

# SENATE BILL REPORT

## ESHB 1006

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As Reported By Senate Committee On:  
Labor, Commerce & Trade, March 27, 1995

**Title:** An act relating to the definition of a school bus driver.

**Brief Description:** Defining school bus driver.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Carlson and Brumsickle).

**Brief History:**

**Committee Activity:** Labor, Commerce & Trade: 3/27/95 [DPA].

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### SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

**Majority Report:** Do pass as amended.

Signed by Senators Pelz, Chair; Deccio, Franklin, Fraser, Hale and Newhouse.

**Staff:** Jonathan Seib (786-7427)

**Background:** On March 19, 1993, the State Board of Education adopted new rules governing the transportation of school students. The new rules delineate two types of authorizations, dependent on the type of vehicle used to transport the student and the destination of the vehicle:

**Type I** is an authorization to operate a school bus or other motor vehicle for the purpose of transporting students to and from school routinely on scheduled routes and also transport students to school-related activities.

**Type II** is an authorization to operate a motor vehicle with a seating capacity of ten or fewer for the purpose of transporting students to and from school-related activities, but not on routinely scheduled routes between home and school. A Type II authorization is not needed for an employee who transports students in response to an emergency affecting health or safety.

**Summary of Amended Bill:** A school bus driver is defined as a person who operates a school bus or other vehicle for the routine transportation of students to and from school on scheduled routes. This definition precludes the State Board of Education from requiring the Type II authorization.

Effective September 1, 1996, school districts must have a policy on what qualifications are needed of employees who transport students to school sponsored activities. The policy must require that these employees and volunteers have a criminal background check and a driver's license check.

**Amended Bill Compared to Original Bill:** In the amended bill, the policy required of school districts by September 1, 1996 regarding qualifications to transport students does not apply to volunteers.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The existing regulations are too onerous on those other than those who routinely drive buses. This makes it very difficult to provide transportation for students to participate in special events. There is no demonstrated link to safety. The existing requirements amount to an unfunded mandate. They force schools to require students find their own transportation, perhaps increasing school district liability.

**Testimony Against:** It is unclear exactly which part of the existing regulations are onerous or unnecessary. A single set of rules for the entire state reduces the potential liability of the school districts. This is a safety issue, and should not be abrogated for administrative convenience.

**Testified:** PRO: Representative Carlson, prime sponsor; Dwayne Slate, School Directors; Dean Stenehjem, School for the Blind; Brad Smith, Don Larsen, Association of Washington School Principals; CON: Mike Ryherd, Teamsters; Lynn McKinnon, Public School Employees; Randi Parr, SEIU; Robby Stern, Washington State Labor Council.