
SENATE BILL 6436

State of Washington

54th Legislature

1996 Regular Session

By Senator Fraser

Read first time 01/15/96. Referred to Committee on Education.

1 AN ACT Relating to use of school transportation funds for
2 sidewalks; amending RCW 28A.160.010; and adding a new section to
3 chapter 28A.160 RCW.

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

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

7 The operation of each local school district's student
8 transportation program is declared to be the responsibility of the
9 respective board of directors, and each board of directors shall
10 determine such matters as which individual students shall be
11 transported and what routes shall be most efficiently utilized. State
12 moneys allocated to local districts for student transportation shall be
13 spent only for student transportation activities except as permitted in
14 section 2 of this act, but need not be spent by the local district in
15 the same manner as calculated and allocated by the state.

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

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

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

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

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

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

1 If the transportation of children or elderly persons is arranged
2 for by contract of the district with some person, the board may require
3 such contractor to procure such insurance as the board deems advisable.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.160
5 RCW to read as follows:

6 (1) School districts may use school transportation funds to pay for
7 all or part of a sidewalk construction project if an analysis of the
8 proposed project can demonstrate that future transportation costs to
9 the district will be reduced due to fewer buses being needed or fewer
10 students using the buses.

11 (2) School districts may apply to the superintendent of public
12 instruction for additional, one-time allocations of funds to invest in
13 sidewalk construction projects.

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