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**SENATE BILL 5449**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Warnick, Dozier, and Torres

AN ACT Relating to the requirements for school buses used for purposes other than the transportation of students; and amending RCW 46.61.380.

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

**Sec.**  RCW 46.61.380 and 2002 c 29 s 1 are each amended to read as follows:

(1) The state superintendent of public instruction shall adopt and enforce rules not inconsistent with the law of this state to govern the design, marking, and mode of operation of all school buses owned and operated by any school district or privately owned and operated under contract or otherwise with any school district in this state for the transportation of school children.

(2) School districts shall not be prohibited from placing or displaying a flag of the United States on a school bus when it does not interfere with the vehicle's safe operation. The state superintendent of public instruction shall adopt and enforce rules not inconsistent with the law of this state to govern the size, placement, and display of the flag of the United States on all school buses referenced in subsection (1) of this section.

(3) Rules shall by reference be made a part of any such contract or other agreement with the school district. Every school district, its officers and employees, and every person employed under contract or otherwise by a school district is subject to such rules. It is unlawful for any officer or employee of any school district or for any person operating any school bus under contract with any school district to violate any of the provisions of such rules.

(4)(a) Whenever a school bus is purchased for and is being used for any purpose except to transport students, the purchaser shall:

(i) Remove the flasher lights;

(ii) Remove the stop arm;  and

(iii) Paint the bus any color, except the national standard school bus chrome yellow.

(b) Whenever a school bus is purchased for use, and is being used, as a private carrier bus as defined in RCW 46.04.416, the purchaser:

(i) May retain the flasher lights if the purchaser renders the flasher lights inoperable;

(ii) May retain the stop arm if the purchaser renders the stop arm inoperable;  and

(iii) Shall paint the bus any color except the national standard school bus chrome yellow.

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