



February 28, 2014

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# ENGROSSED HOUSE BILL No. 1303

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DIGEST OF HB 1303 (Updated February 26, 2014 5:44 pm - DI 71)

**Citations Affected:** IC 20-27.

**Synopsis:** School bus safety. Provides that the driver of a special purpose bus or school bus (bus) at the time of the inspection shall be notified of an out-of-service order and a copy shall be made available on the Internet web site of the state police department. (Current law provides that a copy of the out-of-service order is to be forwarded to the governing body of the school corporation that controls the operation of the bus.) Requires the state school bus committee to adopt and enforce rules that require that each school bus placed into service for the first time bear in black letter on the back of the school bus: (1) an indication that the school bus is required to stop at all railroad crossings; and (2) the name of the school corporation. Provides that an individual who is or intends to become a school bus driver must obtain a physical examination certificate from an individual who is registered in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners. Provides that a school corporation shall determine how a certified medical examiner who is to conduct the physical examination is chosen and who must pay for the physical examination.

**Effective:** Upon passage; July 1, 2014.

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## VanNatter, Riecken, Zent, Hale

(SENATE SPONSORS — YODER, KRUSE, ROGERS, BRODEN)

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January 15, 2014, read first time and referred to Committee on Education.

January 27, 2014, amended, reported — Do Pass.

January 29, 2014, read second time, amended, ordered engrossed.

January 30, 2014, engrossed. Read third time, passed. Yeas 95, nays 0.

#### SENATE ACTION

February 4, 2014, read first time and referred to Committee on Education and Career Development.

February 27, 2014, amended, reported favorably — Do Pass.

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EH 1303—LS 6573/DI 96





February 28, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1303

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-27-3-5, AS ADDED BY P.L.1-2005, SECTION  
2 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]: Sec. 5. (a) The committee shall adopt and enforce rules  
4 under IC 4-22-2 to require that each new school bus operated by or on  
5 behalf of a school corporation bear the ~~number name~~ of the school  
6 district on the back of the school bus in black letters that are at least  
7 four (4) inches and not more than six (6) inches high.

8 (b) **The committee shall adopt and enforce rules under IC 4-22-2**  
9 **to require that each school bus placed into service for the first time**  
10 **by a school corporation or nonpublic school bear an indication on**  
11 **the back of the school bus in black letters that the school bus is**  
12 **required to stop at all railroad crossings.**

13 SECTION 2. IC 20-27-7-13, AS ADDED BY P.L.1-2005,  
14 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2014]: Sec. 13. If:

16 (1) after being repaired under section 11 of this chapter a special

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1 purpose bus or school bus does not meet the minimum standards  
2 under this chapter; or

3 ~~(2) a special purpose bus or school bus is not repaired to meet the~~  
4 ~~minimum standards under this chapter;~~

5 **(2) a special purpose bus or school bus does not comply with**  
6 **the safety requirements for school bus construction and**  
7 **equipment established by the rules of the committee and the**  
8 **noncompliance is a serious safety critical violation, as**  
9 **determined by the committee;**

10 the state police department shall issue an out-of-service order and  
11 certificate for the special purpose bus or school bus. ~~Each~~  
12 ~~out-of-service order and certificate shall be served personally on~~ The  
13 driver of the special purpose bus or school bus **at the time of the**  
14 **inspection shall be notified of the out-of-service order** and a copy  
15 shall be ~~forwarded to~~ **made available on the Internet web site of the**  
16 **state police department for** the governing body of the school  
17 corporation that controls the operation of the special purpose bus or  
18 school bus. ~~After an out-of-service order and certificate have been~~  
19 ~~issued, the affected special purpose bus or school bus may not be used~~  
20 ~~to transport passengers until all defects have been corrected.~~

21 SECTION 3. IC 20-27-7-14.5 IS ADDED TO THE INDIANA  
22 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 14.5. After:**

24 **(1) an out-of-service order and an out-of-service certificate**  
25 **have been issued under section 13 of this chapter; and**

26 **(2) the out-of-service certificate has been displayed or**  
27 **positioned as set forth in section 14 of this chapter;**

28 **the affected special purpose bus or school bus may not be used to**  
29 **transport passengers until all defects have been corrected.**

30 SECTION 4. IC 20-27-8-4, AS AMENDED BY P.L.82-2009,  
31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2014]: Sec. 4. An individual who is or intends to become a  
33 school bus driver must obtain a physical examination certificate stating  
34 that the individual possesses the physical characteristics required by  
35 section 1(a)(7) of this chapter. The certificate shall be made by a  
36 ~~physician who is licensed in Indiana or a state bordering Indiana after~~  
37 ~~the physician~~ **an individual who is registered in the Federal Motor**  
38 **Carrier Safety Administration's National Registry of Certified**  
39 **Medical Examiners after the certified medical examiner** has  
40 conducted a physical examination of the school bus driver or  
41 prospective school bus driver. ~~The physician shall be chosen by the~~  
42 school bus driver or prospective driver; who shall pay for the



1 ~~examination.~~ The school corporation shall determine how the  
2 certified medical examiner who is to conduct the physical  
3 examination is chosen and who must pay for the physical  
4 examination.

5 SECTION 5. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1303, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-27-3-5, AS ADDED BY P.L. 1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The committee shall adopt and enforce rules under IC 4-22-2 to require that each new school bus operated by or on behalf of a school corporation bear the number of the school district on the back of the school bus in black letters that are at least four (4) inches and not more than six (6) inches high.

**(b) The committee shall adopt and enforce rules under IC 4-22-2 to require that each school bus placed into service for the first time by a school corporation or nonpublic school bear an indication on the back of the school bus in black letters that the school bus is required to stop at all railroad crossings."**

Page 2, after line 12, begin a new paragraph and insert:

"SECTION 4. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1303 as introduced.)

BEHNING, Chair

Committee Vote: yeas 10, nays 0.



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1303 be amended to read as follows:

Page 2, strike lines 3 through 4, begin a new line block indented and insert:

**"(2) a special purpose bus or school bus does not comply with the safety requirements for school bus construction and equipment established by the rules of the committee and the noncompliance is a serious safety critical violation, as determined by the committee;"**.

(Reference is to HB 1303 as printed January 27, 2014.)

VANNATTER

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 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1303, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, strike "number" and insert "**name**".

Page 2, between lines 29 and 30, begin a new paragraph and insert:

**"SECTION 4. IC 20-27-8-4, AS AMENDED BY P.L.82-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. An individual who is or intends to become a school bus driver must obtain a physical examination certificate stating that the individual possesses the physical characteristics required by section 1(a)(7) of this chapter. The certificate shall be made by a physician who is licensed in Indiana or a state bordering Indiana after the physician an individual who is registered in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners after the certified medical examiner has conducted a physical examination of the school bus driver or prospective school bus driver. The physician shall be chosen by the school bus driver or prospective driver, who shall pay for the examination. The school corporation shall determine how the certified medical examiner who is to conduct the physical**



**examination is chosen and who must pay for the physical examination."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1303 as reprinted January 30, 2014.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0.

