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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE NO. 665

February 5, 2007

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The bill was read for the first time and referred to the Transportation Finance Division

March 21, 2007

By motion, recalled and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to transportation; modifying school bus equipment standards; clarifying
1.3 pupil transportation requirements; defining multifunctional school activity bus;
1.4 creating a licensure exception; amending Minnesota Statutes 2006, sections
1.5 123B.88, subdivision 12; 123B.90, subdivision 2; 123B.92, subdivision 5;
1.6 169.01, subdivision 6, by adding a subdivision; 169.443, by adding a subdivision;
1.7 169.447, subdivision 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 5;
1.8 169.4503, subdivisions 13, 20; 171.02, subdivisions 2, 2a; 171.321, subdivision
1.9 4; repealing Minnesota Statutes 2006, sections 169.4502, subdivision 15;
1.10 169.4503, subdivisions 17, 18, 26.

1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12 Section 1. Minnesota Statutes 2006, section 123B.88, subdivision 12, is amended to
1.13 read:

1.14 Subd. 12. **Early childhood family education participants.** Districts may provide
1.15 bus transportation along ~~regular~~ school bus routes when space is available for participants
1.16 in early childhood family education programs and school readiness programs if these
1.17 services do not result in an increase in the district's expenditures for transportation.
1.18 The costs allocated to these services, as determined by generally accepted accounting
1.19 principles, shall be considered part of the authorized cost for ~~regular~~ transportation for
1.20 the purposes of section 123B.92.

1.21 **EFFECTIVE DATE.** This section is effective the day following final enactment
1.22 and applies for fiscal year 2007 and later.

1.23 Sec. 2. Minnesota Statutes 2006, section 123B.90, subdivision 2, is amended to read:

2.1 Subd. 2. **Student training.** (a) Each district must provide public school pupils
 2.2 enrolled in kindergarten through grade 10 with age-appropriate school bus safety training,
 2.3 as described in this section, of the following concepts:

- 2.4 (1) transportation by school bus is a privilege and not a right;
- 2.5 (2) district policies for student conduct and school bus safety;
- 2.6 (3) appropriate conduct while on the school bus;
- 2.7 (4) the danger zones surrounding a school bus;
- 2.8 (5) procedures for safely boarding and leaving a school bus;
- 2.9 (6) procedures for safe street or road crossing; and
- 2.10 (7) school bus evacuation.

2.11 (b) Each nonpublic school located within the district must provide all nonpublic
 2.12 school pupils enrolled in kindergarten through grade 10 who are transported by school
 2.13 bus at public expense and attend school within the district's boundaries with training as
 2.14 required in paragraph (a).

2.15 (c) Students enrolled in kindergarten through grade 6 who are transported by school
 2.16 bus and are enrolled during the first or second week of school must receive the school bus
 2.17 safety training competencies by the end of the third week of school. Students enrolled in
 2.18 grades 7 through 10 who are transported by school bus and are enrolled during the first or
 2.19 second week of school and have not previously received school bus safety training must
 2.20 receive the training or receive bus safety instructional materials by the end of the sixth
 2.21 week of school. Students taking driver's training instructional classes ~~and other students in~~
 2.22 ~~grades 9 and 10~~ must receive training in the laws and proper procedures when operating a
 2.23 motor vehicle in the vicinity of a school bus as required by section 169.446, subdivisions 2
 2.24 and 3. Students enrolled in kindergarten through grade 10 who enroll in a school after the
 2.25 second week of school and are transported by school bus and have not received training
 2.26 in their previous school district shall undergo school bus safety training or receive bus
 2.27 safety instructional materials within four weeks of the first day of attendance. Upon
 2.28 request of the superintendent of schools, the school transportation safety director in each
 2.29 district must certify to the superintendent ~~of schools annually~~ that all students transported
 2.30 by school bus within the district have received the school bus safety training according to
 2.31 this section. Upon request of the superintendent of the school district where the nonpublic
 2.32 school is located, the principal or other chief administrator of each nonpublic school must
 2.33 certify ~~annually~~ to the school transportation safety director of the district in which the
 2.34 school is located that the school's students transported by school bus at public expense
 2.35 have received training according to this section.

