

REFERENCE TITLE: school buses; student transportation; vehicles

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

## **SB 1630**

Introduced by  
Senators Kerr: Boyer, Gowan, Gray, Shope; Representatives Bolick, Cook

### **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.

44 4. The attendance rate of pupils enrolled at the school as  
45 reflected in the school's average daily membership as defined in section  
46 15-901.

1           5. The total number of incidents that occurred on the school  
2 grounds, at school bus stops, **AT STOPS FOR VEHICLES DESCRIBED IN SECTION**  
3 **15-925**, on school buses, **ON VEHICLES DESCRIBED IN SECTION 15-925** and at  
4 school-sponsored events and that required the contact of a local, county,  
5 tribal, state or federal law enforcement officer pursuant to section  
6 13-3411, subsection F, section 13-3620, section 15-341, subsection A,  
7 paragraph 30 or section 15-515. The total number of incidents reported  
8 shall only include reports that law enforcement officers report to the  
9 school **AND** that are supported by probable cause. For the purposes of this  
10 paragraph, a certified peace officer who serves as a school resource  
11 officer is a law enforcement officer. A school may provide clarifying  
12 information if the school has a school resource officer on campus.

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

15           7. A description of the social services available at the school  
16 site.

17           8. The school calendar, including the length of the school day and  
18 hours of operations.

19           9. The total number of pupils enrolled at the school during the  
20 previous school year.

21           10. The transportation services available.

22           11. A description of the responsibilities of parents of children  
23 enrolled at the school.

24           12. A description of the responsibilities of the school to the  
25 parents of the children enrolled at the school, including dates the report  
26 cards are delivered to the home.

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

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

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

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

42           B. The department of education shall develop a standardized report  
43 card format that meets the requirements of subsection A of this section.  
44 The department shall modify the standardized report card as necessary on  
45 an annual basis. The department shall distribute to each school in this  
46 state a copy of the standardized report card that includes the required

1 test scores for each school. Additional copies of the standardized report  
2 card shall be available on request.

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

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

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

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

20 15-922. Reporting duties of the school district; definition

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

25 1. The daily route mileage of the school district in the current  
26 year. The route mileage shall not include more than ~~twenty~~ **THIRTY** miles  
27 each way to and from the school of attendance or to and from a pickup  
28 point on a regular transportation route to transport eligible students who  
29 reside in nonadjacent school districts.

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

33 3. The number of eligible students transported during the current  
34 year.

35 B. A school district shall meet the requirements of this section to  
36 receive state aid. The superintendent of public instruction may withhold  
37 a school district's apportionment of state aid if ~~it is determined by~~ the  
38 superintendent of public instruction **DETERMINES** that the school district  
39 is not complying with the requirements of this section. A school district  
40 may include in the calculation of daily route mileage any vehicle that  
41 meets the definition of a school bus prescribed in this section **OR ANY**  
42 **MOTOR VEHICLE DESCRIBED IN SECTION 15-925**. The department of education  
43 shall not deny transportation funding or state aid for a school district  
44 that transports pupils in any vehicle that meets the definition of a  
45 school bus prescribed in this section **OR ANY MOTOR VEHICLE DESCRIBED IN**  
46 **SECTION 15-925**.

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

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

6 15-925. School transportation; allowable vehicles

7 NOTWITHSTANDING ANY OTHER LAW, A SCHOOL DISTRICT OR CHARTER SCHOOL  
8 IN THIS STATE OR A PRIVATELY OWNED AND OPERATED ENTITY THAT IS CONTRACTED  
9 FOR COMPENSATION WITH A SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE  
10 MAY USE A MOTOR VEHICLE THAT IS DESIGNED TO CARRY AT LEAST ELEVEN AND NOT  
11 MORE THAN FIFTEEN PASSENGERS TO TRANSPORT STUDENTS TO OR FROM HOME OR  
12 SCHOOL ON A REGULARLY SCHEDULED BASIS.

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

15 15-945. Transportation support level

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

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

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

24 3. Determine the number of eligible students transported in the  
25 fiscal year prior to the current year.

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

29 5. Determine the classification in column 1 of this paragraph for  
30 the quotient determined in paragraph 4 of this subsection. Multiply the  
31 product obtained in paragraph 2 of this subsection by the corresponding  
32 state support level for each route mile as provided in column 2 of this  
33 paragraph.

