78
State Affairs, Finance, Rules

ACTION NARRATIVE

TAPE 72 SIDE ONE

Number 000

The House State Affairs Committee meeting was called to order at 3:00 p.m. Members present were Rep. Hurley, Chair, and Reps. Cato, Collins, and Jenkins.

Number 015

Chair Hurley brought CSHB 409 (Transportation) before the committee for consideration.

Number 020

Rep. Jenkins, sponsor of the bill, thanked Chair Hurley for her prompt scheduling of the bill and stated that it has had three hearings in House Transportation Committee resulting in a good committee substitute.

Rep. Jenkins said that the legislation takes existing Alaska State Department of Public Safety regulations and implements them into statute and adds provisions for a bus driver training course, national criminal records check, and state background check. In addition, CSHB 409 states that individuals cannot be licensed if they have been convicted of certain felonies and misdemeanors.

Rep. Jenkins concluded by stating that the bill has wide support from school districts and school bus contractors.

Number 225

Rep. Cato stated that the bill received close scrutiny in the Transportation Committee and she feels it is a good bill.

Number 236

Chair Hurley announced that Bill Brown from the Department of Public Safety and Romaine Kareen from the Department of Education were available to answer questions if needed.

Number 260

Rep. Cato moved that CSHB 409 (Transportation) be passed out of committee with individual recommendations. There being no objections, the motion carried.

Number 323

Chair Hurley brought before the committee the subject of proposed campaign finance legislation. She stated that Theda Pittman, Director of the Alaska Public Offices Commission, was connected by teleconference to offer comments and answer questions should the need arise during discussion.

Chair Hurley said that it was not the committee's intent to take a negative stand on the Senate's legislation. In addition, she stated that the committee has a very rough draft before them to consider and discuss some policy decisions.

Number 358

Senator Bill Ray relayed information from the Senate State Affairs Committee. He stated that the committee had met today with the Attorney General and the Committee's legal counsel. A disagreement over several points involving penalties and enforcement resulted in a meeting being scheduled to work on a compromise.

Number 406

Chair Hurley thanked Senator Ray for his comments and asked him to tell Senator Abood that the House State Affairs Committee has no desire to compete with the Senate's legislation and is only considering a working draft to speed up the process due to the shortness of the session.

Number 445

The committee discussed contribution limits for political action groups.

Number 681

Rep. Boucher asked the chair if it would be possible to obtain information on the increased cost of campaigns.

Number 703

Ms. Pittman reported that her office had figures on campaign expenses and that in 1972 it cost \$331.00 to

purchase what now costs \$1,000. In addition she gave comparative figures for the average cost of running for the House and Senate in 1976 and 1982.

Number 832

Chair Hurley asked Ms. Pittman's opinion of SB 356, Sec. 15.14.350 regarding confidentiality of investigations.

Number 850

Ms. Pittman responded that she feels that the language overlooks what generally happens when an individual files a complaint. She stated that it is difficult to maintain confidentiality when the person filing the complaint often takes the matter to the press at the same time that they file with her office.

TAPE 72 SIDE TWO

Number 120

Chair Hurley stated that the committee will follow up on this issue and determine if language can be drafted which would address this concern.

Number 138

The committee discussed the reporting of expenditures.

Number 312

Chair Hurley stated that the committee will not consider the sections on violations and enforcement until the Senate has held their meeting to discuss these issues.

Number 489

Ms. Pittman announced that the next meeting of the Alaska Public Offices Commission is scheduled for February 27 and 28, 1986 in Anchorage.

Number 497

Chair Hurley thanked Ms. Pittman for her participation and stated that the committee would continue to work on various aspects of campaign finance legislation but postpone further discussion until the Senate State Affairs Committee has made some decisions regarding their bill.

Number 526

The meeting was adjourned at 4:15 p.m.

HOUSE FINANCE COMMITTEE
February 28, 1986
1:30 p.m.

(Tape HFC 86-19, Side 1, #000-end)

CALL TO ORDER

Chairman Adams called the meeting of the House Finance Committee to order at 1:30 p.m.