3.1 (d) A district and a nonpublic school with students transported by school bus at
3.2 public expense may provide kindergarten pupils with bus safety training before the first
3.3 day of school.

3.4 (e) A district and a nonpublic school with students transported by school bus at
3.5 public expense may also provide student safety education for bicycling and pedestrian
3.6 safety, for students enrolled in kindergarten through grade 5.

3.7 (f) A district and a nonpublic school with students transported by school bus at
3.8 public expense must make reasonable accommodations for the school bus safety training
3.9 of pupils known to speak English as a second language and pupils with disabilities.

3.10 (g) The district and a nonpublic school with students transported by school bus at
3.11 public expense must provide students enrolled in kindergarten through grade 3 school bus
3.12 safety training twice during the school year.

3.13 (h) A district and a nonpublic school with students transported by school bus at public
3.14 expense must conduct a school bus evacuation drill at least once during the school year.

3.15 **EFFECTIVE DATE.** This section is effective July 1, 2007.

3.16 Sec. 3. Minnesota Statutes 2006, section 123B.92, subdivision 5, is amended to read:

3.17 Subd. 5. **District reports.** (a) Each district must report data to the department as
3.18 required by the department to account for transportation expenditures.

3.19 (b) Salaries and fringe benefits of district employees whose primary duties are
3.20 other than transportation, including central office administrators and staff, building
3.21 administrators and staff, teachers, social workers, school nurses, and instructional aides,
3.22 must not be included in a district's transportation expenditures, except that a district may
3.23 include salaries and benefits according to paragraph (c) for (1) an employee designated
3.24 as the district transportation director, (2) an employee providing direct support to the
3.25 transportation director, or (3) an employee providing direct transportation services such as
3.26 a bus driver or bus aide.

3.27 (c) Salaries and fringe benefits of the district employees listed in paragraph (b),
3.28 clauses (1), (2), and (3), who work part time in transportation and part time in other areas
3.29 must not be included in a district's transportation expenditures unless the district maintains
3.30 documentation of the employee's time spent on pupil transportation matters in the form
3.31 and manner prescribed by the department.

3.32 (d) Pupil transportation expenditures, excluding expenditures for capital outlay,
3.33 leased buses, student board and lodging, crossing guards, and aides on buses, must
3.34 be allocated among transportation categories based on cost-per-mile, cost-per-student,
3.35 cost-per-hour, or cost-per-route, regardless of whether the transportation services are

4.1 provided on district-owned or contractor-owned school buses. Expenditures for school
 4.2 bus driver salaries and fringe benefits may either be directly charged to the appropriate
 4.3 transportation category or may be allocated among transportation categories based
 4.4 on cost-per-mile, cost-per-student, cost-per-hour, or cost-per-route. Expenditures
 4.5 by private contractors or individuals who provide transportation exclusively in one
 4.6 transportation category must be charged directly to the appropriate transportation category.
 4.7 Transportation services provided by contractor-owned school bus companies incorporated
 4.8 under different names but owned by the same individual or group of individuals must be
 4.9 treated as the same company for cost allocation purposes.

4.10 (c) Notwithstanding paragraph (d), districts contracting for transportation services
 4.11 are exempt from the standard cost allocation method for authorized and nonauthorized
 4.12 transportation categories if the district (1) bid its contracts separately for authorized and
 4.13 nonauthorized transportation categories, (2) received bids or quotes from more than one
 4.14 vendor for these transportation categories or can demonstrate that efforts were made to
 4.15 solicit bids or quotes through advertising, and (3) the district's cost-per-mile, cost-per-hour,
 4.16 or cost-per-route does not vary more than ten percent among authorized transportation
 4.17 categories, excluding expenditures for capital outlay, leased buses, student board and
 4.18 lodging, crossing guards, special equipment, and aides on buses. If the costs reported by
 4.19 the district for contractor-owned operations vary more than the parameters outlined above,
 4.20 the department shall require the district to reallocate its transportation costs, excluding
 4.21 salaries and fringe benefits of bus aids, among all categories.