<u>Column 1</u>	<u>Column 2</u>
Approved Daily Route Mileage per Eligible	State Support Level per Route Mile for
<u>Student Transported</u>	<u>Fiscal Year 2021-2022</u>
0.5 or less	2.77
More than 0.5 through 1.0	2.27
More than 1.0	2.77

41 6. Add the amount spent during the prior fiscal year for bus tokens  
42 and bus passes for students who qualify as eligible students as defined in  
43 section 15-901.

44 B. The support level for academic education, career and technical  
45 education, vocational education and athletic trips for each school  
46 district for the current year is computed as follows:

1           1. Determine the classification in column 1 of paragraph 2 of this  
 2 subsection for the quotient determined in subsection A, paragraph 4 of  
 3 this section.

4           2. Multiply the product obtained in subsection A, paragraph 5 of  
 5 this section by the corresponding state support level for academic  
 6 education, career and technical education, vocational education and  
 7 athletic trips as provided in column 2, 3 or 4 of this paragraph,  
 8 whichever is appropriate for the type of district.

9 <u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
10 Approved Daily Route			
11 Mileage per Eligible	District Type	District Type	District Type
12 <u>Student Transported</u>	<u>02 or 03</u>	<u>04</u>	<u>05</u>
13 0.5 or less	0.15	0.10	0.25
14 More than 0.5 through 1.0	0.15	0.10	0.25
15 More than 1.0	0.18	0.12	0.30

16 For the purposes of this paragraph, "district type 02" means a unified  
 17 school district or an accommodation school that offers instruction in  
 18 grades nine through twelve, "district type 03" means a common school  
 19 district not within a high school district, "district type 04" means a  
 20 common school district within a high school district or an accommodation  
 21 school that does not offer instruction in grades nine through twelve and  
 22 "district type 05" means a high school district.

23           C. The support level for extended school year services for pupils  
 24 with disabilities is computed as follows:

25           1. Determine the sum of the following:

26           (a) The total number of miles driven by all buses of a school  
 27 district while transporting eligible pupils with disabilities on scheduled  
 28 routes from their residence to the school of attendance and from the  
 29 school of attendance to their residence on routes for extended school year  
 30 services in accordance with section 15-881.

31           (b) The total number of miles driven on routes approved by the  
 32 superintendent of public instruction for which a private party, a  
 33 political subdivision or a common or a contract carrier is reimbursed for  
 34 bringing an eligible pupil with a disability from the place of the pupil's  
 35 residence to a school transportation pickup point or to the school  
 36 facility of attendance and from the school transportation scheduled return  
 37 point or from the school facility to the pupil's residence for extended  
 38 school year services in accordance with section 15-881.

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

42           D. The transportation support level for each school district for  
 43 the current year is the sum of the support level for to and from school as  
 44 determined in subsection A of this section, the support level for academic  
 45 education, career and technical education, vocational education and  
 46 athletic trips as determined in subsection B of this section and the

1 support level for extended school year services for pupils with  
2 disabilities as determined in subsection C of this section.

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

6 F. School districts must provide the odometer reading for each bus  
7 as of the end of the current year and the total bus mileage during the  
8 current year.

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

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

14 28-900. School transportation rules

15 A. The department of public safety in consultation with the ~~school~~  
16 ~~bus~~ STUDENT TRANSPORTATION advisory council established by section 28-3053  
17 shall adopt rules as necessary to improve the safety and welfare of ~~school~~  
18 ~~bus~~ STUDENT passengers by minimizing the probability of accidents  
19 involving school buses and ~~school-bus~~ STUDENT passengers and by minimizing  
20 the risk of serious bodily injury to ~~school-bus~~ STUDENT passengers in the  
21 event of an accident.

22 B. The rules may include:

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

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

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

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

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

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

36 ~~4.~~ 7. Other criteria as deemed by the department of public safety  
37 and the ~~school-bus~~ STUDENT TRANSPORTATION advisory council to be necessary  
38 and appropriate to ensure the safe operation of school buses AND MOTOR  
39 VEHICLES THAT ARE DESCRIBED IN SECTION 15-925. ANY RULES ADOPTED PURSUANT  
40 TO THIS SECTION SHALL ALLOW FOR A VARIETY OF VEHICLES TO BE USED TO MEET  
41 THE NEEDS OF STUDENTS AND SYSTEMS OF VARYING SIZES AND LOCATIONS.

