

SECOND REGULAR SESSION

# HOUSE BILL NO. 1281

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ZWEIFEL (Sponsor), BISHOP, WILDBERGER, PAGE,  
DARROUGH, GEORGE AND CORCORAN (Co-sponsors).

Read 1<sup>st</sup> time January 27, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3219L.011

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### AN ACT

To repeal section 307.375, RSMo, and to enact in lieu thereof five new sections relating to school bus transportation safety.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 307.375, RSMo, is repealed and five new sections enacted in lieu thereof, to be known as sections 161.096, 162.065, 162.067, 168.285, and 307.375, to read as follows:

**161.096. The state board of education shall audit each school district's transportation contracts, including bidding procedures and transportation rates, on an annual basis.**

**162.065. Any school district which provides bussing services to its students and any private transportation company which provides bussing services to a school district shall do the following:**

**(1) Consult the Missouri sex offender registration list prior to selecting school bus stops; and**

**(2) Have manifests containing the name, home address, bus stop, and destination of each student that is allowed to use a school bus and provide a copy of such list to each school bus driver so that any person who attempts to board a school bus who is not on such manifest can be denied access to such bus.**

**162.067. During fall registration, all school districts shall provide, to each student's parent or family, background information on the district's transportation program which shall include the name of the private transportation company the district uses, if any, the results of highway patrol safety inspections on busses that will be used to transport students, and any corporate safety information regarding such busses that is available.**

**168.285. 1. Any school district which provides bussing services to its students and any private transportation company which provides bussing services to a school district shall require that any school bus driver currently employed or seeking employment submit two sets of fingerprints to the central repository for a Missouri criminal record review and a national criminal record review. The results of the background check shall be sent to the employing school district and if such district contracts with a private transportation company to provide bussing services the school district shall send a copy to that private transportation company.**

**2. In order to facilitate the criminal history background check on any school bus driver currently employed or seeking employment, such driver shall submit two sets of fingerprints collected pursuant to standards determined by the Missouri state highway patrol. Such fingerprints shall be used by the Missouri state highway patrol in order to search the state repository of criminal history information and shall also be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.**

**3. The current or prospective driver shall pay the fee for the state criminal history information pursuant to section 43.530, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri state highway patrol.**

**4. The current or prospective driver may be compensated by the employing school district should the school district policy provide for reimbursement intended for state and federal criminal history information pursuant to section 43.500, RSMo.**

**5. The state board of education may promulgate rules for criminal history background checks made pursuant to this section. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.**

**307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an official inspection station, and obtain a certificate of inspection, sticker, seal or other device annually, but the inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle during the school year. The inspection shall, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390, include an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:**

- (1) All mirrors, including crossview, inside, and outside;**
- (2) The front and rear warning flashers;**

- 11 (3) The stop signal arm;
- 12 (4) The crossing control arm on public school buses required to have them pursuant to  
13 section 304.050, RSMo;
- 14 (5) The rear bumper to determine that it is flush with the bus so that hitching of rides  
15 cannot occur;
- 16 (6) The exhaust tailpipe shall be flush with or may extend not more than two inches  
17 beyond the perimeter of the body or bumper;
- 18 (7) The emergency doors and exits to determine them to be unlocked and easily opened  
19 as required;
- 20 (8) The lettering and signing on the front, side and rear of the bus;
- 21 (9) The service door;
- 22 (10) The step treads;
- 23 (11) The aisle mats or aisle runners;
- 24 (12) The emergency equipment which shall include as a minimum, a first aid kit, flares  
25 or fuses, and a fire extinguisher;
- 26 (13) The seats, including a determination that they are securely fastened to the floor;
- 27 (14) The emergency door buzzer;
- 28 (15) All hand hold grips;
- 29 (16) The interior glazing of the bus.

30 2. In addition to the inspection required by subsection 1 of this section, the Missouri state  
31 highway patrol shall conduct an inspection after February first of each school year of all vehicles  
32 required to be marked as school buses under section 304.050, RSMo. This inspection shall be  
33 conducted by the Missouri highway patrol in cooperation with the department of elementary and  
34 secondary education and shall include, as a minimum, items in subsection 1 of this section and  
35 the following:

- 36 (1) The driver seat belts;
- 37 (2) The heating and defrosting systems;
- 38 (3) The reflectors;
- 39 (4) The bus steps;
- 40 (5) The aisles;
- 41 **(6) The frame.**

42 3. If, upon inspection, conditions which violate the standards in subsection 2 of this  
43 section are found, the owner or operator shall have them corrected in ten days and notify the  
44 superintendent of the Missouri state highway patrol or those persons authorized by the  
45 superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus  
46 shall not be used until corrections are made and the superintendent of the Missouri state highway

47 patrol or those persons authorized by the superintendent are notified.

48           4. The Missouri highway patrol may inspect any school bus at any time and if such  
49 inspection reveals a deficiency affecting the safe operation of the bus, the provisions of  
50 subsection 3 of this section shall be applicable.