4.22 **EFFECTIVE DATE.** This section is effective the day following final enactment
 4.23 and applies for fiscal year 2007 and later.

4.24 Sec. 4. Minnesota Statutes 2006, section 169.01, subdivision 6, is amended to read:

4.25 Subd. 6. **School bus.** (a) "School bus" means a motor vehicle used to transport
 4.26 pupils to or from a school defined in section 120A.22, or to or from school-related
 4.27 activities, by the school or a school district, or by someone under an agreement with the
 4.28 school or a school district. A school bus does not include a motor vehicle transporting
 4.29 children to or from school for which parents or guardians receive direct compensation
 4.30 from a school district, a motor coach operating under charter carrier authority, a transit
 4.31 bus providing services as defined in section 174.22, subdivision 7, ~~a multifunction school~~
 4.32 ~~activity bus as defined by federal motor vehicle safety standards~~, or a vehicle otherwise
 4.33 qualifying as a type III vehicle under paragraph ~~(5)~~ (6), when the vehicle is properly
 4.34 registered and insured and being driven by an employee or agent of a school district for

5.1 nonscheduled or nonregular transportation. A school bus may be type A, type B, type C,
5.2 ~~or~~ type D, a multifunctional school activity bus, or type III as follows:

5.3 (1) A "type A school bus" is a ~~van conversion or~~ bus constructed utilizing a cutaway
5.4 front section vehicle with a left-side driver's door. ~~The entrance door is behind the front~~
5.5 ~~wheels.~~ This definition includes two classifications: type A-I, with a gross vehicle weight
5.6 rating (GVWR) ~~less than or equal to 10,000~~ 14,500 pounds or less; and type A-II, with a
5.7 GVWR greater than ~~10,000~~ 14,500 pounds and less than or equal to 21,500 pounds.

5.8 (2) A "type B school bus" is constructed utilizing a stripped chassis. The entrance
5.9 door is behind the front wheels. This definition includes two classifications: type B-I,
5.10 with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater
5.11 than 10,000 pounds.

5.12 (3) A "type C school bus" is constructed utilizing a chassis with a hood and front
5.13 fender assembly. The entrance door is behind the front wheels. A "type C school bus" also
5.14 includes a cutaway truck chassis or truck chassis with cab with or without a left side door
5.15 and with a GVWR greater than 21,500 pounds.

5.16 (4) A "type D school bus" is constructed utilizing a stripped chassis. The entrance
5.17 door is ahead of the front wheels.

5.18 (5) A "multifunctional school activity bus" is a bus that meets the federal motor
5.19 vehicle safety standards definition, except for vehicles classified as type III school buses
5.20 according to paragraph (6).

5.21 (6) Type III school buses and type III Head Start buses are restricted to passenger
5.22 cars, station wagons, vans, and buses having a maximum manufacturer's rated seating
5.23 capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of
5.24 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the value
5.25 specified by the manufacturer as the loaded weight of a single vehicle. A "type III school
5.26 bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type
5.27 A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a
5.28 seating capacity of ten or fewer and placed in service on or after August 1, 1999, must
5.29 have been originally manufactured to comply with the passenger safety standards.

5.30 **EFFECTIVE DATE.** This section is effective January 1, 2008.

5.31 Sec. 5. Minnesota Statutes 2006, section 169.01, is amended by adding a subdivision
5.32 to read:

5.33 **Subd. 92. Cellular phone.** "Cellular phone" means a cellular, analog, wireless, or
5.34 digital telephone capable of sending or receiving telephone or text messages without
5.35 an access line for service.

6.1 Sec. 6. Minnesota Statutes 2006, section 169.443, is amended by adding a subdivision
6.2 to read:

6.3 Subd. 9. **Personal cellular phone call prohibition.** A school bus driver may not
6.4 operate a school bus while communicating over, or otherwise operating, a cellular phone
6.5 for personal reasons, whether hand-held or hands free, when the vehicle is in motion.

6.6 **EFFECTIVE DATE.** This section is effective July 1, 2007.

