

House Engrossed Senate Bill

school buses; student transportation; vehicles

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SENATE BILL 1630

AN ACT

AMENDING SECTIONS 15-383, 15-746 AND 15-922, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 9, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-925; AMENDING SECTIONS 15-945, 28-900, 28-3053 AND 28-3228, ARIZONA REVISED STATUTES; RELATING TO TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-383, Arizona Revised Statutes, is amended to
3 read:

4 15-383. Insurance on school bus and other vehicle operators;
5 authority of the governing board to purchase

6 A. The governing board may purchase public liability and property
7 damage insurance covering school bus drivers while driving school buses
8 **AND OPERATORS OF VEHICLES DESCRIBED IN SECTION 15-925 WHILE DRIVING THOSE**
9 **VEHICLES.**

10 B. The governing board of any school district may require the
11 operator of a school bus **OR VEHICLE DESCRIBED IN SECTION 15-925** used for
12 transportation of pupils attending schools in the district to carry public
13 liability insurance in amounts not to exceed ~~twenty thousand dollars~~
14 **\$20,000** for personal injury to any one person, and ~~one hundred thousand~~
15 ~~dollars~~ **\$100,000** for personal injuries arising out of any one accident,
16 covering any liability to which the operator may be subject on account of
17 personal injuries to a passenger or other person caused or contributed to
18 by an act of the operator while operating a school bus **OR A VEHICLE**
19 **DESCRIBED IN SECTION 15-925.** If the policy of insurance is filed with and
20 approved by the governing board of the school district, the governing
21 board may increase the compensation otherwise payable to the operator by
22 an amount equal to the cost to the operator of the insurance.

23 Sec. 2. Section 15-746, Arizona Revised Statutes, is amended to
24 read:

25 15-746. School report cards

26 A. Each school shall distribute an annual report card that contains
27 at least the following information:

28 1. A description of the school's regular, magnet and special
29 instructional programs.

30 2. A description of the school's current academic goals.

31 3. A summary of each of the following:

32 (a) The results achieved by pupils enrolled at the school during
33 the prior three school years as measured by the statewide assessment and
34 the nationally standardized norm-referenced achievement test as designated
35 by the state board and as reported in the annual report prescribed by
36 section 15-743.

37 (b) Pupil progress on an ongoing and annual basis, showing the
38 trends in gain or loss in pupil achievement over time in reading, language
39 arts and mathematics for all years in which pupils are enrolled in the
40 school district for an entire school year and for which this information
41 is available.

42 (c) Pupil progress for pupils who are not enrolled in a district
43 for an entire school year.

1 4. The attendance rate of pupils enrolled at the school as
2 reflected in the school's average daily membership as defined in section
3 15-901.

4 5. The total number of incidents that occurred on the school
5 grounds, at school bus stops, **AT STOPS FOR VEHICLES DESCRIBED IN SECTION**
6 **15-925, on school buses, ON VEHICLES DESCRIBED IN SECTION 15-925** and at
7 school-sponsored events and that required the contact of a local, county,
8 tribal, state or federal law enforcement officer pursuant to section
9 13-3411, subsection F, section 13-3620, section 15-341, subsection A,
10 paragraph 30 or section 15-515. The total number of incidents reported
11 shall only include reports that law enforcement officers report to the
12 school **AND** that are supported by probable cause. For the purposes of this
13 paragraph, a certified peace officer who serves as a school resource
14 officer is a law enforcement officer. A school may provide clarifying
15 information if the school has a school resource officer on campus.

16 6. The percentage of pupils who have either graduated to the next
17 grade level or graduated from high school.

18 7. A description of the social services available at the school
19 site.

20 8. The school calendar, including the length of the school day and
21 hours of operations.

22 9. The total number of pupils enrolled at the school during the
23 previous school year.

24 10. The transportation services available.

25 11. A description of the responsibilities of parents of children
26 enrolled at the school.

27 12. A description of the responsibilities of the school to the
28 parents of the children enrolled at the school, including dates the report
29 cards are delivered to the home.

30 13. A description of the composition and duties of the school
31 council as prescribed in section 15-351 if such a school council exists.

32 14. For the most recent year available, the average current
33 expenditure per pupil for administrative functions compared to the
34 predicted average current expenditure per pupil for administrative
35 functions according to an analysis of administrative cost data by the
36 joint legislative budget committee staff.