PRESENT

All members of the Committee were present except Representatives Duncan, Ringstad and Uehling. ALSO PRESENT: Representative Jenkins; Commissioner Nordale, Department of Revenue; Bruce Botelho, Deputy Commissioner, Taxation, Department of Revenue; Dorothy Jones, Mayor, Mat-Su Borough; Robert Van Hook, Tax Counsel, SOHIO Alaska Petroleum Company; and Jim Palmer, Associate Director, Government Affairs, SOHIO Alaska Petroleum Company.

SUMMARY INFORMATION

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

Transportation Committee Substitute reported out of committee with a "do pass" recommendation and two zero fiscal notes.

HB 502 An Act relating to disclosure of state tax assessments of the Department of Revenue.

Bill HELD in committee. Scheduled for further hearing on Monday, March 2.

HB 409

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

Chairman Adams informed members the bill would require the Department of Education to train school bus drivers. He said the Department had been in the process of gearing up for this training for some time and the bill would also require school bus drivers to be licensed. Chairman Adams said in order to get a license a person would have to submit to a fingerprint check, which the applicant must pay for, and a person convicted of various felonies would be prohibited from getting a school bus driver's license. According to Chairman Adams, Department of Education had requested over \$100,000 to train bus drivers, and even though the bill would not go into effect until the 1987 school year, they wished to start training this coming fiscal

year. At the suggestion of Representative Larson, Education Subcommittee Chairman, a zero fiscal note was prepared by Chairman Adams. He indicated that intent language would be added in the Department's budget to require the department to pay for the training with part of the \$24 million they are requesting for pupil transportation.

REPRESENTATIVE JENKINS, SPONSOR OF THE BILL, informed members the bill had received hearings in several committees and was widely supported by school districts, school bus contractors and many individuals. He said the bill received community-wide support as well and encouraged its approval. He summarized the bill and changes made by the Transportation Committee.

DOROTHY JONES, MAYOR, MAT-SU BOROUGH, informed members they support CS HB 409 (Transportation) and urge its passage. Ms. Jones said parents like to have the feeling when their child gets on the bus they are entrusting them to a school district where safety is paramount. She encouraged the Committee to support the bill.

Representative Rieger MOVED to report out of committee CS HB 409 (Transportation) along with two zero fiscal notes dated 2/27/86 and 1/28/86. There being NO OBJECTION, it was so ordered and CS HB 409 (Transportation) was reported out of committee with a "do pass" recommendation and two zero fiscal notes.

HB 502

HB 502 - An Act relating to the disclosure of state tax assessments of the Department of Revenue.

COMMISSIONER NORDALE, DEPARTMENT OF REVENUE, referenced the Finance Committee Substitute work draft for HB 502, providing members with copies of suggested amendment changes (Attachment 1). Commissioner Nordale felt the bill would provide an excellent procedure to enable the Department of Revenue and the Legislature to establish, what she felt, the appropriate relationship with regard to the oversight of taxation matters, development of legislation, and conveyance of information necessary for informed decisions by the Legislature. According to Commissioner Nordale, the Department of Revenue had worked with members of the Committee to develop a bill which would address a number of issues and it was her feeling the Committee Substitute was the best draft obtainable at the time. She noted the procedure established in the bill was closely patterned after the federal procedure establishing the relationship between the U.S. Department of Treasury, IRS and Congress. Commissioner Nordale said due to the fact state tax laws are patterned closely after federal law, seeking federal basis for the procedure offers the Department precedential value.

Commissioner Nordale referenced the proposed amendments discussing each one briefly. She said their amendment number one, would insert on page 2, line 24 a new subsection 2, dealing with confidentiality of information. She noted their concern that all employees of the Legislature be covered by the requirement of confidentiality. Additionally, the Department recommended the deletion on page 4, line 4 of the language which would read "but the committee may not designate an employee or agent who has responsibility for a different investigations of the same taxpayer or third party". She said their reading of the proposed language is that it implies the Legislature could not adequately screen its own employees and the language suggested constriction on the Legislature to employ individuals who are not appropriate.