6.7 Sec. 7. Minnesota Statutes 2006, section 169.447, subdivision 2, is amended to read:

6.8 Subd. 2. **Driver seat belt.** ~~New~~ School buses and Head Start buses ~~manufactured~~
6.9 ~~after December 31, 1994,~~ must be equipped with driver seat belts and seat belt assemblies
6.10 of the type described in section 169.685, subdivision 3. School bus drivers and Head
6.11 Start bus drivers must use these seat belts.

6.12 **EFFECTIVE DATE.** This section is effective July 1, 2007.

6.13 Sec. 8. Minnesota Statutes 2006, section 169.4501, subdivision 1, is amended to read:

6.14 Subdivision 1. **National standards adopted.** Except as provided in sections
6.15 169.4502 and 169.4503, the construction, design, equipment, and color of types A, B, C,
6.16 ~~and D~~ and multifunctional school activity bus school buses used for the transportation
6.17 of school children shall meet the requirements of the "bus chassis standards" and "bus
6.18 body standards" in the ~~2000~~ 2005 edition of the "National School Transportation
6.19 Specifications and Procedures" adopted by the National ~~Conference~~ Congress on School
6.20 Transportation. Except as provided in section 169.4504, the construction, design, and
6.21 equipment of types A, B, C, ~~and D~~ and multifunctional school activity bus school buses
6.22 used for the transportation of students with disabilities also shall meet the requirements
6.23 of the "specially equipped school bus standards" in the ~~2000~~ 2005 National School
6.24 Transportation Specifications and Procedures. The "bus chassis standards," "bus body
6.25 standards," and "specially equipped school bus standards" sections of the ~~2000~~ 2005
6.26 edition of the "National School Transportation Specifications and Procedures" are
6.27 incorporated by reference in this chapter.

6.28 **EFFECTIVE DATE.** This section is effective January 1, 2008.

6.29 Sec. 9. Minnesota Statutes 2006, section 169.4501, subdivision 2, is amended to read:

6.30 Subd. 2. **Applicability.** (a) The standards adopted in this section and sections
6.31 169.4502 and 169.4503, govern the construction, design, equipment, and color of school
6.32 buses used for the transportation of school children, when owned or leased and operated

7.1 by a school or privately owned or leased and operated under a contract with a school.
 7.2 Each school, its officers and employees, and each person employed under the contract is
 7.3 subject to these standards.

7.4 (b) The standards apply to school buses manufactured after ~~October 31, 2004~~
 7.5 December 31, 2007. Buses complying with the standards when manufactured need not
 7.6 comply with standards established later except as specifically provided for by law.

7.7 (c) A school bus manufactured on or before ~~October 31, 2004~~ December 31,
 7.8 2007, must conform to the Minnesota standards in effect on the date the vehicle was
 7.9 manufactured except as specifically provided for in law.

7.10 (d) A new bus body may be remounted on a used chassis provided that the remounted
 7.11 vehicle meets state and federal standards for new buses which are current at the time of the
 7.12 remounting. Permission must be obtained from the commissioner of public safety before
 7.13 the remounting is done. A used bus body may not be remounted on a new or used chassis.

7.14 **EFFECTIVE DATE.** This section is effective January 1, 2008.

7.15 Sec. 10. Minnesota Statutes 2006, section 169.4502, subdivision 5, is amended to read:

7.16 Subd. 5. **Electrical system; battery.** (a) The storage battery, as established by the
 7.17 manufacturer's rating, must be of sufficient capacity to care for starting, lighting, signal
 7.18 devices, heating, and other electrical equipment. In a bus with a gas-powered chassis, the
 7.19 battery or batteries must provide a minimum of 800 cold cranking amperes. In a bus
 7.20 with a diesel-powered chassis, the battery or batteries must provide a minimum of 1050
 7.21 cold cranking amperes.

7.22 (b) In a type B bus with a gross vehicle weight rating of 15,000 pounds or more, and
 7.23 type C and D buses, the battery shall be temporarily mounted on the chassis frame. The
 7.24 final location of the battery and the appropriate cable lengths in these buses must comply
 7.25 with the SBMI design objectives booklet.

7.26 (c) All batteries shall be mounted according to chassis manufacturers'
 7.27 recommendations.