37 15. If the school provides instruction to pupils in kindergarten
38 programs and grades one through three, the ratio of pupils to teachers in
39 each classroom where instruction is provided in kindergarten programs and
40 grades one through three.

41 16. The average class size per grade level for all grade levels,
42 kindergarten programs and grades one through eight. For the purposes of
43 this paragraph, "average class size" means the weighted average of each
44 class.

1 B. The department of education shall develop a standardized report
2 card format that meets the requirements of subsection A of this section.
3 The department shall modify the standardized report card as necessary on
4 an annual basis. The department shall distribute to each school in this
5 state a copy of the standardized report card that includes the required
6 test scores for each school. Additional copies of the standardized report
7 card shall be available on request.

8 C. After each school has completed the report card distributed to
9 it by the department of education, the school, in addition to distributing
10 the report card as prescribed in subsection A of this section, shall send
11 a copy of the report card to the department. The department shall prepare
12 an annual report that contains the report card from each school in this
13 state.

14 D. The school shall distribute report cards to parents of pupils
15 enrolled at the school, not later than the last day of school of each
16 fiscal year, and shall present a summary of the contents of the report
17 cards at an annual public meeting held at the school. The school shall
18 give notice at least two weeks before the public meeting that clearly
19 states the purposes, time and place of the meeting.

20 E. Beginning in fiscal year 2021-2022, the school report card
21 prescribed by this section shall include a link to access the information
22 required by section 15-747.

23 Sec. 3. Section 15-922, Arizona Revised Statutes, is amended to
24 read:

25 15-922. Reporting duties of the school district; definition

26 A. Each school district, ~~shall~~ within twelve days after the first
27 one hundred days or two hundred days in session, as applicable, SHALL
28 certify to the superintendent of public instruction, in an electronic
29 format as prescribed by the department of education, the following:

30 1. The daily route mileage of the school district in the current
31 year. The route mileage shall not include more than ~~twenty~~ THIRTY miles
32 each way to and from the school of attendance or to and from a pickup
33 point on a regular transportation route to transport eligible students who
34 reside in nonadjacent school districts.

35 2. The route mileage of the school district in the current year
36 transporting eligible students for extended school year services in
37 accordance with section 15-881.

38 3. The number of eligible students transported during the current
39 year.

40 B. A school district shall meet the requirements of this section to
41 receive state aid. The superintendent of public instruction may withhold
42 a school district's apportionment of state aid if ~~it is determined by~~ the
43 superintendent of public instruction DETERMINES that the school district
44 is not complying with the requirements of this section. A school district
45 may include in the calculation of daily route mileage any vehicle that

1 meets the definition of a school bus prescribed in this section **OR ANY**
2 **MOTOR VEHICLE DESCRIBED IN SECTION 15-925**. The department of education
3 shall not deny transportation funding or state aid for a school district
4 that transports pupils in any vehicle that meets the definition of a
5 school bus prescribed in this section **OR ANY MOTOR VEHICLE DESCRIBED IN**
6 **SECTION 15-925**.

7 C. For the purposes of this article and section 15-901, "school
8 bus" or "bus" means a school bus as defined in section 28-101, except that
9 the passenger capacity standards prescribed in that section do not apply.

10 Sec. 4. Title 15, chapter 9, article 2, Arizona Revised Statutes,
11 is amended by adding section 15-925, to read:

12 **15-925. School transportation; allowable vehicles**

13 **NOTWITHSTANDING ANY OTHER LAW, A SCHOOL DISTRICT OR CHARTER SCHOOL**
14 **IN THIS STATE OR A PRIVATELY OWNED AND OPERATED ENTITY THAT IS CONTRACTED**
15 **FOR COMPENSATION WITH A SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE**
16 **MAY USE A MOTOR VEHICLE THAT IS DESIGNED TO CARRY AT LEAST ELEVEN AND NOT**
17 **MORE THAN FIFTEEN PASSENGERS OR A MOTOR VEHICLE THAT IS DESIGNED AS A TYPE**
18 **A, B, C OR D SCHOOL BUS TO CARRY AT LEAST ELEVEN AND UP TO FIFTEEN**
19 **PASSENGERS TO TRANSPORT STUDENTS TO OR FROM HOME OR SCHOOL ON A REGULARLY**
20 **SCHEDULED BASIS IN ACCORDANCE WITH THE SAFETY RULES AND REGULATIONS**
21 **ADOPTED BY THE DEPARTMENT OF PUBLIC SAFETY PURSUANT TO SECTIONS 28-900 AND**
22 **28-3228.**

23 Sec. 5. Section 15-945, Arizona Revised Statutes, is amended to
24 read:

25 **15-945. Transportation support level**

26 A. The support level for to and from school for each school
27 district for the current year shall be computed as follows:

28 1. Determine the approved daily route mileage of the school
29 district for the fiscal year prior to the current year.

