

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH70292-LE-189 (3/30)

Short Title: Safe Transportation for School Students. (Public)

Sponsors: Representative Sherrill.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH
3 CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN
4 SCHOOL-SPONSORED TRAVEL.

5 Whereas, public school systems have long engaged in providing trips for
6 students that enhance learning opportunities; and

7 Whereas, it is essential that travel for such trips be conducted as safely as
8 humanly possible; and

9 Whereas, there exists a lack of clarity in current provisions for the proper use
10 of activity buses and private motorcoach carriers for such transportation; and

11 Whereas, State law limits the top speed of an activity bus to 55 miles per
12 hour; and

13 Whereas, school buses are manufactured and tested for low-speed use and
14 were never intended to be over-the-road vehicles; and

15 Whereas, school personnel are not trained to inspect motorcoaches and
16 determine their degree of safety; and

17 Whereas, there is a need for a process that will provide consistent, uniform,
18 accurate certification of motorcoach companies; Now, therefore,
19 The General Assembly of North Carolina enacts:

20 **SECTION 1.** G.S. 115C-247 reads as rewritten:
21 "**§ 115C-247. Purchase of activity buses by local boards.**

22 The several local boards of education in the State are hereby authorized and
23 empowered to take title to school buses purchased with local or community funds for
24 the purpose of transporting pupils to and from athletic events and for other local school
25 activity purposes, and commonly referred to as activity ~~buses.~~ buses.

1 Each local board of education that operates activity buses shall adopt a policy
2 relative to the proper use of the vehicles. The policy shall restrict the use of these buses
3 to the counties within the athletic conference in which the school participates.

4 The provisions of G.S. 115C-42 shall be fully applicable to the ownership and
5 operation of such activity school buses. Activity buses may also be used as provided in
6 G.S. 115C-243."

7 **SECTION 2.** Chapter 115C of the General Statutes is amended by adding a
8 new section to read:

9 **"§ 115C-247.1. Certification of companies contracting with school systems for**
10 **transportation of students.**

11 The North Carolina Department of Transportation shall establish a system of
12 certification of privately owned motorcoach companies that seek to contract with local
13 school systems for the transportation of students, school personnel, and other persons
14 authorized by the school system for school-sponsored trips.

15 The requirements of the system shall include, but not be limited to:

16 (1) On-site inspection of interested companies.

17 (2) Assurance that the motorcoach companies, their drivers, and their
18 vehicles meet the Federal Motor Carrier Safety Regulations. Within
19 these regulations are (i) hazardous materials rules, (ii) requirements for
20 controlled substance and alcohol testing, (iii) financial responsibility
21 requirements, (iv) driver qualifications, (v) driving rules, and (vi)
22 standards for parts and accessories of equipment for the maintenance
23 of the equipment.

24 (3) The requirement that the motorcoach companies adhere to North
25 Carolina motor vehicle laws. These laws include the requirement that
26 motorcoach drivers have a valid commercial drivers license. North
27 Carolina requires that buses be registered properly and that a carrier
28 transporting passengers for hire must have a for-hire license.

29 The Department of Transportation shall determine which companies are certified
30 and the length of certification. The Department shall also have the right and
31 responsibility to conduct additional on-site inspections when needed.

32 School systems using motorcoach companies for transportation needs shall contract
33 for such services only with motorcoach companies that are certified by the Department
34 of Transportation."

35 **SECTION 3.** This act is effective when it becomes law.