7.28 (d) In a type C bus, other than are powered by diesel fuel, a battery providing at least
 7.29 550 cold cranking amperes may be installed in the engine compartment only if used in
 7.30 combination with a generator or alternator of at least ~~±20~~ 130 amperes.

7.31 (e) A bus with a gross vehicle weight rating of 15,000 pounds or less may be
 7.32 equipped with a battery to provide a minimum of 550 cold cranking amperes only if used
 7.33 in combination with an alternator of at least ~~80~~ 130 amperes. This paragraph does not
 7.34 apply to those buses with wheelchair lifts or diesel engines.

8.1 **EFFECTIVE DATE.** This section is effective January 1, 2008.

8.2 Sec. 11. Minnesota Statutes 2006, section 169.4503, subdivision 13, is amended to
8.3 read:

8.4 Subd. 13. **Identification.** (a) Each bus shall, in the beltline, identify the school
8.5 district serviced, or company name, or owner of the bus. Numbers necessary for
8.6 identification must appear on the sides and rear of the bus. Symbols or letters may
8.7 be used on the outside of the bus near the entrance door for student identification. A
8.8 manufacturer's nameplate or logo may be placed on the bus.

8.9 (b) Effective December 31, 1994, all type A, B, C, and D buses sold must display
8.10 lettering "Unlawful to pass when red lights are flashing" on the rear of the bus. The
8.11 lettering shall be in two-inch black letters on school bus yellow background. This message
8.12 shall be displayed directly below the upper window of the rear door. On rear engine buses,
8.13 it shall be centered at approximately the same location. Only signs and lettering approved
8.14 or required by state law may be displayed.

8.15 **EFFECTIVE DATE.** This section is effective January 1, 2008.

8.16 Sec. 12. Minnesota Statutes 2006, section 169.4503, subdivision 20, is amended to
8.17 read:

8.18 Subd. 20. **Seat and crash barriers.** (a) All restraining barriers and passenger seats
8.19 shall be covered with a material that has fire retardant or fire block characteristics.

8.20 (b) All seats must have a minimum cushion depth of 15 inches and a seat back
8.21 height of at least 20 inches above the seating reference point.

8.22 **EFFECTIVE DATE.** This section is effective January 1, 2008.

8.23 Sec. 13. Minnesota Statutes 2006, section 171.02, subdivision 2, is amended to read:

8.24 Subd. 2. **Driver's license classifications, endorsements, exemptions.** (a) Drivers'
8.25 licenses are classified according to the types of vehicles that may be driven by the holder
8.26 of each type or class of license. The commissioner may, as appropriate, subdivide the
8.27 classes listed in this subdivision and issue licenses classified accordingly.

8.28 (b) Except as provided in paragraph (c), clauses (1) and (2), and subdivision 2a, no
8.29 class of license is valid to operate a motorcycle, school bus, tank vehicle, double-trailer
8.30 or triple-trailer combination, vehicle transporting hazardous materials, or bus, unless
8.31 so endorsed. There are four general classes of licenses as described in paragraphs (c)
8.32 through (f).

