

S B

375

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/9/88
(Waived from Transportation)

FURTHER REFERRALS:

DATE: 3-16-88

The Health, Education and Social Services Committee has considered CSSB 375(RLs)

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

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

J. Ellis

Mike Kopman

Bill (unclear)

Mark (unclear)

SIGNING OTHER RECOMMENDATIONS:

David Duley (NO REC)

Gene Henley - No Rec

J. Ellis

 Co Chairman's signature
Mike Kopman

FISCAL NOTE

REQUEST

Revision Date: 3/2/88 Agency Affected: Public Safety
 Title: "An Act relating to licensing school bus drivers." BRU: Motor Vehicles
 Sponsor: Senator Fahrenkamp Components: _____
 Requestor: Senate Rules

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact on this department.

Prepared by: Bill Brown Phone: 465-4335
 Division: Motor Vehicles Date: 3/2/88

Approved by Commissioner: A. Houtski, Dep. Comm. Date: 3-2-88
 Agency: Public Safety

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
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CHAIRMAN, OIL AND GAS COMMITTEE
515 7TH AVENUE, SUITE 130
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OFFICE (907) 452-4882
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Senate

To: Members of the House Health, Education and
Social Services Committee

From: Senator Bettye Fahrenkamp

Date: March 15, 1988

SB 375 corrects a problem created in 1986 when the legislature imposed stricter requirements for school bus drivers and the ensuing regulations encompassed all van drivers regardless of the purpose of transportation of children. Many school districts are adversely affected, particularly in smaller communities as those schools frequently use "school activity vans" driven by a variety of staff, coaches or teachers. To comply, all would have to undergo the training and other requirements which can be costly to these districts.

"Bus" is defined in existing Department of Public Safety regulations 13 AAC 40.010 (6): "bus" means "every motor vehicle designed for carrying more than 10 passengers and used primarily for the transportation of passengers, and every motor vehicle designed and used for the transportation of persons for compensation, except a taxicab or school bus".

By that definition, current law requires that a driver of a van designed to carry more than ten passengers must possess a school bus drivers license. In order to comply, the driver must complete a state approved school bus driver training course; supply DPS with sufficient information to complete national criminal records check and background check; pass a written and road exam and undergo a physical examination.

SB 375 more clearly defines that school bus driver's licenses are required only when transporting children to and from school, or when a "school bus" is being used to transport children to and from school. All others would not be required to obtain a "school bus" driver's license.

The CS SB 375 (Rules) adds minor changes which further clarify which drivers are affected by replacing "school-age" with "school", and by providing a definition of "classroom studies".

FISCAL NOTE

REQUEST: _____

Revision Date: _____ Agency Affected: Education
 Title: . .licensing school bus drivers . . BRU: K-12 Support
 Sponsor: Fanrenkamp Components: Pupil Transportation
 Requestor: Senate HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Steve Hole Phone: 465-2800
 Division: Commissioner's Office Date: 2-25-88
 Approved by Commissioner: William G. Demmert Date: 2-25-88
 Agency: Department of Education

Distribution (by preparer) :

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

ALASKA DEPARTMENT OF EDUCATION
Position Paper - SB 375
2/10/88

The Department of Education strongly supports training and licensing of drivers who transport large groups of students to or from school or school activities.

We agree with the requirements of this bill for training and special licensing of drivers who transport school children to or from school or school activities on school buses, or who transport school age children to or from school on buses.

While the department takes no position on the intent of the bill to delete training and special licensing of drivers of non-school buses transporting school age children on activity trips, we believe that school districts should provide these drivers with training in at least the following areas: pre-trip inspection, defensive driving, emergency situations, and passenger management.



William G. Demmert, Commissioner

STATE OF ALASKA
DEPARTMENT OF EDUCATION

Regulations on School Bus Driver Training
DRA.

The following regulations were adopted by the State Board of Education at its regular meeting held on August 17, 1987:

4 AAC 27 is amended by adding new sections to read:

4 AAC 27.200. APPROVED SCHOOL BUS DRIVER TRAINING COURSES. (a) Upon application by a district on forms prescribed by the department, the department may approve a school bus driver training course that is required by a pupil transportation contract which was awarded pursuant to 4 AAC 27.085. Courses approved under this subsection are approved until the expiration of the transportation contract under which the approval was made.

