

By: Senator(s) Michel

To: Education

SENATE BILL NO. 2140

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 with a
37 sufficient supply of report forms;

38 (l) Conduct upon said buses; and

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

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

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

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

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

63 School bus safety standards issued under this paragraph shall
64 be effective in the 2007-2008 school year. School districts are
65 authorized to expend funds for any necessary equipment and
66 installation expenses related to these standards from nonminimum
67 program or other sources. State transportation funds shall be
68 withheld from any school district which does not comply with these
69 safety requirements in the 2007-2008 school year.

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

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

80 **SECTION 2.** This act shall take effect and be in force from
81 and after July 1, 2007.