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

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

8 E. An officer or employee of any school district OR CHARTER SCHOOL  
9 who violates any of the rules or who fails to include the obligation to  
10 comply with the rules in any contract executed by the officer or employee  
11 on behalf of ~~a~~ THE school district OR CHARTER SCHOOL is guilty of  
12 misconduct and is subject to removal from office or employment. Any  
13 person who operates a school bus OR MOTOR VEHICLE under contract with a  
14 school district OR CHARTER SCHOOL and who fails to comply with any of the  
15 rules is in breach of contract, and the school district OR CHARTER SCHOOL  
16 shall cancel the contract after notice and a hearing by the responsible  
17 officers of the school district OR CHARTER SCHOOL.

18 F. THE DEPARTMENT OF PUBLIC SAFETY IN CONSULTATION WITH THE STUDENT  
19 TRANSPORTATION ADVISORY COUNCIL ESTABLISHED BY SECTION 28-3053 MAY DEVELOP  
20 GUIDANCE, RECOMMENDATIONS AND BEST PRACTICES FOR SCHOOL DISTRICTS AND  
21 CHARTER SCHOOLS TO OPERATE AND MAINTAIN VEHICLES THAT TRANSPORT STUDENTS  
22 IF THE VEHICLES ARE DESIGNED TO CARRY TEN PASSENGERS OR FEWER AND ARE USED  
23 TO TRANSPORT STUDENTS TO OR FROM HOME OR SCHOOL ON A REGULARLY SCHEDULED  
24 BASIS.

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

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

29 28-3053. Student transportation advisory council

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

- 33 1. One member representing the department of public safety.
- 34 2. One member representing the state board of education.
- 35 3. ONE MEMBER REPRESENTING THE STATE BOARD FOR CHARTER SCHOOLS.

36 ~~3.~~ 4. One member from a school district with a student count of  
37 less than six hundred IN A COUNTY WITH A POPULATION OF LESS THAN THREE  
38 HUNDRED THOUSAND PERSONS.

39 ~~4.~~ 5. One member from a school district with a student count of  
40 six hundred or more but less than three thousand.

41 ~~5.~~ 6. One member from a school district with a student count of  
42 MORE THAN three thousand ~~or more but less than ten thousand.~~

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

- 45 7. One member representing transportation administrators.



1           8. One member who is a certified school bus driver or school bus  
2 driver instructor.

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

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

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

9           12. TWO PUBLIC MEMBERS.

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

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

15           1. Meet at least TWICE annually.

16           2. Select a chairperson from its members.

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

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

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

24           6. ADVISE AND CONSULT WITH THE DEPARTMENT OF PUBLIC SAFETY  
25 CONCERNING MATTERS RELATED TO MODERNIZING AND INNOVATING K-12 STUDENT  
26 TRANSPORTATION TO REDUCE TRANSPORTATION BARRIERS FOR STUDENTS, INCREASE  
27 ACCESS TO PUBLIC SCHOOL OPTIONS AND PROVIDE MORE TRANSPORTATION OPTIONS  
28 FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS.

29           7. ADVISE AND CONSULT WITH THE DEPARTMENT OF ADMINISTRATION  
30 CONCERNING PURCHASING STRATEGIES TO MAXIMIZE TRANSPORTATION RESOURCES AND  
31 FIND EFFICIENCIES TO MODERNIZE AND PROPERLY SIZE TRANSPORTATION VEHICLES  
32 AND SYSTEMS.

33           ~~6.~~ 8. Establish a mailing list that includes any party expressing  
34 an interest in the council's activities. The council shall provide  
35 written notice to each person on the list at least fifteen days before the  
36 date on which the meeting is to be held. The notice shall be sent by mail  
37 or electronic means to the party's last address of record with the council  
38 or by any other method reasonably calculated to effect actual notice to  
39 any party expressing interest in the council's activities. Written notice  
40 by electronic means is effective when transmitted. For other methods  
41 written notice is effective on receipt or five days after the date shown  
42 on the postmark stamped on the envelope, whichever is earlier.

43          D. Members of the ~~school bus~~ STUDENT TRANSPORTATION advisory  
44 council are not eligible to receive compensation or reimbursement for  
45 expenses.



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

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

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

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

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

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

21           G. The department of public safety shall issue a school bus driver  
22 certificate to an applicant who meets the requirements of this section.  
23 The certificate is valid if the applicant maintains the minimum standards  
24 established by this section.

25           H. The department of public safety may cancel the certificate if  
26 the person's license to drive is suspended, canceled, revoked or  
27 disqualified. The department of public safety shall cancel the  
28 certificate if the person fails to maintain the minimum standards  
29 established pursuant to this section. A person whose application for a  
30 certificate is refused or whose certificate is canceled for failure to  
31 meet or maintain the minimum standards may request and receive a hearing  
32 from the department of public safety.

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