30 2. Multiply the figure obtained in paragraph 1 of this subsection
31 by one hundred eighty, or for a school district that elects to provide two
32 hundred days of instruction pursuant to section 15-902.04, multiply the
33 figure obtained in paragraph 1 of this subsection by two hundred.

34 3. Determine the number of eligible students transported in the
35 fiscal year prior to the current year.

36 4. Divide the amount determined in paragraph 1 of this subsection
37 by the amount determined in paragraph 3 of this subsection to determine
38 the approved daily route mileage per eligible student transported.

39 5. Determine the classification in column 1 of this paragraph for
40 the quotient determined in paragraph 4 of this subsection. Multiply the
41 product obtained in paragraph 2 of this subsection by the corresponding
42 state support level for each route mile as provided in column 2 of this
43 paragraph.

	<u>Column 1</u>	<u>Column 2</u>		
2	Approved Daily Route	State Support Level per		
3	Mileage per Eligible	Route Mile for		
4	<u>Student Transported</u>	<u>Fiscal Year 2021-2022</u>		
5	0.5 or less	2.77		
6	More than 0.5 through 1.0	2.27		
7	More than 1.0	2.77		
8	6. Add the amount spent during the prior fiscal year for bus tokens			
9	and bus passes for students who qualify as eligible students as defined in			
10	section 15-901.			
11	B. The support level for academic education, career and technical			
12	education, vocational education and athletic trips for each school			
13	district for the current year is computed as follows:			
14	1. Determine the classification in column 1 of paragraph 2 of this			
15	subsection for the quotient determined in subsection A, paragraph 4 of			
16	this section.			
17	2. Multiply the product obtained in subsection A, paragraph 5 of			
18	this section by the corresponding state support level for academic			
19	education, career and technical education, vocational education and			
20	athletic trips as provided in column 2, 3 or 4 of this paragraph,			
21	whichever is appropriate for the type of district.			
22	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
23	Approved Daily Route			
24	Mileage per Eligible	District Type	District Type	District Type
25	<u>Student Transported</u>	<u>02 or 03</u>	<u>04</u>	<u>05</u>
26	0.5 or less	0.15	0.10	0.25
27	More than 0.5 through 1.0	0.15	0.10	0.25
28	More than 1.0	0.18	0.12	0.30
29	For the purposes of this paragraph, "district type 02" means a unified			
30	school district or an accommodation school that offers instruction in			
31	grades nine through twelve, "district type 03" means a common school			
32	district not within a high school district, "district type 04" means a			
33	common school district within a high school district or an accommodation			
34	school that does not offer instruction in grades nine through twelve and			
35	"district type 05" means a high school district.			
36	C. The support level for extended school year services for pupils			
37	with disabilities is computed as follows:			
38	1. Determine the sum of the following:			
39	(a) The total number of miles driven by all buses of a school			
40	district while transporting eligible pupils with disabilities on scheduled			
41	routes from their residence to the school of attendance and from the			
42	school of attendance to their residence on routes for extended school year			
43	services in accordance with section 15-881.			

1 (b) The total number of miles driven on routes approved by the
2 superintendent of public instruction for which a private party, a
3 political subdivision or a common or a contract carrier is reimbursed for
4 bringing an eligible pupil with a disability from the place of the pupil's
5 residence to a school transportation pickup point or to the school
6 facility of attendance and from the school transportation scheduled return
7 point or from the school facility to the pupil's residence for extended
8 school year services in accordance with section 15-881.

9 2. Multiply the sum determined in paragraph 1 of this subsection by
10 the state support level for the district determined as provided in
11 subsection A, paragraph 5 of this section.

12 D. The transportation support level for each school district for
13 the current year is the sum of the support level for to and from school as
14 determined in subsection A of this section, the support level for academic
15 education, career and technical education, vocational education and
16 athletic trips as determined in subsection B of this section and the
17 support level for extended school year services for pupils with
18 disabilities as determined in subsection C of this section.

19 E. The state support level for each approved route mile, as
20 provided in subsection A, paragraph 5 of this section, shall be adjusted
21 by the growth rate prescribed by law, subject to appropriation.

