

By: Senator(s) Furniss

To: Education

SENATE BILL NO. 2512

1 AN ACT TO AMEND SECTION 37-41-1, MISSISSIPPI CODE OF 1972, TO  
2 DIRECT THE STATE DEPARTMENT OF EDUCATION TO ADOPT SCHOOL BUS  
3 SAFETY REQUIREMENTS WHICH INCORPORATE FEDERAL STANDARDS REGARDING  
4 THE USE OF COMPARTMENTALIZATION AND SEAT BELTS; AND FOR RELATED  
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 37-41-1, Mississippi Code of 1972, is  
8 amended as follows:

- 9 37-41-1. The State Board of Education is authorized,  
10 empowered and directed to promulgate rules and regulations for:
- 11 (a) Setting standards for public school bus routes;
  - 12 (b) Approving or disapproving plans for public school  
13 routes;
  - 14 (c) Setting standards for public school buses;
  - 15 (d) Setting standards for public school bus drivers;
  - 16 (e) Formulating procedure for selecting public school  
17 bus drivers;
  - 18 (f) Formulating courses of training for public school  
19 bus drivers and mechanics, and assist in administering and  
20 financing such courses;
  - 21 (g) Providing operation procedure for public school  
22 buses to insure safety of pupils;
  - 23 (h) Furnishing consultative supervision for the  
24 operation of county school bus garages, and approving plans for  
25 such garages and the proposed expenditure of transportation funds  
26 therefor;
  - 27 (i) Formulating specifications for use in purchasing

28 public school buses; getting bids on public school buses;  
29 equipment and supplies; and fixing prices based upon said bids  
30 which school districts may not exceed in purchasing said  
31 equipment;

32 (j) Formulating specifications for use by school  
33 districts in purchasing used school buses;

34 (k) Providing a system of records and reports for the  
35 purpose of carrying out the provisions of Sections 37-41-1 through  
36 37-41-51, and providing the superintendent of schools or  
37 administrative superintendent with a sufficient supply of report  
38 forms;

39 (l) Conduct upon said buses; and

40 (m) The method by which, and the circumstances in  
41 which, any individual who is not a student scheduled to be a  
42 passenger upon that particular bus, a member of the public school  
43 administration or faculty, or a law enforcement official may  
44 obtain entry upon said buses.

45 The State Board of Education is authorized, empowered and  
46 directed to promulgate rules and regulations setting safety  
47 standards for school buses which incorporate the recommendations  
48 of the National Highway Traffic Safety Administration (NHTSA), as  
49 follows:

50 (a) For large school buses, with a gross vehicle weight  
51 rating over ten thousand (10,000) pounds, crash protection for  
52 passengers shall be provided through compartmentalization, which  
53 requires that the interior of the bus provides occupant protection  
54 through strong, closely-spaced seats that have energy-absorbing  
55 seat backs;

56 (b) For small school buses, with a gross vehicle weight  
57 rating under ten thousand (10,000) pounds, these shall be equipped  
58 with lap or lap-shoulder belts at all designated seating  
59 positions, and passengers shall be required to buckle these belts  
60 when the bus is in motion;

61           (c) All school buses for physically handicapped  
62 children shall be equipped with properly designed seat belts as  
63 required in Section 37-41-3.

64           School bus safety standards issued under this paragraph shall  
65 be effective in the 2000-2001 school year. School districts are  
66 authorized to expend funds for any necessary equipment and  
67 installation expenses related to these standards from nonminimum  
68 program or other sources. State transportation funds shall be  
69 withheld from any school district which does not comply with these  
70 safety requirements in the 2000-2001 school year.

71           All rules and regulations adopted and promulgated by the  
72 State Board of Education relating to school bus drivers shall also  
73 be applicable to drivers of privately-owned buses transporting  
74 public school children.

75           All rules and regulations adopted and promulgated by the  
76 State Board of Education pursuant to the authority conferred by  
77 this section shall be spread at large upon the minutes of the  
78 State Board of Education and copies thereof shall be furnished to  
79 all school boards not less than thirty (30) days prior to the  
80 effective date of such rules and regulations.

81           SECTION 2. This act shall take effect and be in force from  
82 and after July 1, 1999.