

By: Senator(s) Hewes, Gollott

To: Education;
Appropriations

SENATE BILL NO. 2922

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; TO DIRECT SCHOOL
5 DISTRICTS TO COMPLY WITH SUCH SAFETY STANDARDS AND TO EXPEND FUNDS
6 THEREFOR; AND FOR RELATED PURPOSES.

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

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

10 37-41-1. The State Board of Education is authorized,
11 empowered and directed to promulgate rules and regulations for:

12 (a) Setting standards for public school bus routes;

13 (b) Approving or disapproving plans for public school
14 routes;

15 (c) Setting standards for public school buses;

16 (d) Setting standards for public school bus drivers;

17 (e) Formulating procedure for selecting public school
18 bus drivers;

19 (f) Formulating courses of training for public school
20 bus drivers and mechanics, and assist in administering and
21 financing such courses;

22 (g) Providing operation procedure for public school
23 buses to insure safety of pupils;

24 (h) Furnishing consultative supervision for the
25 operation of county school bus garages, and approving plans for
26 such garages and the proposed expenditure of transportation funds
27 therefor;

28 (i) Formulating specifications for use in purchasing
29 public school buses; getting bids on public school buses;

30 equipment and supplies; and fixing prices based upon said bids
31 which school districts may not exceed in purchasing said
32 equipment;

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

35 (k) Providing a system of records and reports for the
36 purpose of carrying out the provisions of Sections 37-41-1 through
37 37-41-51, and providing the superintendent of schools with a
38 sufficient supply of report 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 at a minimum, the
48 recommendations of the National Highway Traffic Safety
49 Administration (NHTSA), as 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 2007-2008 school year for new school buses.
66 School districts are authorized to expend funds for any necessary
67 equipment and installation expenses related to these standards
68 from adequate education program funds or other sources.

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

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

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