Amendment number 3, to insert at page 4, line 23 after "receipt", the word "safekeeping", would provide a mechanism for retaining confidential information as confidential according to Commissioner Nordale. She said it is a word used in agreements between the State of Alaska, Department of Revenue, and U.S. Internal Revenue Service and is frequently used in statute. The last amendment, to insert at page 4, line 26 a new subsection (k) to read: " (k) Nothing in this section permits the disclosure to the legislature of confidential information provided by the Internal Revenue Service under exchange agreements with the department" was specifically asked for by the IRS for inclusion in the bill. Commissioner Nordale encouraged the adoption of the new subsection to avoid any jeopardy of exchange agreements between the Department and Internal Revenue Service. There was discussion concerning the proposed amendments.

ROBERT VAN HOOK, TAX COUNSEL, SOHIO ALASKA PETROLEUM COMPANY, provided members with testimony outlining reasons for their opposition to HB 502 (Copy of testimony is on file). He said HB 502 would empower a legislative panel to perform functions properly delegated to the Department of Revenue and would increase the likelihood of litigation. Mr. Van Hook said despite sanctions against disclosure of confidential information, SOHIO expressed concern that unauthorized disclosure of confidential information would result and such disclosure would cause material competitive prejudice.

Representative Szymanski questioned the effects of the bill on SOHIO regarding the tax audit process. Mr. Van Hook said the scope of the review is not identified at any time. He said they read the bill to say information could be submitted as soon as they file a return. He said there are no limitations outlined in the legislation as to what powers are included in the oversight function. He said federal law is more specific. There was discussion concerning SOHIO's internal controls for maintaining confidential information in-house.

Representative Cotten discussed SOHIO's concern that a Legislative panel could exceed permissible oversight functions, raising new issues and performing a secondary review of proposed audit settlements essentially performing an executive branch function. Mr. Van Hook discussed the concern in relationship to proposed settlements and settlement agreements. There was discussion concerning language contained in sections 2 and 3 dealing with disclosure and legislative immunity.

Representative Pourchot referred to SOHIO's proposal that HB 502 provide for notice to the taxpayer that the taxpayer's records have been requested and which records had been turned over to the legislative committee. He asked if there was a problem with this type of inclusion feeling it a reasonable request. Commissioner Nordale said they would discourage consideration of the amendment as the general practice is to avoid specific identity with respect to information so long as it does not diminish the real information which is necessary. Representative Pourchot did not see the notice having to be made prior to receipt of information by the Committee except in a case where information was being requested for a specific taxpayer. There was further discussion concerning types of information necessary for review.

(Tape Change, Side 2)

Representative Cotten MOVED AND ASKED UNANIMOUS CONSENT that the Committee adopt the Committee Substitute work draft dated 2/27/86 for HB 502. There being NO OBJECTION, it was so ordered.

Representative Binkley expressed his support of HB 502 noting the authority to review assessments is powerful and the Legislature needs to be careful as to assigning the authority to Legislative Committees. He MOVED to delete on page 3, line 24 after "may" the words "with the written concurrence of the speaker of the House of Representatives or the president of the Senate" and insert the words "by simple resolution" and on page 3, line 29, delete the word "request" and insert "resolution". There was discussion concerning the effects of the amendment in relationship to a committee of the legislature.

RECESS

Chairman Adams called a recess at 2:25 p.m. He recalled the meeting to order at 2:27 p.m. informing members he would continue to accept motions and conceptual motions with the intent the subcommittee would meet, incorporate said motions into a new draft Committee Substitute, and bring the bill before the Committee on Monday, March 3.

Representative Cotten MOVED AND ASKED UNANIMOUS CONSENT to adopt amendments number one through four as presented by the Department of Revenue and contained in Attachment 1. There being NO OBJECTION, it was so ordered.