(b) Upon application on forms prescribed by the department and until June 30, 1988, the department may approve a school bus driver training course which includes at least 10 hours of training in the following subjects: pre-trip inspection; seat and mirror adjustment; defensive driving; driving skills; loading and unloading procedures; student management; and safety and emergency procedures. Courses approved under this subsection are approved until June 30, 1988 unless otherwise authorized in writing by the department.

(c) Upon application on forms prescribed by the department, the department may approve a school bus driver training course that:

(1) is conducted by a school bus driver training instructor certified under 4 AAC 27.210;

(2) meets the minimum standard training requirements of 4 AAC 27.220; and

(3) except as otherwise authorized in writing, by the department, follows the Minimum Course Content for Pre-Service Training of Alaska School Bus Drivers, 1987 Edition, issued by the department.

(d) Courses approved under subsection (c) are approved for a period of three years.

4 AAC 27.210. CERTIFICATION OF INSTRUCTORS. (a) The department will certify a person holding a school bus driver permit as a school bus driver training instructor if the person:

(1) has a minimum of two years' school bus driving experience; and

(2) satisfactorily completes a school bus driver training instructor certification program conducted by the department.

DoE Regulations

(b) A school bus driver training instructor certificate issued under (a) of this section expires three years from the date of issuance or whenever the holder fails to continue to hold a school bus driver permit, whichever comes first.

(c) A certificate issued under (a) of this section may be renewed any number of times if the holder submits an application on a form prescribed by the department and

(1) has conducted at least one state approved training course annually during the life of the certificate; or

(2) has prior approval of the department to enter and satisfactorily completes a school bus driver training instructor refresher program conducted by the department.

4 AAC 27.220. MINIMUM STANDARDS FOR SCHOOL BUS DRIVER TRAINING COURSES. (a) In order for a person to be certified by a department approved instructor as having met the requirements of a school bus driver training course approved under 4 AAC 27.200(c), the person must successfully:

- (1) identify the major mechanical component parts of a school bus;
- (2) complete a pre-trip inspection of a school bus;
- (3) adjust the driver's seat of a school bus so that all controls can be reached easily;
- (4) adjust the mirrors of a school bus for optimum visibility;
- (5) demonstrate starting and stopping the bus smoothly using proper coordination of accelerator, clutch where applicable, and brakes;
- (6) stop a school bus a specified distance from another object or point using over the hood, rear and curb reference points;
- (7) where applicable, shift gears on a moving school bus in a manner which provides a safe ride to passengers and avoids damage and unnecessary wear to the bus components;
- (8) where applicable, demonstrate the use of shifting in slowing and stopping the bus;
- (9) turn a corner in a school bus while keeping the bus in the correct lane of traffic;
- (10) back up a school bus in a straight line, and turn the bus around by backing into a side street under conditions of both ample and limited space;
- (11) explain and demonstrate defensive driving skills which may help prevent accidents in school buses in spite of incorrect actions of others;
- (12) demonstrate procedures for properly loading and unloading students;
- (13) explain techniques for managing the behavior of pupils on a school bus in a positive way;

- (14) explain proper actions to take during driving emergencies;
- (15) locate and explain how to use emergency equipment found on school buses;
- (16) explain and demonstrate procedures for safely positioning a school bus on a road after a mechanical breakdown or emergency situation;
- (17) demonstrate procedures for safely evacuating passengers of a school bus; and
- (18) demonstrate procedures for properly crossing railroad tracks in a school bus.

4 AAC 27.230. ISSUANCE OF SCHOOL BUS DRIVER CERTIFICATES; RECORDKEEPING REQUIREMENTS. (a) An instructor certified under 4 AAC 27.210 may issue a certificate certifying that a person has completed a state approved school bus training course under AS 14.07.020(a)(14) only if the person has completed a course approved under ~~4 AAC 27.200~~ using the Minimum Course Content for Pre-Service Training of Alaska School Bus Drivers, 1987 Edition, issued by the department, and has demonstrated to the instructor's satisfaction that the driver has met each of the minimum standards set forth in 4 AAC 27.220.,

(b) An instructor must keep records available for inspection by the department for a period of three years for each person to whom he or she has given instruction in school bus driving indicating:

(1) the objectives on which training was given, including when the training was given, and the amount of training given on each objective; and

(2) evaluation sheets, dated and signed by the instructor and driver, documenting that the driver has met each of the minimum standards set forth in 4 AAC 27.220.

