
SENATE BILL 5009

State of Washington

69th Legislature

2025 Regular Session

By Senators Braun and Wellman

Prefiled 12/03/24.

1 AN ACT Relating to modifying the student transportation
2 allocation to accommodate multiple vehicle types for transporting
3 students; and amending RCW 28A.160.150, 28A.160.170, 28A.160.180,
4 28A.160.195, and 28A.160.210.

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

6 **Sec. 1.** RCW 28A.160.150 and 2009 c 548 s 304 are each amended to
7 read as follows:

8 Funds allocated for transportation costs, except for funds
9 provided for transportation and transportation services to and from
10 school shall be in addition to the basic education allocation. The
11 distribution formula developed in RCW 28A.160.150 through 28A.160.180
12 shall be for allocation purposes only and shall not be construed as
13 mandating specific levels of pupil transportation services by local
14 districts nor the type of vehicle to be used for pupil
15 transportation. School districts are encouraged to use the vehicle
16 type deemed by a district to be the safest and most cost-effective
17 manner of transporting its students, including using school buses and
18 vans, and may use the student transportation allocation accordingly.
19 Operating costs as determined under RCW 28A.160.150 through
20 28A.160.180 shall be funded at (~~one hundred~~) 100 percent or as
21 close thereto as reasonably possible for transportation of an

1 eligible student to and from school as defined in RCW 28A.160.160(3).
2 In addition, funding shall be provided for transportation services
3 for students living within the walk area as determined under RCW
4 28A.160.160(5).

5 **Sec. 2.** RCW 28A.160.170 and 2021 c 234 s 3 are each amended to
6 read as follows:

7 Each district shall submit three times each year to the
8 superintendent of public instruction during October, February, and
9 May of each year a report containing the following:

10 (1)(a) The number of eligible students transported to and from
11 school as provided for in RCW 28A.160.150, along with identification
12 of stop locations and school locations, and (b) the number of miles
13 driven per vehicle type for pupil transportation services as
14 authorized in RCW 28A.160.150 the previous school year; and

15 (2) Other operational data and descriptions as required by the
16 superintendent to determine allocation requirements for each
17 district. The superintendent shall require that districts separate
18 the costs of operating the program for the transportation of eligible
19 students to and from school as defined by RCW 28A.160.160(3), non-to-
20 and-from-school pupil transportation costs, and costs to provide
21 expanded services under RCW 28A.160.185(1) in the annual financial
22 statement. The cost, quantity, and type of all fuel purchased by
23 school districts for use in to-and-from-school transportation shall
24 be included in the annual financial statement.

25 Each district shall submit the information required in this
26 section on a timely basis as a condition of the continuing receipt of
27 school transportation moneys.

28 **Sec. 3.** RCW 28A.160.180 and 2009 c 548 s 307 are each amended to
29 read as follows:

30 Each district's annual student transportation allocation shall be
31 determined by the superintendent of public instruction in the
32 following manner:

33 (1) The superintendent shall annually calculate the
34 transportation allocation for those services provided for in RCW
35 28A.160.150, inclusive of all vehicle types used. The allocation
36 formula may be adjusted to include such additional differential
37 factors as basic and special passenger counts as defined by the

1 superintendent of public instruction, average distance to school, and
2 number of locations served.

3 (2) The allocation shall be based on a regression analysis of the
4 number of basic and special students transported and as many other
5 site characteristics that are identified as being statistically
6 significant.

7 (3) The transportation allocation for transporting students in
8 district-owned passenger cars, as defined in RCW 46.04.382, pursuant
9 to RCW 28A.160.010 for services provided for in RCW 28A.160.150 if a
10 school district deems it advisable to use such vehicles after the
11 school district board of directors has considered the safety of the
12 students being transported as well as the economy of utilizing a
13 district-owned passenger car in lieu of a school bus (~~is the private~~
14 ~~vehicle reimbursement rate in effect on September 1st of each school~~
15 ~~year~~) must be included in the overall determination of the
16 district's annual student transportation allocation. Students
17 transported in district-owned passenger cars must be included in the
18 corresponding basic or special passenger counts, average distance to
19 school, and number of locations served.

20 (4) Prior to June 1st of each year the superintendent shall
21 submit to the office of financial management, and the education and
22 fiscal committees of the legislature, a report outlining the
23 methodology and rationale used in determining the statistical
24 coefficients for each site characteristic used to determine the
25 allocation for the following year.

