

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1174
Committee Substitute Favorable 4/24/03

Short Title: Safe Transportation for School Students.

(Public)

Sponsors:

Referred to:

April 10, 2003

A BILL TO BE ENTITLED

1
2 AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH
3 CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN
4 SCHOOL-SPONSORED TRAVEL.

5 Whereas, public school systems have long engaged in providing trips for
6 students that enhance learning opportunities; and

7 Whereas, it is essential that travel for such trips be conducted as safely as
8 humanly possible; and

9 Whereas, there exists a lack of clarity in current provision for the proper use
10 of activity buses and private motorcoach carriers for such transportation; and

11 Whereas, State law limits the top speed of an activity bus to 55 miles per
12 hour; and

13 Whereas, it is unsafe to put an activity bus on a superhighway in the path of
14 traffic traveling at posted speed limits of 70 miles per hour; and

15 Whereas, school buses are manufactured and tested for low-speed use and
16 were never intended to be over-the-road vehicles; and

17 Whereas, school personnel are not trained to inspect motorcoaches and
18 determine their degree of safety; and

19 Whereas, there is a need for a process that will provide consistent, uniform,
20 accurate certification of motorcoach companies; Now, therefore,

21 The General Assembly of North Carolina enacts:

22 **SECTION 1.** Chapter 115C of the General Statutes is amended by adding a
23 new section to read:

24 **"§ 115C-247.1. Certification of companies contracting with school systems for**
25 **transportation of students.**

26 The North Carolina Department of Crime Control and Public Safety is hereby
27 directed to establish a system of certification of privately owned motorcoach companies
28 that seek to contract with local school systems for the transportation of students, school

1 personnel, and other persons authorized by the school system for school-sponsored
2 trips.

3 The Department of Crime Control and Public Safety shall develop a process of
4 certification for these companies that shall include, but not be limited to:

5 (1) On-site inspection of interested companies.

6 (2) Assurance that the motorcoach companies, their drivers, and their
7 vehicles meet the Federal Motor Carrier Safety Regulations. Within
8 these regulations are hazardous materials rules and requirements for
9 controlled substance and alcohol testing, financial responsibility,
10 driver qualifications, driving rules, and standards for parts and
11 accessories of equipment for the maintenance of the equipment.

12 (3) In addition to the Federal Motor Carrier Safety Regulations, the
13 motorcoach company shall adhere to North Carolina motor vehicle
14 laws. These laws include the requirement that motorcoach drivers have
15 a valid commercial drivers license. North Carolina requires that buses
16 be registered properly and that a carrier transporting passengers for
17 hire have a for-hire license.

18 (4) The Department of Crime Control and Public Safety shall determine
19 which companies are certified and the length of certification. The
20 Department shall also have the right and responsibility to conduct
21 additional on-site inspections when needed.

22 (5) The Department of Crime Control and Public Safety may use federal
23 funds that are currently being provided for this purpose. If additional
24 funds are required, the Department shall make request for these funds
25 to the General Assembly.

26 (6) School systems utilizing motorcoach companies for transportation
27 needs shall contract for such services only with motorcoach companies
28 that are certified by the Department of Crime Control and Public
29 Safety."

30 **SECTION 2.** This act is effective when it becomes law.