

**RCW 28A.160.010 Operation of student transportation program—
Responsibility of local district—Scope—Transporting of elderly—
Insurance.** The operation of each local school district's student transportation program is declared to be the responsibility of the respective board of directors, and each board of directors shall determine such matters as which individual students shall be transported and what routes shall be most efficiently utilized except as provided in RCW 28A.160.240. State moneys allocated to local districts for student transportation shall be spent only for student transportation activities, but need not be spent by the local district in the same manner as calculated and allocated by the state.

A school district is authorized to provide for the transportation of students enrolled in the school or schools of the district both in the case of students who reside within the boundaries of the district and of students who reside outside the boundaries of the district.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

School districts may use school buses and drivers hired by the district or commercial chartered bus service for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extracurricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

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

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

The board may provide insurance by contract purchase for payment of hospital and medical expenses for the benefit of persons injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the persons notwithstanding the provisions of RCW 28A.400.350.

If the transportation of children or elderly persons is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable. [2020 c 339 s 3; 1990 c 33 s 132; 1986 c 32 s 1; 1983 1st ex.s. c 61 s 1; 1981 c 265 s 10; 1980 c 122 s 2; 1973 c 45 s 1; 1971 c 24 s 3; 1969 ex.s. c 153 s 3; 1969 ex.s. c 223 s 28A.24.055. Prior: (i) 1969 c 53 s 1; 1967 ex.s. c 29 s 1, part; 1967 c 12 s 1, part; 1965 ex.s. c 49 s 1, part; 1963 c 104 s 1, part; 1963 c 5 s 1, part; 1961 c 305 s 1, part; 1961 c 237 s 1, part; 1961 c 66 s 1, part; 1955 c 68 s 2, part; prior: 1943 c 52 s 1, part; 1941 c 179 s 1, part; 1939 c 131 s 1, part; 1925 ex.s. c 57 s 1, part; 1919 c 90 s 3, part; 1915 c 44 s 1, part; 1909 c 97 p 285 s 2, part; 1907 c 240 s 5, part; 1903 c 104 s 17, part; Rem. Supp. 1943 s 4776, part. Formerly RCW 28.58.100, part. (ii) 1965 ex.s. c 86 s 1. Formerly RCW 28A.24.055, 28.58.421.]

Severability—1983 1st ex.s. c 61: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1983 1st ex.s. c 61 s 9.]

Effective date—Severability—1981 c 265: See notes following RCW 28A.160.150.

Elderly persons defined—Program limitation: RCW 28A.160.070.