

SENATE BILL No. 21

By Committee on Transportation

1-11

AN ACT concerning school transportation; relating to buses; amending K.S.A. 2000 Supp. 72-8301 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Except as provided by subsection (b), any school district or nonpublic school transporting students in a vehicle designed for transporting more than 10 passengers in addition to the driver, shall transport such students in a school bus, as defined in subsection (g) of K.S.A. 72-8301, and amendments thereto, or in a bus other than a school bus designated in clauses (3) and (4) of subsection (c) of K.S.A. 72-8301, and amendments thereto.

(b) Notwithstanding the provisions of subsection (a), any school district or nonpublic school which has purchased and has placed into operation prior to July 1, 2001, any motor vehicles designed for transporting more than 10 passengers, but less than 15 passengers, and is not a school bus, may continue to operate such motor vehicles for the purpose of transporting students until July 1, 2004.

Sec. 2. K.S.A. 2000 Supp. 72-8301 is hereby amended to read as follows: 72-8301. As used in this act:

(a) "Board" or "board of education" means the board of education of any school district.

(b) "School district" means any unified school district organized and operating under the laws of this state.

(c) The words "provide or furnish transportation" in addition to their ordinary meaning shall mean and include the right of a school district to:

- (1) Purchase, operate and maintain school buses and other motor vehicles;
- (2) contract, lease or hire school buses and other motor vehicles for the transportation of pupils, students and school personnel;
- (3) purchase, operate and maintain buses other than school buses for the transportation of pupils, students or school personnel to or from school-related functions or activities;
- (4) contract, lease or hire buses other than school buses for the transportation of pupils, students and school personnel if the buses are owned and operated by a public common carrier of passengers under a certificate of convenience and necessity granted by the state corporation commission or the interstate commerce commission and are operating

1 within the authority granted to the public common carrier; and (5) re-
2 imburse persons who furnish transportation to pupils, students or school
3 personnel in privately owned motor vehicles.

4 (d) "Student" or "pupil" means any person regularly enrolled in a
5 school district and attending school in such school district or regularly
6 enrolled in a school district and attending school in another school district
7 in accordance with the provisions of an agreement entered into under
8 authority of K.S.A. 72-8233, and amendments thereto.

9 (e) "Motor vehicle" means every motor vehicle, as defined in K.S.A.
10 8-126, and amendments thereto, which is designed for transporting ~~14~~
11 10 passengers or less.

12 (f) "Bus" means every motor vehicle, as defined in K.S.A. 8-126, and
13 amendments thereto, which is designed for transporting more than ~~14~~ 10
14 passengers in addition to the driver.

15 (g) "School bus" means: (1) Every bus designed primarily for the
16 transportation of pupils, students or school personnel to or from school
17 or to or from school-related functions or activities. This definition in-
18 cludes every such bus which is owned by a school district, or privately
19 owned and contracted for, leased or hired by a school district, and op-
20 erated for such transportation, and every such bus which is privately
21 owned and operated for such transportation, but does not include within
22 its meaning any bus designated in clauses (3) and (4) of subsection (c);
23 and (2) every bus designed for operation as a common carrier in urban
24 transportation. This definition includes every such bus which is owned
25 and operated for mass public transportation by a metropolitan transit
26 authority established under the provisions of article 28 of chapter 12 or
27 article 31 of chapter 13 of Kansas Statutes Annotated, and is contracted
28 for, leased or hired by a school district for the transportation of pupils,
29 students or school personnel to or from school or to or from school-
30 related functions or activities.

31 (h) "State board" means the state board of education.

32 Sec. 3. K.S.A. 2000 Supp. 72-8301 is hereby repealed.

33 Sec. 4. This act shall take effect and be in force from and after its
34 publication in the statute book.

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