

1 AN ACT relating to bus operation safety.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) No later than one (1) year after the effective date of this Act, the Department of*
6 *Education shall develop a risk reduction program for school bus operators to*
7 *improve safety by reducing the number and rate of accidents, injuries, assaults on*
8 *school bus operators, and fatalities.*

9 *(2) The risk reduction program shall be developed:*

10 *(a) By conducting risk analysis on school bus operations; and*

11 *(b) In cooperation with the Transportation Cabinet.*

12 *(3) The risk reduction program created under this section shall include an*
13 *implementation plan for:*

14 *(a) The reduction of vehicular and pedestrian accidents involving school buses*
15 *that includes:*

16 *1. Deployment of driver assistance technologies for school bus operators*
17 *that reduce or prevent accidents; and*

18 *2. Measures to reduce visibility impairments for school bus operators*
19 *that contribute to accidents, including retrofits to buses and*
20 *specifications for future procurements that reduce visibility*
21 *impairments;*

22 *(b) School bus assault mitigation, including:*

23 *1. The deployment of assault mitigation infrastructure and technology*
24 *on school buses, including barriers to restrict the unwanted entry of*
25 *individuals and objects into school bus operators' workstations when*
26 *the cabinet's risk analysis determines that such barriers would reduce*
27 *assaults on and injuries to school bus operators; and*

- 1 2. Conflict de-escalation training for school bus operators;
- 2 (c) Installation of seating and modification to design specifications of school
- 3 bus operator workstations that reduce or prevent injuries from ergonomic
- 4 risks; and
- 5 (d) Any other measures that the cabinet determines would significantly reduce
- 6 the number and rate of accidents, injuries, assaults on bus operators, and
- 7 fatalities related to bus operations.
- 8 (4) No later than two (2) years after the effective date of this Act, local school boards
- 9 shall implement the risk reduction program developed under this section to public
- 10 schools under its jurisdiction.
- 11 (5) A school board that has implemented a risk reduction program created under this
- 12 section shall report to the Department of Education and the Transportation
- 13 Cabinet any information on each assault of a school bus operator subject to
- 14 provisions this section.
- 15 (6) The requirements of this section shall apply to public charter schools as a health
- 16 and safety requirement under KRS 160.1592(1).
- 17 (7) The Department of Education shall promulgate administrative regulations in
- 18 accordance with KRS Chapter 13A to implement this section.
- 19 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 281 IS CREATED TO
- 20 READ AS FOLLOWS:
- 21 (1) No later than one (1) year after the effective date of this Act, the Transportation
- 22 Cabinet shall develop a risk reduction program for bus operators to improve
- 23 safety by reducing the number and rate of accidents, injuries, assaults on bus
- 24 operators, and fatalities.
- 25 (2) The program shall be developed:
- 26 (a) By conducting risk analysis on bus operations;
- 27 (b) In cooperation with transit authorities and bus operators.

1 (3) The risk reduction program created under this section shall include:

2 (a) The reduction of vehicular and pedestrian accidents involving buses that
3 includes:

4 1. Deployment of driver assistance technologies for bus operators that
5 reduce or prevent accidents; and

6 2. Measures to reduce visibility impairments for bus operators that
7 contribute to accidents, including retrofits to buses, revenue service,
8 and specifications for future procurements that reduce visibility
9 impairments;

10 (b) Bus assault mitigation, including:

11 1. The deployment of assault mitigation infrastructure and technology
12 on buses, including barriers to restrict the unwanted entry of
13 individuals and objects into bus operators' workstations when the
14 cabinet's risk analysis determines that such barriers would reduce
15 assaults on and injuries to bus operators; and

16 2. Conflict de-escalation training for bus operators;

17 (c) Installation of seating and modification to design specifications of bus
18 operator workstations that reduce or prevent injuries from ergonomic risks;
19 and

20 (d) Any other measures that the cabinet determines would significantly reduce
21 the number and rate of accidents, injuries, assaults on bus operators, and
22 fatalities related to bus operations.

