

HOUSE BILL 392

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

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and Sharon Clahchischilliage and Pat Woods

AN ACT

RELATING TO PUBLIC SCHOOL TRANSPORTATION; AMENDING THE PUBLIC
SCHOOL CODE TO ALLOW CERTAIN SCHOOL DISTRICTS TO TRANSPORT
CERTAIN STUDENTS BY ALTERNATIVE MEANS OF TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-16-4 NMSA 1978 (being Laws 1967,
Chapter 16, Section 222, as amended) is amended to read:

"22-16-4. SCHOOL BUS ROUTES--LIMITATIONS--EXCEPTIONS--
MINIMUM REQUIREMENTS.--

A. Bus routes shall be established by the local
school district.

B. Except as provided in Subsections C and [D] E of
this section, no school bus route shall be maintained for
distances less than:

.206044.1

underscoring material = new
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1 (1) one mile one way for students in grades
2 kindergarten through six;

3 (2) one and one-half miles one way for
4 students in grades seven through nine; and

5 (3) two miles one way for students in grades
6 ten through twelve.

7 C. In school districts having hazardous walking
8 conditions as determined by the local school board and
9 confirmed by the state transportation director, students of any
10 grade may be transported a lesser distance than that provided
11 in Subsection B of this section. General standards for
12 determining hazardous walking conditions shall be established
13 by the state transportation division of the department [~~of~~
14 ~~education~~] with the approval of the [~~state board~~] department,
15 but the standards shall be flexibly and not rigidly applied by
16 the local school board and the state transportation director to
17 prevent accidents and help ensure student safety.

18 D. Notwithstanding department rule, a school
19 district with from one to six students enrolled in the school
20 district whose residence, within the boundaries of the school
21 district, is five or more miles from the student's or students'
22 school or schools shall be able to provide transportation to
23 and from school by means of a school-district-owned, minimum
24 six-passenger, full-size, extended-length, sport utility
25 vehicle driven by a duly licensed school district employee,

.206044.1

underscored material = new
~~[bracketed material] = delete~~

1 with both the vehicle and driver insured by the public school
2 insurance authority; provided that the local superintendent is
3 able to demonstrate to the department's state transportation
4 director a savings of five thousand dollars (\$5,000) or more
5 from the school district's state transportation allocation.

6 ~~[D-]~~ E. Exceptional children whose handicaps
7 require transportation and three- and four-year-old children
8 who meet the ~~[state board approved]~~ department-approved
9 criteria and definition of developmentally disabled may be
10 transported a lesser distance than that provided in Subsection
11 B of this section."