MISSISSIPPI LEGISLATURE REGULAR SESSION 2020

By: Representative Gibbs (72nd)

To: Education;
Appropriations

HOUSE BILL NO. 821

AN ACT TO REQUIRE EACH SCHOOL BUS PURCHASED BY A LOCAL SCHOOL BOARD AND CHARTER SCHOOL AFTER JULY 1, 2020, THAT IS A MODEL YEAR 2020 OR LATER, TO BE EQUIPPED WITH SEAT BELTS AT ALL SEATING POSITIONS; TO PROVIDE SCHOOL DISTRICTS AND CHARTER SCHOOLS WITH THE AUTHORITY TO OPT OUT OF THE REQUIREMENT FOR SCHOOL BUS SEAT BELTS UPON THE DECISION OF THE SCHOOL BOARD OR CHARTER SCHOOL GOVERNING BOARD FOR CERTAIN REASONS; TO AMEND SECTION 37-41-1, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE BOARD OF EDUCATION TO PROMULGATE RULES REGARDING THE TYPES AND USE OF SEAT BELTS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) Each school bus purchased by a local school board or charter school under the authority granted by Section 37-41-81 after July 1, 2020, that is a year model 2020 or later shall be equipped with seat belts at all seating positions, including the operator. No bus in operation before July 1, 2020, that is a year model 2019 or earlier, shall be required to be retrofitted with seat belts, but nothing in this section shall prohibit a local school board or charter school from installing them on such buses.

(2) A school bus purchased after July 1, 2020, that is a year model 2020 or later, shall not be required to be equipped

with seat belts if the local school board or charter school governing board:

(a) Determines that the school district's or charter school's budget does not permit the school district or charter school to purchase a bus that is equipped with the seat belts required by subsection (1) of this section; and

(b) The respective board votes to approve that determination in a public meeting, that is recorded in the official minutes of the board's meeting.

SECTION 2. Section 37-41-1, Mississippi Code of 1972, is amended as follows:

37-41-1. The State Board of Education is authorized, empowered and directed to promulgate rules and regulations relating to the transportation of students enrolled in the public schools *** * ***, including rules and regulations for:

(a) Setting standards for public school district bus and charter school routes;

(b) Setting standards for public school district and charter school buses, including standard for types and uses of seat belts;

(c) Setting standards for public school district and charter school bus drivers;

(d) Formulating procedure for selecting public school district and charter school bus drivers;

(e) Formulating courses of training for public school district and charter school bus drivers and mechanics, and assist in administering and financing such courses;

(f) Providing operation procedure for public school district and charter school buses to insure safety of pupils;

(g) Formulating specifications for use in purchasing public school district and charter school buses; getting bids on public school district and charter school buses; equipment and supplies; and fixing prices based upon said bids which school districts and charter schools may not exceed in purchasing said equipment;

(h) Formulating specifications for use by school districts and charter schools in purchasing used school buses; and

(i) Providing a system of records and reports for the purpose of carrying out the provisions of Sections 37-41-1 through 37-41-51, and providing the superintendent of schools or charter school director with a sufficient supply of report forms.

All rules and regulations adopted and promulgated by the State Board of Education relating to school district bus drivers shall also be applicable to drivers of privately owned buses transporting public school district and charter school children.

All rules and regulations adopted and promulgated by the State Board of Education pursuant to the authority conferred by this section shall be spread at large upon the minutes of the State Board of Education and copies thereof shall be furnished to

all school boards not less than thirty (30) days * * * before the effective date of such rules and regulations.

The provisions of this chapter are applicable to school districts and the transportation of students enrolled in public school districts. Except as otherwise required under this section, charter schools authorized by the Mississippi Charter School Authorizer Board are exempt from the provisions of this chapter.

SECTION 3. It is the public policy of this state to ensure the safety of all students by taking every measure possible to protect the lives and well-being of students during transportation on a school bus to and from school and extracurricular activities, including the measure enacted in Section 1 of this act.

SECTION 4. This act shall take effect and be in force from and after July 1, 2020.

ST: School buses; require those purchased after July 1, 2020, to be equipped with seat belts and provide opt out provision.