- 9.1 (c) Class D drivers' licenses are valid for:
- 9.2 (1) operating all farm trucks if the farm truck is:
- 9.3 (i) controlled and operated by a farmer, including operation by an immediate family
- 9.4 member or an employee of the farmer;
- 9.5 (ii) used to transport agricultural products, farm machinery, or farm supplies,
- 9.6 including hazardous materials, to or from a farm;
- 9.7 (iii) not used in the operations of a common or contract motor carrier as governed by
- 9.8 Code of Federal Regulations, title 49, part 365; and
- 9.9 (iv) used within 150 miles of the farm;
- 9.10 (2) notwithstanding paragraph (b), operating an authorized emergency vehicle,
- 9.11 as defined in section 169.01, subdivision 5, whether or not in excess of 26,000 pounds
- 9.12 gross vehicle weight;
- 9.13 (3) operating a recreational vehicle as defined in section 168.011, subdivision 25,
- 9.14 that is operated for personal use;
- 9.15 (4) operating all single-unit vehicles except vehicles with a gross vehicle weight of
- 9.16 more than 26,000 pounds, vehicles designed to carry more than 15 passengers including
- 9.17 the driver, and vehicles that carry hazardous materials;
- 9.18 (5) notwithstanding paragraph (d), operating a type A school bus or a multifunctional
- 9.19 school activity bus without a school bus endorsement if:
- 9.20 ~~(i) the bus has a gross vehicle weight of 10,000 pounds or less;~~
- 9.21 ~~(ii) the bus is designed to transport 15 or fewer passengers, including the driver; and~~
- 9.22 ~~(iii) the requirements of subdivision 2a are satisfied, as determined by the~~
- 9.23 ~~commissioner;~~
- 9.24 (i) the bus is designed to transport 15 or fewer passengers, including the driver;
- 9.25 (ii) the requirements of subdivision 2a are satisfied, as determined by the
- 9.26 commissioner; and
- 9.27 (iii) the type A school bus or a multifunctional school activity bus has a gross vehicle
- 9.28 weight of 14,500 pounds or less;
- 9.29 (6) operating any vehicle or combination of vehicles when operated by a licensed
- 9.30 peace officer while on duty; and
- 9.31 (7) towing vehicles if:
- 9.32 (i) the towed vehicles have a gross vehicle weight of 10,000 pounds or less; or
- 9.33 (ii) the towed vehicles have a gross vehicle weight of more than 10,000 pounds and
- 9.34 the combination of vehicles has a gross vehicle weight of 26,000 pounds or less.
- 9.35 (d) Class C drivers' licenses are valid for:
- 9.36 (1) operating class D motor vehicles;

10.1 (2) with a hazardous materials endorsement, transporting hazardous materials
 10.2 in class D vehicles; and

10.3 (3) with a school bus endorsement, operating school buses designed to transport 15
 10.4 or fewer passengers, including the driver.

10.5 (e) Class B drivers' licenses are valid for:

10.6 (1) operating all class C motor vehicles, class D motor vehicles, and all other
 10.7 single-unit motor vehicles including, with a passenger endorsement, buses; and

10.8 (2) towing only vehicles with a gross vehicle weight of 10,000 pounds or less.

10.9 (f) Class A drivers' licenses are valid for operating any vehicle or combination of
 10.10 vehicles.

10.11 **EFFECTIVE DATE.** This section is effective January 1, 2008.

10.12 Sec. 14. Minnesota Statutes 2006, section 171.02, subdivision 2a, is amended to read:

10.13 Subd. 2a. **Exception for certain school bus drivers.** Notwithstanding subdivision
 10.14 2, paragraph (c), the holder of a class D driver's license, without a school bus endorsement,
 10.15 may operate a type A school bus or a multifunctional school activity bus described in
 10.16 subdivision 2, paragraph (b), under the following conditions:

10.17 (a) The operator is an employee of the entity that owns, leases, or contracts for the
 10.18 school bus and is not solely hired to provide transportation services under this subdivision.

10.19 (b) The operator drives the school bus only from points of origin to points of
 10.20 destination, not including home-to-school trips to pick up or drop off students.

10.21 (c) The operator is prohibited from using the type A school bus eight-light system.
 10.22 Violation of this paragraph is a misdemeanor.

10.23 (d) The operator's employer has adopted and implemented a policy that provides for
 10.24 annual training and certification of the operator in:

10.25 (1) safe operation of the type of school bus the operator will be driving;

10.26 (2) understanding student behavior, including issues relating to students with
 10.27 disabilities;

10.28 (3) encouraging orderly conduct of students on the bus and handling incidents of
 10.29 misconduct appropriately;

10.30 (4) knowing and understanding relevant laws, rules of the road, and local school
 10.31 bus safety policies;

10.32 (5) handling emergency situations; and

10.33 (6) safe loading and unloading of students.

10.34 (e) A background check or background investigation of the operator has been
 10.35 conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03

11.1 for teachers; section 144.057 or chapter 245C for day care employees; or section 171.321,
11.2 subdivision 3, for all other persons operating a ~~type A school bus~~ school bus vehicle under this
11.3 subdivision.

