

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2596

As Amended by House Committee of the Whole

Brief*

HB 2596, as amended, would authorize a school district board of education to contract with a transportation network company (TNC) to transport eight or fewer people to and from school or school-related activities, where appropriate, as a contract with the TNC could establish. The provisions would be added to the Kansas Transportation Network Company Services Act (TNC Services Act, KSA 2021 Supp. 8-2701 *et seq.*).

The bill would authorize a school district board of education to establish requirements in the contract that are in addition to requirements in the TNC Services Act. It also would authorize the Kansas State Department of Education to issue guidance to school districts on this topic.

The bill would require TNC drivers providing services under these contracts to undergo a criminal history record check like those required of employees or volunteers at a business or organization that provides care to children, people who are elderly, or individuals with disabilities.

The bill would require a TNC providing these services to provide an annual safety report to the State Board of Education for any safety incidents occurring within the previous calendar year and to name the school district as an additional insured party on the TNC's automobile insurance policy.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The bill would specify the TNC Services Act and the contract between a TNC and a school district board of education would govern the services provided, and rules and regulations of the State Board of Education concerning the transportation of students would not apply.

The bill would require a board of education that contracts with a TNC to provide school transportation services to:

- Provide notice to a student's parent or guardian that the student will be riding with a TNC;
- Provide an annual disclaimer to the parent or guardian of a student who may be transported by a TNC, that the school district uses TNC services, and that the relationship between the school district and the TNC is governed by a contract and not the rules and regulations of the State Board of Education;
- Permit the parent or guardian to not allow such student to ride with a TNC; and
- Maintain insurance coverage for students transported by a TNC that covers students as though the students were in the care, custody, and control of the school district even when being transported by a TNC.

Background

The bill was introduced by the House Committee on Transportation at the request of a representative of HopSkipDrive.

House Committee on Transportation

A representative of HopSkipDrive, a TNC, provided **proponent** testimony. The proponent noted requirements for drivers in the TNC Services Act and in company policies and stated certain department of education requirements the company had seen in various states are not applicable to TNC services. Written-only proponent testimony was provided by a representative of Aligned, described as a coalition of business leaders committed to improving education in Kansas.

A representative of United School Administrators of Kansas provided **opponent** testimony, stating concerns with safety and lack of Kansas State Department of Education oversight of the TNC services.

No other testimony was provided.

The House Committee amended the bill to authorize the Kansas State Department of Education to issue guidance to school districts contracting with a TNC and to require each TNC to provide an annual safety report to the State Board of Education.

House Committee of the Whole

The House Committee of the Whole amended the bill to:

- Add requirements of a school district that contracts for school transportation services with a TNC, to include providing notices to parents, permitting a parent or guardian to not allow such student to ride with a TNC, and maintaining insurance that covers the students transported by the TNC, and
- Require the TNC to name its contracting school district as an additional insured party on its automobile insurance policy.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, enactment of the bill would have no fiscal effect on state aid to school districts or the operations of the Kansas State Department of Education. Any costs would be borne by local school districts choosing to contract with a TNC.

Transportation network company; school; school district; contract; insurance