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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1310**

March 5, 2009

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The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

1.1 A bill for an act
1.2 relating to pupil transportation; requiring crossing arms on school buses;
1.3 amending Minnesota Statutes 2008, sections 123B.57, subdivision 6; 169.447,
1.4 by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2008, section 123B.57, subdivision 6, is amended to read:

1.7 Subd. 6. **Uses of health and safety revenue.** (a) Health and safety revenue may
1.8 be used only for approved expenditures necessary to correct fire and life safety hazards,
1.9 or for the removal or encapsulation of asbestos from school buildings or property
1.10 owned or being acquired by the district, asbestos-related repairs, cleanup and disposal
1.11 of polychlorinated biphenyls found in school buildings or property owned or being
1.12 acquired by the district, or the cleanup, removal, disposal, and repairs related to storing
1.13 heating fuel or transportation fuels such as alcohol, gasoline, fuel oil, and special fuel,
1.14 as defined in section 296A.01, Minnesota occupational safety and health administration
1.15 regulated facility and equipment hazards, indoor air quality mold abatement, upgrades
1.16 or replacement of mechanical ventilation systems to meet American Society of Heating,
1.17 Refrigerating and Air Conditioning Engineers standards and State Mechanical Code,
1.18 Department of Health Food Code and swimming pool hazards excluding depth correction,
1.19 and health, safety, and environmental management. Testing and calibration activities are
1.20 permitted for existing mechanical ventilation systems at intervals no less than every five
1.21 years. Health and safety revenue must not be used to finance a lease purchase agreement,
1.22 installment purchase agreement, or other deferred payments agreement. Health and safety
1.23 revenue must not be used for the construction of new facilities or the purchase of portable
1.24 classrooms, for interest or other financing expenses, or for energy efficiency projects

2.1 under section 123B.65. The revenue may not be used for a building or property or part
2.2 of a building or property used for postsecondary instruction or administration or for a
2.3 purpose unrelated to elementary and secondary education.

2.4 (b) Notwithstanding paragraph (a), health and safety revenue must not be used for
2.5 replacement of building materials or facilities including roof, walls, windows, internal
2.6 fixtures and flooring, nonhealth and safety costs associated with demolition of facilities,
2.7 structural repair or replacement of facilities due to unsafe conditions, violence prevention
2.8 and facility security, ergonomics, building and heating, ventilating and air conditioning
2.9 supplies, maintenance, and cleaning activities. All assessments, investigations,
2.10 inventories, and support equipment not leading to the engineering or construction of a
2.11 project shall be included in the health, safety, and environmental management costs in
2.12 subdivision 8, paragraph (a).

2.13 (c) For purposes of this section, the costs associated with retrofitting a school bus
2.14 with a crossing arm are considered a life safety code repair and may be included in the
2.15 contents of a district's fire and life safety plan.

2.16 **EFFECTIVE DATE.** This section is effective for health and safety revenue for
2.17 fiscal year 2011.

2.18 Sec. 2. Minnesota Statutes 2008, section 169.447, is amended by adding a subdivision
2.19 to read:

2.20 Subd. 7. **Crossing arms.** In addition to the requirements in section 169.4501, a
2.21 school bus must be equipped with a crossing arm mounted on the front bumper.

2.22 **EFFECTIVE DATE.** This section is effective July 1, 2011.