11.4 (f) Operators shall submit to a physical examination as required by section 171.321,
11.5 subdivision 2.

11.6 (g) The operator's driver's license is verified annually by the entity that owns, leases,
11.7 or contracts for the ~~school bus~~ vehicle.

11.8 (h) A person who sustains a conviction, as defined under section 609.02, of violating
11.9 section 169A.25, 169A.26, 169A.27, 169A.31, 169A.51, or 169A.52, or a similar statute
11.10 or ordinance of another state is precluded from operating a school bus for five years
11.11 from the date of conviction.

11.12 (i) A person who has ever been convicted of a disqualifying offense as defined in
11.13 section 171.3215, subdivision 1, paragraph (c), may not operate a school bus under this
11.14 subdivision.

11.15 (j) A person who sustains a conviction, as defined under section 609.02, of a fourth
11.16 moving offense in violation of chapter 169 is precluded from operating a school bus for
11.17 one year from the date of the last conviction.

11.18 (k) Students riding the ~~school bus~~ vehicle must have training required under section
11.19 123B.90, subdivision 2.

11.20 (l) An operator must be trained in the proper use of child safety restraints as set
11.21 forth in the National Highway Traffic Safety Administration's "Guideline for the Safe
11.22 Transportation of Pre-school Age Children in School Buses;" if child safety restraints are
11.23 used by the passengers.

11.24 (m) Annual certification of the requirements listed in this subdivision must be
11.25 maintained under separate file at the business location for each operator licensed under
11.26 this subdivision and subdivision 2, paragraph (b), clause (5). The business manager,
11.27 school board, governing body of a nonpublic school, or any other entity that owns,
11.28 leases, or contracts for the school bus operating under this subdivision is responsible
11.29 for maintaining these files for inspection.

11.30 (n) The ~~school bus~~ vehicle must bear a current certificate of inspection issued under
11.31 section 169.451.

11.32 (o) On a type A school bus, the word "School" on the front and rear of the bus
11.33 must be covered by a sign that reads "Activities" when the bus is being operated under
11.34 authority of this subdivision.

11.35 **EFFECTIVE DATE.** This section is effective January 1, 2008.

12.1 Sec. 15. Minnesota Statutes 2006, section 171.321, subdivision 4, is amended to read:

12.2 Subd. 4. **Training.** (a) No person shall drive a class A, B, C, or D school bus when
12.3 transporting school children to or from school or upon a school-related trip or activity
12.4 without having demonstrated sufficient skills and knowledge to transport students in
12.5 a safe and legal manner.

12.6 (b) A bus driver must have training or experience that allows the driver to meet at
12.7 least the following competencies:

12.8 (1) safely operate the type of school bus the driver will be driving;

12.9 (2) understand student behavior, including issues relating to students with
12.10 disabilities;

12.11 (3) encourage orderly conduct of students on the bus and handle incidents of
12.12 misconduct appropriately;

12.13 (4) know and understand relevant laws, rules of the road, and local school bus
12.14 safety policies;

12.15 (5) handle emergency situations; and

12.16 (6) safely load and unload students.

12.17 (c) The commissioner of public safety shall develop a comprehensive model
12.18 school bus driver training program and model assessments for school bus driver training
12.19 competencies, which are not subject to chapter 14. A school district, nonpublic school, or
12.20 private contractor may use alternative assessments for bus driver training competencies
12.21 with the approval of the commissioner of public safety. A driver may receive at least eight
12.22 hours of school bus in-service training any year, as an alternative to being assessed for bus
12.23 driver competencies after the initial year of being assessed for bus driver competencies.

12.24 The employer shall keep the assessment or a record of the in-service training for the
12.25 current period available for inspection by representatives of the commissioner.

12.26 **EFFECTIVE DATE.** This section is effective July 1, 2007.

12.27 Sec. 16. **RULES REVISED: COMMISSIONER OF PUBLIC SAFETY.**

12.28 Subdivision 1. **Rules revised under the good cause exemption.** The commissioner
12.29 of public safety must amend and adopt the revisions to the rules listed below in
12.30 subdivisions 2 to 8 under the good cause exemption to the rulemaking process under
12.31 Minnesota Statutes, section 14.388, subdivision 1, clause (3).

