

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH45044-LE-165 (04/01)

Short Title: Safe Transportation for School Students. (Public)

Sponsors: Representative Creech.

Referred to:

A BILL TO BE ENTITLED

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

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

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

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

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

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

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

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

Whereas, there is a need for a process that will provide consistent, uniform, accurate certification of motorcoach companies; Now, therefore,
The General Assembly of North Carolina enacts:

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

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

The North Carolina Department of Transportation is hereby directed to establish a system of certification of privately owned motorcoach companies that seek to contract

1 with local school systems for the transportation of students, school personnel, and other
2 persons authorized by the school system for school-sponsored trips.

3 The Department of Transportation shall develop a process of certification for these
4 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 must have a for-hire license.

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

22 (5) The Department of Transportation may use federal funds that are
23 currently being provided for this purpose. If additional funds are
24 required the Department shall make request for these funds to the
25 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 Transportation."

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