Representative Pourchot MOVED to adopt a "conceptual amendment" to be contained on page three, line 29 which would state "notification shall be provided to a particular taxpayer when tax return information for that taxpayer has been requested". There being NO OBJECTION, it was so ordered.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

(Tape HFC 86-19, Side 1)

(Tape HFC 86-19, Side 2, #000-#194)

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

NOTES TO DECISIONS

Stat'd in Commercial Fisheries Entry 2011 (File No. 4464), 606 P.2d 1255 (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 suc § 81 of this chapt an instruction per permit in his imm motor vehicle on a to exceed two year at least 19 years of the type or class control over the v who accompanies drives a motorcycl

(b) The departm restricted instruct restricted period to is enrolled in a d driving and is appi permit allows the p possession, to drive an approved instru the permittee is dr under the immedi

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

(d) The departm who is at least 14 guardians for the p may be issued upon scribed tests and fi driver's license. Th ordinance prohibits under the age of 1t nonareawide basis basis is acquired ur

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

5856. Setting Aside Sentence

Chapter 07. Administration of Public Schools..

Article

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

Article 1. Department of Education.

Section

20. Duties of the department

58. Alaska School Activities Association

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

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

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

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

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

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

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

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

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

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

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

regard to teachers of this title. Anchor- Anchorage School No. 2537 (File No. 182).

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

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

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

(13) administer the grants awarded under AS 14.11.020.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Authority: AS 28.05.030
AS 28.35.230

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

CHAPTER 08. DRIVER LICENSING AND SAFETY RESPONSIBILITY

Article

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

ARTICLE 1. SCHOOL BUS DRIVER PERMIT

Section

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

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

Authority: AS 28.05.011
AS 28.15.041

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

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

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

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

(4) has not attained the age of 19;

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

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

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

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

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

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

(1) traffic laws and regulations; and

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

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

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

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

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

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

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

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

(6) simulated loading and unloading of children.

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

Authority: AS 28.05.011
AS 28.15.041

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

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

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

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

(4) the person may not have monocular vision;

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

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

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

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

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

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

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

Authority: AS 28.05.011
AS 28.15.041

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

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

Authority: AS 28.05.011
AS 28.15.041

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

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

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

Authority: AS 28.05.011
AS 28.15.041

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

(1) unintentional, erroneous information or improper application;

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

Authority: AS 28.05.011
AS 28.15.041

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

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

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

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

(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 is for a reason which would be grounds for denial under 13 AAC 08.010;
- (4) one year for knowingly making a misrepresentation in an application for a permit;

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

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

Authority: AS 28.05.011
AS 28.15.041

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

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

(2) repealed 5/2/81;

(3) repealed 5/2/81;

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

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

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

Authority: AS 28.05.011
AS 28.15.041

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

**ARTICLE 2.
SAFETY RESPONSIBILITY**

Section

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

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

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

(45) "safety zone" means the area of space officially set apart within a roadway for the exclusive use of pedestrians, and which is protected or marked by signs which are plainly visible at the time it is used as a safety zone;

(46) "school bus" means every motor vehicle that complies with the color and identification requirements set forth in the edition of Minimum Standards for School Buses and Minimum Standards for Alaska School Buses, which is in effect on the effective date of this section, and is used to transport children to or from school or in connection with school activities; it does not include buses operated by common carriers for the urban transportation of school children;

(47) "semitrailer" means a vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property, drawn by a motor vehicle, and constructed so that part of its weight rests upon or is carried by another vehicle;

(48) "sidewalk" means that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines, and intended for use by pedestrians;

(49) "snowmobile" means a motor vehicle designed to travel over ice or snow, and supported in part by skis, belts, cleats, or low-pressure tires;

(50) "solid rubber tire" means a tire of rubber or other resilient material which does not depend upon compressed air for the support of the load;

(51) "specially constructed vehicle" means vehicle required to be registered under 28.10, which is not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and which is not materially altered from its original construction;

(52) "special mobile equipment" means a vehicle which is not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to ditch digging apparatus, well boring apparatus,

construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and drag lines, and self-propelled cranes and earthmoving equipment; it does not include house trailers, mobile homes, off-highway vehicles, dump trucks, truck-mounted transit mixers, cranes, or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(53) "stand" or "standing" means the halting of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers,

