

By: Senator(s) Albritton

To: Education;
Appropriations

SENATE BILL NO. 2792

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; TO AUTHORIZE THE
6 STATE DEPARTMENT OF EDUCATION TO PROVIDE FUNDING FOR SCHOOL
7 DISTRICTS TO INSTALL AND RETROFIT SEAT BELTS AND SAFETY EQUIPMENT
8 ON SCHOOL BUSES; AND FOR RELATED PURPOSES.

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

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

12 37-41-1. (1) The State Board of Education is authorized,
13 empowered and directed to promulgate rules and regulations for:

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

15 (b) Approving or disapproving plans for public school
16 routes;

17 (c) Setting standards for public school buses;

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

19 (e) Formulating procedure for selecting public school
20 bus drivers;

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

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

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

30 (i) Formulating specifications for use in purchasing
31 public school buses; getting bids on public school buses;
32 equipment and supplies; and fixing prices based upon said bids
33 which school districts may not exceed in purchasing said
34 equipment;

35 (j) Formulating specifications for use by school
36 districts in purchasing used school buses;

37 (k) Providing a system of records and reports for the
38 purpose of carrying out the provisions of Sections 37-41-1 through
39 37-41-51, and providing the superintendent of schools with a
40 sufficient supply of report forms;

41 (l) Conduct upon said buses; and

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

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

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

58 (b) For small school buses with a gross vehicle weight
59 rating under ten thousand (10,000) pounds, crash protection for
60 passengers shall be provided through lap or lap/shoulder belts at
61 all designated seating positions, and passengers shall be required
62 to buckle these belts when the bus is in motion;

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

66 (d) School bus safety standards issued under this
67 paragraph shall be effective in the 2007-2008 school year for new
68 school buses purchased after July 1, 2007. The State Department
69 of Education shall provide funds for the proper seat belts and
70 safety equipment on school buses, from funds appropriated therefor
71 by the Legislature.

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

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

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