22 F. School districts must provide the odometer reading for each bus
23 as of the end of the current year and the total bus mileage during the
24 current year.

25 G. A SCHOOL DISTRICT MAY INCLUDE ROUTE MILEAGE AND THE NUMBER OF
26 RIDERS TO CALCULATE FUNDING PURSUANT TO THIS SECTION FOR TRANSPORTING
27 ELIGIBLE STUDENTS USING MOTOR VEHICLES DESCRIBED IN SECTION 15-925.

28 Sec. 6. Section 28-900, Arizona Revised Statutes, is amended to
29 read:

30 28-900. School transportation rules

31 A. The department of public safety in consultation with the ~~school~~
32 ~~bus~~ STUDENT TRANSPORTATION advisory council established by section 28-3053
33 shall adopt rules as necessary to improve the safety and welfare of ~~school~~
34 ~~bus~~ STUDENT passengers by minimizing the probability of accidents
35 involving school buses and ~~school~~~~bus~~ STUDENT passengers and by minimizing
36 the risk of serious bodily injury to ~~school~~~~bus~~ STUDENT passengers in the
37 event of an accident.

38 B. The rules may include:

39 1. Minimum standards for the design and equipment of school buses
40 THAT ARE DESIGNED FOR SIXTEEN OR MORE PASSENGERS.

41 2. Minimum standards for the periodic inspection and maintenance of
42 school buses THAT ARE DESIGNED FOR SIXTEEN OR MORE PASSENGERS.

43 3. Procedures for the operation of school buses THAT ARE DESIGNED
44 FOR SIXTEEN OR MORE PASSENGERS.

1 4. MINIMUM STANDARDS FOR THE DESIGN AND EQUIPMENT OF MOTOR VEHICLES
2 THAT ARE DESCRIBED IN SECTION 15-925 THAT ARE SUBSTANTIALLY DIFFERENT THAN
3 THE MINIMUM STANDARDS PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION.

4 5. MINIMUM STANDARDS FOR THE PERIODIC INSPECTION AND MAINTENANCE OF
5 MOTOR VEHICLES THAT ARE DESCRIBED IN SECTION 15-925.

6 6. PROCEDURES FOR THE OPERATION OF MOTOR VEHICLES DESCRIBED IN
7 SECTION 15-925.

8 7. Other criteria as deemed by the department of public safety
9 and the ~~school bus~~ STUDENT TRANSPORTATION advisory council to be necessary
10 and appropriate to ensure the safe operation of school buses AND MOTOR
11 VEHICLES THAT ARE DESCRIBED IN SECTION 15-925. ANY RULES ADOPTED PURSUANT
12 TO THIS SECTION SHALL ALLOW FOR A VARIETY OF VEHICLES TO BE USED TO MEET
13 THE NEEDS OF STUDENTS AND SYSTEMS OF VARYING SIZES AND LOCATIONS.

14 C. The rules shall provide, if applicable, minimum standards equal
15 to or more restrictive than those adopted by the United States department
16 of transportation in accordance with 23 United States Code and rules
17 adopted pursuant to 23 United States Code.

18 D. Notwithstanding a rule adopted by the department of public
19 safety with respect to exterior color of a school bus THAT IS DESIGNED FOR
20 SIXTEEN OR MORE PASSENGERS, in order to reduce the interior temperature of
21 a school bus, the exterior top of a school bus may be painted white, but
22 the white area shall not extend beyond the center clearance lights, front
23 and rear, and shall not extend below a line five inches above the top of
24 the side windows.

25 E. An officer or employee of any school district OR CHARTER SCHOOL
26 who violates any of the rules or who fails to include the obligation to
27 comply with the rules in any contract executed by the officer or employee
28 on behalf of ~~a~~ THE school district OR CHARTER SCHOOL is guilty of
29 misconduct and is subject to removal from office or employment. Any
30 person who operates a school bus OR MOTOR VEHICLE under contract with a
31 school district OR CHARTER SCHOOL and who fails to comply with any of the
32 rules is in breach of contract, and the school district OR CHARTER SCHOOL
33 shall cancel the contract after notice and a hearing by the responsible
34 officers of the school district OR CHARTER SCHOOL.