(54) "stop" or "stopping" means a complete cessation from movement, or the halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal;

(55) "street" means a highway as defined in AS 28;

(56) "through highway" means a highway or portion of highway on which vehicular traffic has preferential right-of-way, the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on the highway in obedience to a stop sign, yield sign or other official traffic-control device;

(57) "tow car" means a motor vehicle which is equipped for towing vehicles by means of a crane, hoist, tow bar, tow line or dolly, and is used primarily for towing or otherwise rendering assistance to other vehicles;

(58) "trailer" means a vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle; it includes semitrailers and pole trailers;

(59) "transporter" means a person in the business of delivering vehicles which are required

Chapter 04. Vehicle Lighting, Brakes and Other Equipment.

13 AAC 04.097. SPECIAL SCHOOL BUS LIGHTING EQUIPMENT. (a) A school bus must, in addition to other equipment and distinctive markings required by this chapter, be equipped with signal lights mounted as high and as widely spaced laterally as practicable, which must display to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level. The lights must be visible at 500 feet in normal sunlight. The alternately flashing red lights must be illuminated by the driver of the school bus when, but only when, the bus is stopped for the purpose of receiving or discharging school children, except that the lights may not be illuminated in

(1) a designated school bus loading or unloading area where the bus is entirely off the roadway and a child being received into or discharged from the bus is not required to cross the roadway; or

(2) an intersection or other place where traffic is controlled by a traffic-control signal or by a police officer.

(b) A school bus must be equipped with yellow signal lights mounted near each of the four red lights required in (a) of this section and at the same level but closer to the vertical centerline of the bus. These lights must display two alternately flashing yellow lights visible to the front and rear of the bus for a distance of at least 500 feet in normal sunlight. The yellow flashing lights must be illuminated by the school bus driver at least 100 feet, but not more than 500 feet, before every stop at which the alternately flashing red lights are illuminated, at which time the alternately flashing yellow lights authorized by this section must be turned off.

(c) Every school bus must have indicator lights readily visible to the driver of the bus, which automatically indicate to the driver of the bus when any of the alternately flashing lights authorized by this section are illuminated. (Eff. 6/28/79, Reg. 70)

Authority: AS 28.05.011

Editor's Note: This section is based partially on the former 13 AAC 04.090(b) and 150(c)-(e).

13 AAC 04.247. COLOR AND SPECIAL EQUIPMENT ON SCHOOL BUSES. (a) Every school bus used for pupil transportation must be painted National School Bus Chrome Yellow (National Bureau of Standards Color #1305). No other vehicle may display this color. A bus originally painted and used as a school bus which is no longer used as a school bus must be painted a color other than National School Bus Chrome Yellow before it may be driven on a highway or vehicular way or area.

(b) When transporting a school child to or from a school activity, a school bus must display signs as follows:

(1) the words "SCHOOL BUS" in black letters at least eight inches in height on a contrasting background, plainly visible to the front and rear; and

(2) the words "UNLAWFUL TO PASS WHEN RED LIGHTS FLASH" in black letters at least four inches but not more than six inches in height on a white background on the rear of the bus.

(c) A school bus with a manufacturer's rated capacity of 24 or more students must be equipped with a stop arm mounted on the left side of the vehicle. The lights on the stop arm must be automatically activated with the red flashing lights required by sec. 97(a) of this chapter. The stop arm must be at least 17 inches high at the side opposite the hinge and, when fully extended, extend 19 inches from the bus. The word "STOP" must be displayed on the stop arm in white letters on a red background, and two alternately flashing red lights must be mounted, one above the other, on the left side of the arm, which must flash and be visible to the front and rear when the arm is fully extended.

(d) The signs required by (b) of this section may not be displayed nor may the stop arm required by (c) of this section be extended on a school bus during times it is being used to transport persons not under the supervision of a school. (Eff. 6/28/79, Reg. 70)

Authority: AS 28.05.011

Editor's Note: This section is based in part on 13 AAC 04.150.