26 **Sec. 4.** RCW 28A.160.195 and 2024 c 345 s 4 are each amended to
27 read as follows:

28 (1) The superintendent of public instruction, in consultation
29 with the regional transportation coordinators of the educational
30 service districts, shall establish a minimum number of (~~school bus~~)
31 student transportation vehicle categories considering the capacity
32 and type of vehicles required by school districts in Washington. The
33 superintendent, in consultation with the regional transportation
34 coordinators of the educational service districts, shall establish
35 competitive specifications for each category of (~~school bus~~)
36 vehicle. The categories shall be developed to produce minimum long-
37 range operating costs, including costs of equipment and all costs in
38 operating the vehicles. The competitive specifications shall meet
39 federal motor vehicle safety standards, minimum state specifications

1 as established by rule by the superintendent, and supported options
2 as determined by the superintendent in consultation with the regional
3 transportation coordinators of the educational service districts. The
4 superintendent may solicit and accept price quotes for a rear-engine
5 category school bus that shall be reimbursed at the price of the
6 corresponding front engine category.

7 (2) After establishing (~~school-bus~~) vehicle categories and
8 competitive specifications, the superintendent of public instruction
9 shall solicit competitive price quotes for base (~~buses~~) vehicles
10 from (~~school-bus~~) dealers to be in effect for one year and shall
11 establish a list of all accepted price quotes in each category
12 obtained under this subsection. The superintendent shall also solicit
13 price quotes for optional features and equipment.

14 (3) (a) The superintendent shall base the level of reimbursement
15 to school districts and educational service districts for (~~school~~
16 ~~buses~~) vehicles on the lowest quote for the base (~~bus~~) vehicle in
17 each category. School districts and educational service districts
18 shall be reimbursed for (~~buses~~) vehicles purchased only through a
19 lowest-price competitive bid process conducted under RCW 28A.335.190
20 or through the state bid process established by this section.

21 (b) Once the total cost of ownership of zero emission school
22 buses is at or below the total cost of ownership of diesel school
23 buses, as determined under the formulas adopted by rule pursuant to
24 RCW 28A.160.260, school districts may only receive reimbursement for
25 the purchase of zero emission school buses, unless the district has
26 been granted an exception under RCW 28A.160.260(3). For the purposes
27 of this subsection, "zero emission school bus" means a school bus
28 that produces zero exhaust emission of any air pollutant and any
29 greenhouse gas other than water vapor. This subsection (3)(b) does
30 not apply to passenger vans used in lieu of school buses.

31 (4) Notwithstanding RCW 28A.335.190, school districts and
32 educational service districts may purchase at the quoted price
33 directly from any dealer who is on the list established under
34 subsection (2) of this section. School districts and educational
35 service districts may make their own selections for (~~school-buses~~)
36 vehicles, but shall be reimbursed at the rates determined under
37 subsection (3) of this section and RCW 28A.160.200. District-selected
38 options shall not be reimbursed by the state.

1 (5) This section does not prohibit school districts or
2 educational service districts from conducting their own competitive
3 bid process.

4 (6) As used in this section, "student transportation vehicle" and
5 "vehicle" mean a school bus or passenger van used in lieu of a school
6 bus.

7 (7) The superintendent of public instruction may adopt rules
8 under chapter 34.05 RCW to implement this section.

9 **Sec. 5.** RCW 28A.160.210 and 2006 c 263 s 906 are each amended to
10 read as follows:

11 (1) In addition to other powers and duties, the superintendent of
12 public instruction shall adopt rules governing the training and
13 qualifications of school bus drivers. Such rules shall be designed to
14 insure that persons will not be employed to operate school buses
15 unless they possess such physical health and driving skills as are
16 necessary to safely operate school buses: PROVIDED, That such rules
17 shall insure that school bus drivers are provided a due process
18 hearing before any certification required by such rules is canceled:
19 PROVIDED FURTHER, That such rules shall not conflict with the
20 authority of the department of licensing to license school bus
21 drivers in accordance with chapter 46.25 RCW. The superintendent of
22 public instruction may obtain a copy of the driving record, as
23 maintained by the department of licensing, for consideration when
24 evaluating a school bus driver's driving skills.

25 (2) The rules adopted by the superintendent of public instruction
26 governing the training and qualifications of school bus drivers must
27 also apply to drivers transporting students in a Washington state
28 patrol-inspected school vehicle other than a school bus. A driver
29 that exclusively transports students in such a vehicle must have the
30 appropriate driver's license for the vehicle, and may not be required
31 to hold a commercial driver's license.

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