35 F. The department of public safety shall enforce the rules adopted
36 pursuant to this section.

37 Sec. 7. Section 28-3053, Arizona Revised Statutes, is amended to
38 read:

39 28-3053. Student transportation advisory council

40 A. The ~~school bus~~ STUDENT TRANSPORTATION advisory council is
41 established consisting of ~~nine~~ THIRTEEN members appointed by the governor.
42 The governor shall appoint the members as follows:

43 1. One member representing the department of public safety.
44 2. One member representing the state board of education.
45 3. ONE MEMBER REPRESENTING THE STATE BOARD FOR CHARTER SCHOOLS.

1 ~~3.~~ 4. One member from a school district with a student count of
2 less than six hundred **IN A COUNTY WITH A POPULATION OF LESS THAN THREE**
3 **HUNDRED THOUSAND PERSONS.**

4 ~~4.~~ 5. One member from a school district with a student count of
5 six hundred or more but less than three thousand.

6 ~~5.~~ 6. One member from a school district with a student count of
7 **MORE THAN** three thousand ~~or more but less than ten thousand.~~

8 ~~6. One member from a school district with a student count of ten~~
9 ~~thousand or more.~~

10 7. One member representing transportation administrators.

11 8. One member who is a certified school bus driver or school bus
12 driver instructor.

13 9. One member representing a private sector school bus service
14 provider **OR A PRIVATE SECTOR STUDENT TRANSPORTATION SERVICE PROVIDER.**

15 10. ONE MEMBER FROM A CHARTER SCHOOL WITH A STUDENT COUNT OF LESS
16 THAN SIX HUNDRED.

17 11. ONE MEMBER FROM A CHARTER SCHOOL WITH A STUDENT COUNT OF MORE
18 THAN SIX HUNDRED.

19 12. ONE MEMBER WITH EXPERTISE IN ELECTRIC VEHICLE FLEETS, ELECTRIC
20 VEHICLE CHARGING INFRASTRUCTURE OR CHARGING MANAGEMENT SERVICES.

21 13. TWO PUBLIC MEMBERS.

22 B. The members shall serve staggered three-year terms unless a
23 member vacates the position. Appointment to fill a vacancy resulting
24 other than from expiration of a term is for the unexpired portion of the
25 term only.

26 C. The ~~school bus~~ STUDENT TRANSPORTATION advisory council shall:

27 1. Meet at least **TWICE** annually.

28 2. Select a chairperson from its members.

29 3. Advise and assist the department of public safety in developing
30 the rules required by sections 28-900 and 28-3228.

31 4. Recommend curricula for school bus driver safety and training
32 courses required by section 28-3228.

33 5. Advise and consult with the department of public safety
34 concerning matters related to the certification of school bus drivers and
35 the safety of school buses **AND VEHICLES DESCRIBED IN SECTION 15-925.**

36 6. ADVISE AND CONSULT WITH THE DEPARTMENT OF PUBLIC SAFETY
37 CONCERNING MATTERS RELATED TO MODERNIZING AND INNOVATING K-12 STUDENT
38 TRANSPORTATION TO REDUCE TRANSPORTATION BARRIERS FOR STUDENTS, INCREASE
39 ACCESS TO PUBLIC SCHOOL OPTIONS AND PROVIDE MORE TRANSPORTATION OPTIONS
40 FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS, INCLUDING ELECTRIC
41 TRANSPORTATION.

42 7. ADVISE AND CONSULT WITH THE DEPARTMENT OF ADMINISTRATION
43 CONCERNING PURCHASING STRATEGIES TO MAXIMIZE TRANSPORTATION RESOURCES AND
44 FIND EFFICIENCIES TO MODERNIZE AND PROPERLY SIZE TRANSPORTATION VEHICLES
45 AND SYSTEMS.

1 6. 8. Establish a mailing list that includes any party expressing
2 an interest in the council's activities. The council shall provide
3 written notice to each person on the list at least fifteen days before the
4 date on which the meeting is to be held. The notice shall be sent by mail
5 or electronic means to the party's last address of record with the council
6 or by any other method reasonably calculated to effect actual notice to
7 any party expressing interest in the council's activities. Written notice
8 by electronic means is effective when transmitted. For other methods
9 written notice is effective on receipt or five days after the date shown
10 on the postmark stamped on the envelope, whichever is earlier.

11 D. Members of the ~~school bus~~ STUDENT TRANSPORTATION advisory
12 council are not eligible to receive compensation or reimbursement for
13 expenses.

