

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2034

AN ACT

AMENDING SECTION 28-3228, ARIZONA REVISED STATUTES; RELATING TO DRIVER
LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-3228, Arizona Revised Statutes, is amended to
3 read:

4 28-3228. School bus drivers: requirements: rules:
5 cancellation

6 A. A person shall not operate a school bus transporting school
7 children unless the person possesses the appropriate license class for the
8 size of school bus being operated that is issued by the department of
9 transportation, a bus endorsement that is issued by the department of
10 transportation and a school bus certificate that is issued by the
11 department of public safety.

12 B. To be certified as a school bus driver a person shall do both of
13 the following:

14 1. Meet and maintain the minimum standards prescribed by this
15 section and rules adopted by the department of public safety in
16 consultation with the school bus advisory council established by section
17 28-3053.

18 2. Complete an initial instructional course on school bus driver
19 safety and training including behind the wheel training.

20 C. The department of public safety in consultation with the school
21 bus advisory council established by section 28-3053 shall adopt rules that
22 establish minimum standards for the certification of school bus drivers.
23 In cooperation with local school districts, the department of public
24 safety shall provide for school bus driver safety and training courses.
25 The standards established shall:

26 1. Include requirements concerning moral character, knowledge of
27 school bus operation, pupil and motor vehicle safety, physical impairments
28 that might affect the applicant's ability to safely operate a school bus
29 or that might endanger the health or safety of school bus passengers,
30 knowledge of first aid, establishment of school bus safety and training
31 courses, a refresher course to be completed on at least a biennial basis
32 and other matters as the department of public safety and the school bus
33 advisory council established by section 28-3053 prescribe for the
34 protection of the public.

35 2. Require tests to detect the presence of alcohol or the use of a
36 drug in violation of title 13, chapter 34 that may adversely affect the
37 ability of the applicant to safely operate a school bus.

38 3. Authorize the performance of hearing tests with or without the
39 use of a hearing aid as provided in 49 Code of Federal Regulations section
40 391.41.

41 4. REQUIRE THE APPLICANT TO POSSESS A COMMERCIAL DRIVER LICENSE
42 ISSUED PURSUANT TO SECTION 28-3101 EXCEPT THAT NOTWITHSTANDING SUBSECTION
43 A OF THIS SECTION THE APPLICANT MAY POSSESS A COMMERCIAL DRIVER LICENSE
44 ISSUED BY ANOTHER STATE IF THE APPLICANT WILL BE DRIVING A SCHOOL BUS FOR
45 A SCHOOL DISTRICT THAT IS ADJACENT TO THAT STATE.

1 D. Each person who applies for a school bus driver certificate
2 shall have a valid fingerprint clearance card that is issued pursuant to
3 title 41, chapter 12, article 3.1 and shall submit an identity verified
4 fingerprint card as described in section 15-106 that the department of
5 public safety shall use to process the fingerprint clearance card as
6 outlined in section 15-106.

7 E. A person who is issued a school bus driver certificate shall
8 maintain a valid identity verified fingerprint clearance card for the
9 duration of any school bus driver certification period.

10 F. The department of public safety shall suspend a school bus
11 driver certificate if the fingerprint clearance card is invalid,
12 suspended, canceled or revoked.

13 G. The department of public safety shall issue a school bus driver
14 certificate to an applicant who meets the requirements of this section.
15 The certificate is valid if the applicant maintains the minimum standards
16 established by this section.

17 H. The department of public safety may cancel the certificate if
18 the person's license to drive is suspended, canceled, revoked or
19 disqualified. The department of public safety shall cancel the
20 certificate if the person fails to maintain the minimum standards
21 established pursuant to this section. A person whose application for a
22 certificate is refused or whose certificate is canceled for failure to
23 meet or maintain the minimum standards may request and receive a hearing
24 from the department of public safety.

25 I. The department of public safety shall enforce the rules adopted
26 pursuant to this section.