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SENATE BILL 5054

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State of Washington

65th Legislature

2017 Regular Session

By Senator Dansel

1 AN ACT Relating to student transportation safety; and amending  
2 RCW 28A.160.010, 28A.160.195, and 46.37.630.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.160.010 and 1990 c 33 s 132 are each amended to  
5 read as follows:

6 (1) The operation of each local school district's student  
7 transportation program is declared to be the responsibility of the  
8 respective board of directors, and each board of directors shall  
9 determine such matters as which individual students shall be  
10 transported and what routes shall be most efficiently utilized. State  
11 moneys allocated to local districts for student transportation shall  
12 be spent only for student transportation activities, but need not be  
13 spent by the local district in the same manner as calculated and  
14 allocated by the state.

15 (2) A school district is authorized to provide for the  
16 transportation of students enrolled in the school or schools of the  
17 district both in the case of students who reside within the  
18 boundaries of the district and of students who reside outside the  
19 boundaries of the district.

20 (3) When children are transported from one school district to  
21 another the board of directors of the respective districts may enter

1 into a written contract providing for a division of the cost of such  
2 transportation between the districts.

3 (4) School districts may use school buses and drivers hired by  
4 the district or commercial chartered bus service for the  
5 transportation of school children and the school employees necessary  
6 for their supervision to and from any school activities within or  
7 without the school district during or after school hours and whether  
8 or not a required school activity, so long as the school board has  
9 officially designated it as a school activity. For any extra-  
10 curricular uses, the school board shall charge an amount sufficient  
11 to reimburse the district for its cost.

12 (5) Any school bus purchased by a school district after the  
13 effective date of this section must have safety belts for each person  
14 riding the bus, in addition to any other specifications required by  
15 rule of the superintendent of public instruction.

16 (6) In addition to the right to contract for the use of buses  
17 provided in RCW 28A.160.080 and 28A.160.090, any school district may  
18 contract to furnish the use of school buses of that district to other  
19 users who are engaged in conducting an educational or recreational  
20 program supported wholly or in part by tax funds or programs for  
21 elderly persons at times when those buses are not needed by that  
22 district and under such terms as will fully reimburse such school  
23 district for all costs related or incident thereto: PROVIDED,  
24 HOWEVER, That no such use of school district buses shall be permitted  
25 except where other public or private transportation certificated or  
26 licensed by the Washington utilities and transportation commission is  
27 not reasonably available to the user: PROVIDED FURTHER, That no user  
28 shall be required to accept any charter bus for services which the  
29 user believes might place the health or safety of the children or  
30 elderly persons in jeopardy.

31 (7) Whenever any persons are transported by the school district  
32 in its own motor vehicles and by its own employees, the board may  
33 provide insurance to protect the district against loss, whether by  
34 reason of theft, fire or property damage to the motor vehicle or by  
35 reason of liability of the district to persons from the operation of  
36 such motor vehicle.

37 (8) The board may provide insurance by contract purchase for  
38 payment of hospital and medical expenses for the benefit of persons  
39 injured while they are on, getting on, or getting off any vehicles  
40 enumerated herein without respect to any fault or liability on the

1 part of the school district or operator. This insurance may be  
2 provided without cost to the persons notwithstanding the provisions  
3 of RCW 28A.400.350.

4 (9) If the transportation of children or elderly persons is  
5 arranged for by contract of the district with some person, the board  
6 may require such contractor to procure such insurance as the board  
7 deems advisable.

8 **Sec. 2.** RCW 28A.160.195 and 2005 c 492 s 1 are each amended to  
9 read as follows:

10 (1) The superintendent of public instruction, in consultation  
11 with the regional transportation coordinators of the educational  
12 service districts, shall establish a minimum number of school bus  
13 categories considering the capacity and type of vehicles required by  
14 school districts in Washington. The superintendent, in consultation  
15 with the regional transportation coordinators of the educational  
16 service districts, shall establish competitive specifications for  
17 each category of school bus. The categories shall be developed to  
18 produce minimum long-range operating costs, including costs of  
19 equipment and all costs in operating the vehicles. The competitive  
20 specifications shall meet federal motor vehicle safety  
21 standards(( $\tau$ )); minimum state specifications as established by rule  
22 by the superintendent, which in addition to any other specifications,  
23 must require safety belts for each person riding a bus purchased  
24 after the effective date of this section; and supported options as  
25 determined by the superintendent in consultation with the regional  
26 transportation coordinators of the educational service districts. The  
27 superintendent may solicit and accept price quotes for a rear-engine  
28 category school bus that shall be reimbursed at the price of the  
29 corresponding front engine category.

30 (2) After establishing school bus categories and competitive  
31 specifications, the superintendent of public instruction shall  
32 solicit competitive price quotes for base buses from school bus  
33 dealers to be in effect for one year and shall establish a list of  
34 all accepted price quotes in each category obtained under this  
35 subsection. The superintendent shall also solicit price quotes for  
36 optional features and equipment.

37 (3) The superintendent shall base the level of reimbursement to  
38 school districts and educational service districts for school buses  
39 on the lowest quote for the base bus in each category. School

1 districts and educational service districts shall be reimbursed for  
2 buses purchased only through a lowest-price competitive bid process  
3 conducted under RCW 28A.335.190 or through the state bid process  
4 established by this section.

5 (4) Notwithstanding RCW 28A.335.190, school districts and  
6 educational service districts may purchase at the quoted price  
7 directly from any dealer who is on the list established under  
8 subsection (2) of this section. School districts and educational  
9 service districts may make their own selections for school buses, but  
10 shall be reimbursed at the rates determined under subsection (3) of  
11 this section and RCW 28A.160.200. District-selected options shall not  
12 be reimbursed by the state.

13 (5) This section does not prohibit school districts or  
14 educational service districts from conducting their own competitive  
15 bid process.

16 (6) The superintendent of public instruction may adopt rules  
17 under chapter 34.05 RCW to implement this section.

18 **Sec. 3.** RCW 46.37.630 and 1995 c 141 s 3 are each amended to  
19 read as follows:

20 (1) A private school bus is subject to the requirements set forth  
21 in the National Standards for School Buses established by the  
22 national safety council in effect at the time of the bus manufacture,  
23 as adopted by rule by reference by the chief of the Washington state  
24 patrol.

25 (2) A private school bus manufactured before 1980 must meet the  
26 minimum standards set forth in the 1980 edition of the National  
27 Standards for School Buses.

28 (3) A private school bus purchased after the effective date of  
29 this section must be equipped with safety belts for each person  
30 riding the bus as specified by the rules of the superintendent of  
31 public instruction.

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