

House Engrossed Senate Bill
school buses; electrification; contracts

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

CHAPTER 347
SENATE BILL 1246

AN ACT

AMENDING SECTIONS 15-923 AND 28-3053, ARIZONA REVISED STATUTES; RELATING
TO SCHOOL TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-923, Arizona Revised Statutes, is amended to
3 read:

4 15-923. Contracts for transportation; requirement; report

5 A. As an alternative to maintaining and operating a transportation
6 program or in conjunction with a transportation program, a school district
7 ~~may~~, if it is found to be economically advantageous, **MAY** contract for
8 **VEHICLES AND OTHER** transportation **SERVICES**. Contracts may be with another
9 political subdivision, a common or contract carrier or a private party.

10 B. **IN ORDER TO EXPEDIENTLY PROCESS CONTRACTS FOR THE PROVISION OF**
11 **TRANSPORTATION, A SCHOOL DISTRICT MAY SELECT A PREAPPROVED CONTRACT**
12 **CARRIER OR PRIVATE PARTY THAT MEETS BOTH OF THE FOLLOWING CRITERIA:**

13 1. **PROVIDES ONE OR MORE OF THE FOLLOWING:**

14 (a) **ELECTRIC SCHOOL BUSES.**

15 (b) **ELECTRIC SCHOOL BUS CHARGING INFRASTRUCTURE.**

16 (c) **CHARGING AND CHARGING MANAGEMENT SERVICES.**

17 (d) **ELECTRIC SCHOOL BUS SERVICES.**

18 2. **HAS FILED WITH AND RECEIVED APPROVAL FROM THE SCHOOL BUS**
19 **ADVISORY COUNCIL ESTABLISHED BY SECTION 28-3053.**

20 ~~B.~~ C. In addition to other powers and duties prescribed by title
21 11, chapter 2, article 4, any board of supervisors, ~~may~~ at the request of
22 any or all of the governing boards of the school districts within the
23 county, **MAY** provide necessary student transportation. If the board of
24 supervisors and the governing board or boards of such school districts
25 mutually agree that such an arrangement is economically advantageous, the
26 governing board of the school district is authorized to sell or lease its
27 bus or buses to the board of supervisors for such purposes. Agreement
28 between the parties shall be by written contract.

29 ~~C.~~ D. An eligible student who is transported part by contract and
30 part by school district transportation facilities may not be counted as
31 more than one eligible student.

32 ~~D.~~ E. Miles driven to transport eligible students may not be
33 reported as daily route miles by more than one school district.

34 ~~E.~~ F. Each school district shall submit electronically to the
35 department of education **A REPORT REGARDING** the routes contracted, the
36 contractor contract information, the number of eligible students
37 transported by each contractor and any additional information requested by
38 the department of education.

39 Sec. 2. Section 28-3053, Arizona Revised Statutes, is amended to
40 read:

41 28-3053. School bus advisory council

42 A. The school bus advisory council is established consisting of
43 ~~nine~~ **TEN** members appointed by the governor. The governor shall appoint
44 the members as follows:

45 1. One member representing the department of public safety.

- 1 2. One member representing the state board of education.
- 2 3. One member from a school district with a student count of less
- 3 than six hundred.
- 4 4. One member from a school district with a student count of six
- 5 hundred or more but less than three thousand.
- 6 5. One member from a school district with a student count of three
- 7 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.
- 15 10. ONE MEMBER WITH EXPERTISE IN ELECTRIC VEHICLE FLEETS, ELECTRIC
- 16 VEHICLE CHARGING INFRASTRUCTURE OR CHARGING MANAGEMENT SERVICES.
- 17 B. The members shall serve staggered three-year terms unless a
- 18 member vacates the position. Appointment to fill a vacancy resulting
- 19 other than from expiration of a term is for the unexpired portion of the
- 20 term only.
- 21 C. The school bus advisory council shall:
- 22 1. Meet at least annually.
- 23 2. Select a chairperson from its members.
- 24 3. Advise and assist the department of public safety in developing
- 25 the rules required by sections 28-900 and 28-3228.
- 26 4. Recommend curricula for school bus driver safety and training
- 27 courses required by section 28-3228.
- 28 5. Advise and consult with the department of public safety
- 29 concerning matters related to the certification of school bus drivers and
- 30 the safety of school buses.
- 31 6. Establish a mailing list that includes any party expressing an
- 32 interest in the council's activities. The council shall provide written
- 33 notice to each person on the list at least fifteen days before the date on
- 34 which the meeting is to be held. The notice shall be sent by mail or
- 35 electronic means to the party's last address of record with the council or
- 36 by any other method reasonably calculated to effect actual notice to any
- 37 party expressing interest in the council's activities. Written notice by
- 38 electronic means is effective when transmitted. For other methods written
- 39 notice is effective on receipt or five days after the date shown on the
- 40 postmark stamped on the envelope, whichever is earlier.
- 41 7. PREAPPROVE CONTRACT CARRIERS AND PRIVATE PARTIES AS PRESCRIBED
- 42 IN SECTION 15-923, SUBSECTION B.
- 43 D. Members of the school bus advisory council are not eligible to
- 44 receive compensation or reimbursement for expenses.

1 Sec. 3. School bus advisory council; preapprovals

2 For the purposes of section 15-923, subsection B, Arizona Revised
3 Statutes, as added by this act, and section 28-3053, subsection C,
4 paragraph 7, as added by this act, the school bus advisory council
5 established by section 28-3053, Arizona Revised Statutes, as amended by
6 this act, shall finalize a process for soliciting preapprovals within six
7 months after the effective date of this act and shall finalize an initial
8 list of preapproved contract carriers and private parties within one year
9 after the effective date of this act.

10 Sec. 4. Legislative findings

11 A. The legislature finds that the lower lifetime operating and
12 maintenance costs of electric school buses can save schools thousands of
13 dollars per year.

14 B. The legislature further finds that most school buses in use
15 today emit diesel exhaust that contributes to air pollution and its
16 resulting health effects on our most vulnerable communities.

17 C. The legislature hereby declares that there is an interest in
18 electrifying school transportation to garner the many widespread benefits
19 of such action, including local diesel emission reductions, reduced
20 lifetime operating and maintenance costs for schools, and the reduction in
21 exposure of children to diesel emissions.

APPROVED BY THE GOVERNOR JULY 6, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 6, 2022.