12.32 Subd. 2. **Minnesota Rules, part 7470.0500.** The commissioner of public safety
12.33 must amend Minnesota Rules, part 7470.0500, by replacing two obsolete references to the
12.34 Department of Children, Families, and Learning, with a reference to the Department of
12.35 Public Safety and removing references to specifically repealed rules.

13.1 Subd. 3. **Minnesota Rules, part 7470.0700.** The commissioner of public safety
13.2 must amend Minnesota Rules, part 7470.0700, as follows:

13.3 (1) for the points assigned to school bus equipment defects, strike the reference to
13.4 "orange" school buses and include a new school bus color exemption for multifunctional
13.5 school activity buses;

13.6 (2) replace the references to type I and type II school buses with type A, B, C,
13.7 or D school buses;

13.8 (3) exempt multifunctional school activity buses from the point reduction for not
13.9 having a stop arm; and

13.10 (4) exempt multifunctional school activity buses from the point reduction for not
13.11 having an eight-lamp warning lamp system.

13.12 Subd. 4. **Minnesota Rules, part 7470.1000.** The commissioner of public safety
13.13 must amend Minnesota Rules, part 7470.1000, to:

13.14 (1) include multifunctional school activity buses in the headnote;

13.15 (2) update subpart 1 to include multifunctional school activity buses as a type of
13.16 school bus listed after bus types A, B, C, and D;

13.17 (3) modify subpart 2 to clarify that the prohibition against loading or unloading while
13.18 adjacent to a turn lane applies only when it is a right-hand turn lane and does not prohibit a
13.19 bus from loading or unloading at the side of the road when there is a center turn lane; and

13.20 (3) expand the exception that allows service dogs on school buses to include all
13.21 companion animals.

13.22 Subd. 5. **Minnesota Rules, part 7470.1100.** The commissioner of public safety
13.23 must amend Minnesota Rules, part 7470.1100, to include multifunctional school activity
13.24 buses in the headnote and amend subpart 1 to include multifunctional school activity
13.25 buses as a type of school bus listed after bus types A, B, C, and D. The commissioner must
13.26 also amend paragraph (b) of this part to require drivers to use prewarning flashing signals,
13.27 flashing red signals, and stop signals arms on buses that are equipped with those signals.

13.28 Subd. 6. **Minnesota Rules, part 7470.1400.** The commissioner of public safety
13.29 must amend Minnesota Rules, part 7470.1400, to clarify that the operating rules in parts
13.30 7470.1000 to 7470.1500 apply to buses that are leased and rented as well as to school
13.31 buses that are owned by a school district, a nonpublic school, or a private operator under
13.32 contract to a school district or nonpublic school.

13.33 Subd. 7. **Minnesota Rules, part 7470.1500.** The commissioner of public safety
13.34 must amend Minnesota Rules, part 7470.1500, to:

14.1 (1) clarify that the prohibition against loading or unloading while adjacent to a turn
14.2 lane applies only when it is a right-hand turn lane and does not prohibit a bus from loading
14.3 or unloading at the side of the road when there is a center turn lane; and

14.4 (2) delete paragraph (h) because it is obsolete.

14.5 Subd. 8. **Minnesota Rules, part 7470.1700.** The commissioner of public safety
14.6 must amend Minnesota Rules, part 7470.1700, subpart (2), to:

14.7 (1) clarify that the bus driver and the bus aide must have access to emergency health
14.8 care information for the students with disabilities transported on the bus; and

14.9 (2) add a paragraph (e) that allows the health information to be maintained either in
14.10 a hard copy on the vehicle or immediately accessible through a two-way communications
14.11 system.

14.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

14.13 **Sec. 17. REPEALER.**

14.14 Minnesota Statutes 2006, sections 169.4502, subdivision 15; and 169.4503,
14.15 subdivisions 17, 18, and 26, are repealed.

14.16 **EFFECTIVE DATE.** This section is effective January 1, 2008.