

SENATE BILL No. 614

October 10, 2013, Introduced by Senator CASPERSON and referred to the Committee on Transportation.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending sections 7, 10, and 10a (MCL 257.1807, 257.1810, and
257.1810a), as amended by 2006 PA 107.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) "School bus" means a motor vehicle with a
2 manufacturer's rated seating capacity of 11 or more passengers,
3 including the driver, used for the transportation of preprimary,
4 primary, or secondary school pupils to or from school or school-
5 related events or a multifunction school activity bus manufactured
6 after September 2, 2003 as defined in 49 CFR 571.3, 49 CFR 571.108,
7 and 49 CFR 571.131. School bus does not include a vehicle operated
8 by a public transit agency or authority **OR A MOTOR BUS. A-EXCEPT AS**
9 **PROVIDED IN SECTION 10, A** vehicle that is not a school bus is not
10 subject to this act. For the purposes of this act, a parent, or

1 legal guardian transporting his or her child or another child with
2 written permission of the other child's parent or legal guardian on
3 a school-related event is not subject to this act.

4 (2) "Type I school bus" means a school bus with a gross
5 vehicle weight rating of more than 10,000 pounds.

6 (3) "Type II school bus" means a school bus with a gross
7 vehicle rating of 10,000 pounds or less.

8 Sec. 10. (1) Each school bus owned or operated by a public or
9 private nonpublic school, an agent of a school, a private business,
10 or a unit of government for the transportation of pupils to or from
11 school or school-related events shall meet or exceed the federal
12 motor vehicle safety standards applicable to the construction and
13 sale of that school bus and for all seating positions in that
14 vehicle. A school or an agent of a school may transport pupils with
15 disabilities in mobile seating devices in accordance with federal
16 standards specifically applicable to ~~such~~ **THOSE** pupils, their
17 wheelchairs, and related wheelchair securement and occupant
18 protection systems.

19 (2) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3) AND**
20 **SECTION 10A,** A vehicle, other than a school bus, with a
21 manufacturer's rated seating capacity of 11 or more passengers,
22 including the driver, shall not be used to transport pupils to or
23 from school or school-related events. ~~This subsection does not~~
24 ~~apply to motor buses that are described in section 10a.~~

25 (3) **SUBSECTION (2) DOES NOT APPLY TO A MOTOR BUS THAT IS**
26 **CERTIFIED BY THE STATE TRANSPORTATION DEPARTMENT OR A BUS OPERATED**
27 **BY A PUBLIC TRANSIT AGENCY OR AUTHORITY THAT HAS BEEN INSPECTED BY**

1 THE DEPARTMENT OF STATE POLICE UNDER SECTION 715A OF THE MICHIGAN
2 VEHICLE CODE, 1949 PA 300, MCL 257.715A. A MOTOR BUS USED TO
3 TRANSPORT PUPILS TO OR FROM SCHOOL OR SCHOOL-RELATED EVENTS UNDER
4 THIS SUBSECTION SHALL MEET OR EXCEED FEDERAL MOTOR VEHICLE SAFETY
5 STANDARDS APPLICABLE TO THAT MOTOR BUS.

6 Sec. 10a. (1) A school may contract with a licensed motor
7 carrier of passengers for a motor bus to be used for occasional
8 transportation of pupils to or from school-related events. A school
9 shall not directly operate a motor bus for the use of pupil
10 transportation to and from school or school-related events. A
11 **EXCEPT AS OTHERWISE PROVIDED IN SECTION 10, A** motor carrier **OF**
12 **PASSENGERS** certified by the state transportation department shall
13 not use a motor bus to transport pupils to and from school.

14 (2) ~~Before the effective date of the amendatory act that~~
15 ~~amended this section, AUGUST 15, 2006,~~ the department of education
16 may authorize the use of a motor bus for the regular route
17 transportation of pupils to or from school or home. The
18 authorization shall be in writing and shall include conditions or
19 restrictions that are necessary to safeguard the health, safety,
20 and welfare of the pupils. Any authorization that is entered into
21 ~~before the effective date of the amendatory act that amended this~~
22 ~~subsection~~ **AUGUST 15, 2006** shall remain in effect for the time it
23 is authorized.

24 (3) A motor bus built to school bus specifications that
25 complies with the applicable federal motor vehicle safety standards
26 shall comply with the requirements of this act.