

1.1 A bill for an act

1.2 relating to pupil transportation; modifying certain school bus definitions and
1.3 driver's license requirements; amending Minnesota Statutes 2006, sections
1.4 169.01, subdivision 6; 171.321, subdivision 5; Minnesota Statutes 2007
1.5 Supplement, section 171.02, subdivisions 2, 2a.

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

1.7 Section 1. Minnesota Statutes 2006, section 169.01, subdivision 6, is amended to read:

1.8 Subd. 6. **School bus.** "School bus" means a motor vehicle used to transport pupils
1.9 to or from a school defined in section 120A.22, or to or from school-related activities, by
1.10 the school or a school district, or by someone under an agreement with the school or a
1.11 school district. A school bus does not include a motor vehicle transporting children to or
1.12 from school for which parents or guardians receive direct compensation from a school
1.13 district, a motor coach operating under charter carrier authority, a transit bus providing
1.14 services as defined in section 174.22, subdivision 7, ~~a multifunction school activity bus~~
1.15 ~~as defined by federal motor vehicle safety standards~~, or a vehicle otherwise qualifying
1.16 as a type III vehicle under paragraph ~~(5)~~ (6), when the vehicle is properly registered and
1.17 insured and being driven by an employee or agent of a school district for nonscheduled or
1.18 nonregular transportation. A school bus, including a multifunctional school activity bus,
1.19 may be type A, type B, type C, or type D, or type III as follows:

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

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

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

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

2.11 (5) A "multifunctional school activity bus" is a school bus that is in conformance
2.12 with the federal motor vehicle safety standards, Code of Federal Regulations, title
2.13 49, sections 571.3 (definitions), 571.108 (lamps, reflective devices, and associated
2.14 equipment), and 571.131 (school bus pedestrian safety devices) and may be painted any
2.15 color notwithstanding any law to the contrary, but does not include vehicles classified as
2.16 type III school buses according to paragraph (6).

2.17 (6) Type III school buses and type III Head Start buses are restricted to passenger
2.18 cars, station wagons, vans, and buses having a maximum manufacturer's rated seating
2.19 capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of
2.20 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the value
2.21 specified by the manufacturer as the loaded weight of a single vehicle. A "type III school
2.22 bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type
2.23 A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a
2.24 seating capacity of ten or fewer and placed in service on or after August 1, 1999, must
2.25 have been originally manufactured to comply with the passenger safety standards.

2.26 **EFFECTIVE DATE.** This section is effective July 1, 2008.

2.27 Sec. 2. Minnesota Statutes 2007 Supplement, section 171.02, subdivision 2, is
2.28 amended to read:

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

2.33 (b) Except as provided in paragraph (c), clauses (1) and (2), and subdivision 2a, no
2.34 class of license is valid to operate a motorcycle, school bus, tank vehicle, double-trailer
2.35 or triple-trailer combination, vehicle transporting hazardous materials, or bus, unless

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3.1 so endorsed. There are four general classes of licenses as described in paragraphs (c)
3.2 through (f).

3.3 (c) Class D drivers' licenses are valid for:

3.4 (1) operating all farm trucks if the farm truck is:

3.5 (i) controlled and operated by a farmer, including operation by an immediate family
3.6 member or an employee of the farmer;

3.7 (ii) used to transport agricultural products, farm machinery, or farm supplies,
3.8 including hazardous materials, to or from a farm;

3.9 (iii) not used in the operations of a common or contract motor carrier as governed by
3.10 Code of Federal Regulations, title 49, part 365; and

3.11 (iv) used within 150 miles of the farm;

3.12 (2) notwithstanding paragraph (b), operating an authorized emergency vehicle,
3.13 as defined in section 169.01, subdivision 5, whether or not in excess of 26,000 pounds
3.14 gross vehicle weight;

3.15 (3) operating a recreational vehicle as defined in section 168.011, subdivision 25,
3.16 that is operated for personal use;

3.17 (4) operating all single-unit vehicles except vehicles with a gross vehicle weight of
3.18 more than 26,000 pounds, vehicles designed to carry more than 15 passengers including
3.19 the driver, and vehicles that carry hazardous materials;

3.20 (5) notwithstanding paragraph (d), operating a type ~~A~~ A-I school bus ~~or, including a~~
3.21 multifunctional school activity bus, without a school bus endorsement if:

3.22 (i) ~~the bus has a gross vehicle weight of 10,000 pounds or less;~~

3.23 ~~(ii)~~ the bus is designed to transport 15 or fewer passengers, including the driver; and

3.24 ~~(iii)~~ (ii) the requirements of subdivision 2a are satisfied, as determined by the
3.25 commissioner;

3.26 (6) operating any vehicle or combination of vehicles when operated by a licensed
3.27 peace officer while on duty; and

3.28 (7) towing vehicles if:

3.29 (i) the towed vehicles have a gross vehicle weight of 10,000 pounds or less; or

3.30 (ii) the towed vehicles have a gross vehicle weight of more than 10,000 pounds and
3.31 the combination of vehicles has a gross vehicle weight of 26,000 pounds or less.

3.32 (d) Class C drivers' licenses are valid for:

3.33 (1) operating class D motor vehicles;

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

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

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

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

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

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

4.9 **EFFECTIVE DATE.** This section is effective retroactively to January 1, 2008.

4.10 Sec. 3. Minnesota Statutes 2007 Supplement, section 171.02, subdivision 2a, is
4.11 amended to read:

4.12 Subd. 2a. **Exception for certain school bus drivers.** Notwithstanding subdivision
4.13 2, paragraph (c), the holder of a class D driver's license, without a school bus endorsement,
4.14 may operate a type A school bus, including a multifunctional school activity bus,
4.15 described in subdivision 2, paragraph (b), under the following conditions:

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

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

4.20 (c) The operator is prohibited from using ~~the~~ an eight-light system. Violation of
4.21 this paragraph is a misdemeanor.

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

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

4.25 (2) understanding student behavior, including issues relating to students with
4.26 disabilities;

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

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

4.31 (5) handling emergency situations; and

4.32 (6) safe loading and unloading of students.

4.33 (e) A background check or background investigation of the operator has been
4.34 conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03
4.35 for teachers; section 144.057 or chapter 245C for day care employees; or section 171.321,

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5.1 subdivision 3, for all other persons operating a ~~type A school bus~~ vehicle under this
5.2 subdivision.

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

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

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

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

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

5.17 (k) Students riding the ~~school bus~~ vehicle must have training required under section
5.18 123B.90, subdivision 2.

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

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

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

5.31 (o) If the word "School" appears on the front and rear of the bus, the word "School"
5.32 must be covered by a sign that reads "Activities" when the bus is being operated under
5.33 authority of this subdivision.

5.34 **EFFECTIVE DATE.** This section is effective July 1, 2008.

5.35 Sec. 4. Minnesota Statutes 2006, section 171.321, subdivision 5, is amended to read:

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6.1 Subd. 5. **Annual evaluation and license verification.** (a) A school district,
6.2 nonpublic school, or private contractor shall provide in-service training annually to each
6.3 school bus driver.

6.4 (b) A school district, nonpublic school, or private contractor shall annually verify
6.5 the validity of the driver's license of each employee who regularly transports students for
6.6 the district in a type A school bus, a type B school bus, a type C school bus, or type D
6.7 school bus, whether or not that bus is a multifunctional school activity bus, or regularly
6.8 transports students for the district in a type III vehicle with the National Driver Register
6.9 or with the Department of Public Safety.

6.10 **EFFECTIVE DATE.** This section is effective July 1, 2008.