(c) The instructor must furnish a duplicate of each certificate issued under (a) of this section to the department within 5 days of its issuance.

4 AAC 27.240. REVOCATION OF INSTRUCTOR CERTIFICATE. A certificate issued under 4 AAC 27.210 may be revoked for the following reasons:

(a) fraudulent certification of training;

(b) failure to follow department regulations and instructions concerning school bus driver training;

(c) negligence in driving or instructional techniques;

(d) revocation of school bus driver permit;

(e) failure to properly document training as required by 4 AAC 27.230; or

(f) willful failure to submit duplicate certificate to the department as required by 4 AAC 27.230.

(907) 269-5551

March 2, 1988

The Honorable Bettye Fahrenkamp
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Subject: SB-375 Licensing of School Bus Drivers

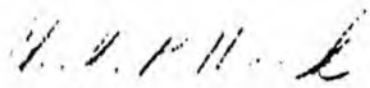
Dear Senator Fahrenkamp:

A question was raised concerning whether parents who drive their own children or others to school in a privately-owned van would be required to obtain a school bus driver's license.

Our position is that this type of operation would be exempted by regulation from the licensing requirement. This could be by exempting privately-owned vehicles or by setting a higher passenger limit such as 15.

Our main concern is to provide competent, adequately trained drivers for regular transportation to and from school. I believe the current wording takes care of this and at the same time allows us the flexibility to make reasonable exemptions.

Sincerely,


Charles R. Hosack
Deputy Director

FISCAL NOTE

REQUEST

Revision Date: 3/2/88 Agency Affected: Public Safety
 Title: "An Act relating to licensing school bus drivers." BRU: Motor Vehicles
 Sponsor: Senator Fahrenkamp Components: _____
 Requestor: Senate Rules _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact on this department.

Prepared by: Bill Brown Phone: 465-4335
 Division: Motor Vehicles Date: 3/2/88

Approved by Commissioner: [Signature] Date: 3-2-88
 Agency: Public Safety

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Fairbanks North Star Borough
School District

&

Interior Delegation Meeting

December 14, 1987

Interior Delegation

Sen. Jack Coghill
Sen. Bettye Fahrenkamp
Sen. Ken Fanning

Rep. Mark Boyer
Rep. Mike Davis
Rep. Steve Frank
Rep. Niilo Koponen
Rep. Mike Miller

Fairbanks School Board

Bonnie Brody, President

Mike Kramer
Jerry McBeath
Gene Redden
Tony Barnhill, Post Rep.

Walt Schlotfeldt
Karl Schroeder
Andy Warwick
Mike Griffin, Base Rep.

Linda Lowery, Student Rep.

Rick Cross, Superintendent

SCHOOL BUS DRIVERS' LICENSES

POSITION PAPER
IS 28.15.046(A)

I. Statutory requirement

Effective Sept 1, 1987 a person may not drive a school bus, or a bus transporting school age children, until that person has been issued a school bus driver's license.

II. Impact on District

Since the new licensing requirements apply to persons driving any bus transporting school age children, many more people are required to possess school bus driver's licenses than in the past. Anyone who drives school age children in a vehicle capable of transporting 11 or more students must now obtain a school bus driver's license.

This change impacts primarily the extra curricular programs of the District. It also effects the use of the District van by FAJHS staff to transport students. District activities will be impacted as follows:

1. Schools may not rent vans to transport teams to and from events unless the sponsor/driver possesses a valid school bus driver's license. This applies to renting vans in Fairbanks to drive to another town. It also applies to renting vans in Anchorage (or any other town) to travel around town after flying from Fairbanks.

This restriction on the use of vans will increase the cost of transporting teams. Teams will have to either rent smaller capacity vans, rent school buses, or arrange for sponsors to obtain bus driver's licenses. Each of those alternatives increases activity costs, possibly to the point of making it too expensive to travel out of district for certain groups.

