

By: Representative Hood

To: Education

HOUSE BILL NO. 1307

1 AN ACT TO AMEND SECTION 37-41-27, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE SCHOOL BOARDS TO ALLOW MOTOR VEHICLES OTHER THAN  
3 SCHOOL BUSES TO BE USED TO TRANSPORT SMALL GROUPS OF STUDENTS FOR  
4 SCHOOL-RELATED ACTIVITIES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-41-27, Mississippi Code of 1972, is  
7 amended as follows:

8 37-41-27. (1) The local school boards, subject to rules and  
9 regulations promulgated by the State Board of Education, may  
10 permit the use of publicly owned school buses for the  
11 transportation of participating students, teachers, coaches and  
12 sponsors in connection with athletic events, events of boys' and  
13 girls' clubs, events of Future Farmers of America or 4-H Clubs and  
14 special events in connection with the schools which the boards may  
15 consider a part of the educational program. The local school  
16 boards, subject to rules and regulations promulgated by the State  
17 Board of Education, may permit the use of publicly owned school  
18 buses for the transportation of citizens for grand jury and other  
19 jury functions upon order of the court or as considered necessary



20 by the school board during natural or man-made emergencies,  
21 hurricanes, tornadoes, floods and other acts of God. The local  
22 school boards, subject to rules and regulations promulgated by the  
23 State Board of Education, may permit the use of publicly owned  
24 school buses for the transportation of citizens attending an air  
25 show or historic commemorative event held on a military base or  
26 military park located in the school district; provided that such  
27 determination shall be made upon the minutes of the school board  
28 and shall include an agreement with the military base or military  
29 park that it will indemnify and hold the school district harmless  
30 in any action regarding such transportation.

31 (2) (a) Local school boards may regularly permit the use of  
32 motor vehicles other than school buses when the transportation is  
33 for trips to and from school sites or \* \* \* for school-related  
34 functions and activities; however, motor vehicles other than  
35 school buses may not be used for customary transportation between  
36 a student's residence and such sites.

37 (b) When the transportation of students is provided, as  
38 authorized in this subsection, in a vehicle other than a school  
39 bus that is owned, operated, rented, contracted, or leased by a  
40 school district or charter school, the following provisions shall  
41 apply:

42 (i) The vehicle must be a passenger car or  
43 multipurpose passenger vehicle or truck, as defined in 49 CFR Part  
44 571, designed to transport fewer than \* \* \* sixteen (16) students



45 and which does not require a commercial driver's license with  
46 passenger endorsement. Students must be transported in designated  
47 seating positions and must use the occupant crash protection  
48 system provided by the manufacturer unless the student's physical  
49 condition prohibits such use.

50 (ii) An authorized vehicle may not be driven by a  
51 student on a public right-of-way. An authorized vehicle may be  
52 driven by a student on school or private property as part of the  
53 student's educational curriculum if no other student is in the  
54 vehicle.

55 (iii) The driver of an authorized vehicle  
56 transporting students must maintain a valid driver's license and  
57 must comply with the requirements of the school district's locally  
58 adopted safe driver plan, which includes review of driving records  
59 for disqualifying violations.

60 (iv) The local school board must adopt a policy  
61 that addresses procedures and liability for trips under this  
62 paragraph, including a provision that school buses are to be used  
63 whenever practical and specifying consequences for violation of  
64 the policy.

65 **SECTION 2.** This act shall take effect and be in force from  
66 and after July 1, 2024.