14 Sec. 8. Section 28-3228, Arizona Revised Statutes, is amended to
15 read:

16 28-3228. School bus drivers; student transportation
17 requirements; rules; cancellation of certificate

18 A. A person shall not operate a school bus ~~transporting~~ THAT IS
19 DESIGNED FOR SIXTEEN OR MORE PASSENGERS AND THAT TRANSPORTS school
20 children unless the person possesses the appropriate license class for the
21 size of school bus being operated that is issued by the department of
22 transportation, a bus endorsement that is issued by the department of
23 transportation and a school bus certificate that is issued by the
24 department of public safety. A PERSON SHALL NOT OPERATE A VEHICLE
25 AUTHORIZED PURSUANT TO SECTION 15-925 TO TRANSPORT SCHOOL CHILDREN UNLESS
26 THE PERSON POSSESSES THE APPROPRIATE LICENSE CLASS FOR THE SIZE OF THE
27 VEHICLE BEING OPERATED, A SCHOOL BUS CERTIFICATE THAT IS ISSUED BY THE
28 DEPARTMENT OF PUBLIC SAFETY AND A VALID FINGERPRINT CLEARANCE CARD
29 PURSUANT TO SUBSECTION D OF THIS SECTION.

30 B. To be certified as a school bus driver FOR A VEHICLE THAT IS
31 DESIGNED FOR SIXTEEN OR MORE PASSENGERS, a person shall do both of the
32 following:

33 1. Meet and maintain the minimum standards prescribed by this
34 section and rules adopted by the department of public safety in
35 consultation with the ~~school bus~~ STUDENT TRANSPORTATION advisory council
36 established by section 28-3053.

37 2. Complete an initial instructional course on school bus driver
38 safety and training, including behind the wheel training.

39 C. The department of public safety in consultation with the ~~school~~
40 ~~bus~~ STUDENT TRANSPORTATION advisory council established by section 28-3053
41 shall adopt rules that establish minimum standards for the certification
42 of school bus drivers AND DRIVERS OF OTHER VEHICLES DESCRIBED IN SECTION
43 15-925. In cooperation with local school districts AND CHARTER SCHOOLS,
44 the department of public safety shall provide for school ~~bus~~ driver

1 TRANSPORTATION safety and training courses. The standards established
2 shall:

3 1. Include requirements concerning moral character, knowledge of
4 ~~school bus operation~~ OPERATING A SCHOOL BUS OR A VEHICLE DESCRIBED IN
5 SECTION 15-925, pupil and motor vehicle safety, physical impairments that
6 might affect the applicant's ability to safely operate a school bus OR
7 VEHICLE DESCRIBED IN SECTION 15-925 or that might endanger the health or
8 safety of ~~school bus~~ passengers, knowledge of first aid, establishment of
9 school bus AND OTHER VEHICLE safety and training courses, a refresher
10 course to be completed on at least a biennial basis and other matters as
11 the department of public safety and the ~~school bus~~ STUDENT TRANSPORTATION
12 advisory council established by section 28-3053 prescribe for the
13 protection of the public.

14 2. Require tests to detect the presence of alcohol or the use of a
15 drug in violation of title 13, chapter 34 that may adversely affect the
16 ability of the applicant to safely operate a school bus OR VEHICLE
17 DESCRIBED IN SECTION 15-925.

18 3. Authorize the performance of hearing tests with or without the
19 use of a hearing aid as provided in 49 Code of Federal Regulations section
20 391.41.

21 4. Require the applicant to possess a commercial driver license
22 issued by the department, except that:

23 (a) Notwithstanding subsection A of this section the applicant may
24 possess a commercial driver license issued by another state if the
25 applicant will be driving a school bus for a school district that is
26 adjacent to that state.

27 (b) AN APPLICANT TO DRIVE A VEHICLE DESCRIBED IN SECTION 15-925
28 DOES NOT NEED TO POSSESS OR OBTAIN A COMMERCIAL DRIVER LICENSE.

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

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

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

41 G. The department of public safety shall issue a school bus driver
42 certificate to an applicant who meets the requirements of this section.
43 The certificate is valid if the applicant maintains the minimum standards
44 established by this section.

1 H. The department of public safety may cancel the certificate if
2 the person's license to drive is suspended, canceled, revoked or
3 disqualified. The department of public safety shall cancel the
4 certificate if the person fails to maintain the minimum standards
5 established pursuant to this section. A person whose application for a
6 certificate is refused or whose certificate is canceled for failure to
7 meet or maintain the minimum standards may request and receive a hearing
8 from the department of public safety.

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