2. Schools may no longer charter buses from common carriers (e.g. Westours, Sturgeon, etc.) unless the drivers of those motor coaches possess school bus driver's licenses. These drivers do not generally possess school bus driver licenses, so the district cannot presently use common carriers on long haul charters.

3. The FAJHS must either lower the capacity of its van (presently a 15 passenger van) to less than 10 passenger capacity, or the staff at FAJHS must obtain school bus driver's permits.

III. Potential Solutions

The District has several options available to address the problems created by these new licensing requirements. They are as follows:

1. Hire all transportation of students to school bus contractors.
2. Arrange for all coaches/sponsors travelling with students to obtain school bus driver's permits.
3. Only rent/lease vehicles of 10 passenger or less.
4. Pursue amendment to AS 28.15.046(a) that will change the persons required to possess a school bus driver's license.

The district is presently using a combination of alternatives 1-3 in an effort to comply with the new law. This changes the way students transportation has occurred in the past, making it both more expensive and more difficult to arrange.

IV. Recommended Solution

The alternative of amending the law should be considered. The new law, designed to standardize school bus driver training requirements, has created a new class of persons required to obtain this license. These people will probably never drive a yellow school bus, but are still required to possess a school bus driver's permit.

To suggest that only drivers of school buses should need school bus driver's licenses is not unreasonable. The District supports a change in the law that will limit the application of the statute to those drivers who actually transport students on school buses.



Monroe Catholic High School, 615 Monroe St., Fairbanks, Ak. 99701

(907) 452-2044

February 9, 1988

Senator Lloyd Jones, Chairman
Senate Transportation Committee
Juneau, Alaska

Dear Senator Jones:

I would like to express my concerns regarding the Department of Public Safety Statute AS 28.15.046(a), and in particular that part of the statute which addresses vans of eleven or more passenger capacity.

This statute has greatly impacted the budget of Monroe Catholic High School. In the past, our athletic teams, our debate team and small groups going on field trips have traveled by van. Our coaches and teachers have driven these groups in 15 passenger vans. Last year we were able to take our boys and girls varsity basketball teams to Anchorage in two-fifteen passenger vans at a total cost of \$500. This year, we had to take a school bus and the cost was \$1,900 and we had to have one of the coaches drive a van with the luggage. (The cost of the van is not included in the \$1,900.)

It is not an easy process to have our coaches licensed to drive vans. They must take a nine hour training class, and then make arrangements to take the written and driving tests. They must be fingerprinted and they must have a complete physical. The training course costs \$100 per person, the finger-printing \$12.50, and then there is still the cost of the physical and the license. Monroe would have to spend approximately \$175/driver to acquire bus-driver's licenses. If the school were to pay for substitute teachers for our teachers while they attended the nine hour session, the cost would go up another \$60.

Since we were notified of this statute in October of 1988, we had not budgeted for the use of buses. We also did not have monies set aside for the training sessions. Considering our budget constraints we have had to resort to some unusual tactics for the travel of our volleyball team. We will abide by the law by having a seat removed from a 15 passenger van to make it a 10 passenger van. In order to send 12 volleyball players to Anchorage, we are now taking two vans, but

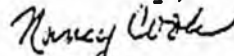
this is considerably less expensive, warmer and more comfortable than taking a school bus.

I am in total support of school bus safety. I am concerned about the overall impact of the current statute. It has not only impacted our athletic budget, but it has limited our ability to transport students on field trips to the public library, to the University of Alaska, and we have had to rely on parents to provide transportation for our student retreats.

I have been in contact with Representative Steve Frank since November regarding this issue. At this time I would like to urge the passage of Senator Fahrenkamp's Senate Bill 375 which I believe addresses the concerns that Monroe has.

Thank you for your time.

Sincerely,



Nancy Cook
Principal

cc: Representative Steve Frank
Senator Betty Fahrenkamp

A M E N D M E N T

Offered in the SENATE

TO: SB 375

Page 1, line 13, after "transporting":

Delete "school-age"

Insert "school [SCHOOL-AGE]"

Page 1, line 17, after "commissioner.":

Insert "In this subsection, "classroom studies" means curriculum studies that take place in a school building."