23 (4) Any program created under this section shall be implemented by any transit
24 authority, holder of a bus certificate, or holder of a charter bus certificate:

25 (a) No later than two (2) years of the effective date of this Act for any existing
26 certificate holder or transit authority;

27 (b) Within two (2) years of the effective date of this Act for new certificate

1 holders or transit authorities created within two (2) years of the effective
 2 date of this Act; and

3 (c) Prior to issuance of the certificate or the creation of a transit authority for
 4 applications submitted two (2) years or more after the effective date of this
 5 Act.

6 (5) (a) An entity required to develop and implement a program under this section
 7 shall report to the cabinet any information on each assault of a bus driver
 8 operating under any entity subject to this section.

9 (b) Assault data submitted by a transit authority or any public entity operating
 10 a regular route under a bus certificate shall be submitted by the cabinet for
 11 inclusion in the National Transit Database.

12 (c) The data submitted under paragraph (b) of this subsection shall be separate
 13 from the reporting on other safety incidents in the National Transit
 14 Database.

15 ➔Section 3. KRS 281.990 is amended to read as follows:

16 (1) Except as provided in subsection (4) of this section, a person shall be fined not less
 17 than twenty-five dollars (\$25) and no more than two hundred dollars (\$200), if the
 18 person:

19 (a) Violates, causes, aids, or abets any violation of the provisions of this chapter,
 20 or any order, rule, or administrative regulation lawfully issued pursuant to
 21 authority granted by this chapter;

22 (b) Knowingly makes any false or erroneous statement, report, or representation
 23 to the Department of Vehicle Regulation with respect to any matter placed
 24 under the jurisdiction of the department by this chapter;

25 (c) Knowingly makes any false entry in the accounts or records required to be
 26 kept pursuant to the authority granted by this chapter; or

27 (d) Knowingly fails to keep, or knowingly destroys or mutilates, any accounts or

1 records.

2 Every device to evade or to prevent the application of any provision of this chapter,
3 or any lawful order, rule or administrative regulation of the department issued
4 pursuant thereto, shall constitute a violation thereof.

5 (2) (a) Any person who violates KRS 281.630(1) or 281.631(1) shall be fined not less
6 than five hundred dollars (\$500) nor more than three thousand five hundred
7 dollars (\$3,500).

8 (b) Any person who operates as a motor carrier in violation of the terms of his or
9 her certificate or motor carrier vehicle license shall be fined not less than five
10 hundred dollars (\$500) nor more than three thousand five hundred dollars
11 (\$3,500).

12 (3) A person who violates KRS 281.630(9) shall not be subject to a penalty under this
13 section.

14 (4) (a) Except as provided in this subsection, any person who violates KRS 281.757
15 shall be fined two hundred fifty dollars (\$250) for each offense.

16 (b) A person who is cited for a violation of KRS 281.757 in which the lights were
17 inoperable or the reflectors were missing may, within thirty (30) days from the
18 date of the citation, provide proof to the county attorney of the county in
19 which the offense occurred that the mechanical problem has been repaired and
20 that the lights are in working order or that the required reflectors have been
21 placed on the vehicle. If such proof is shown, the citation shall be dismissed.

22 (c) A law enforcement officer and the department shall not issue a citation to a
23 person as violating KRS 281.757 if the atmospheric conditions all motorists
24 were subjected to at the time the person is stopped reasonably limit the ability
25 of a person to keep the vehicle's lights or reflectors from being obscured by
26 dirt, mud, or debris.

27 **(5) (a) Any person or entity that has not complied with the program**

1 implementation provisions of Section 2 of this Act shall be subject to an
2 initial fine of five thousand dollars (\$5,000).

3 (b) If the program required under Section 2 of this Act is not implemented
4 within fourteen (14) days after the assessment of the fine outlined in
5 paragraph (a) of this subsection, the person or entity shall be subject to an
6 additional fine of two hundred fifty dollars (\$250) per day, until the
7 program is implemented.