

## **BILL ANALYSIS**

Senate Research Center  
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C.S.S.B. 1079  
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Transportation & Homeland Security  
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Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law does not contain any guidelines regarding the prohibition of overcrowding on a school bus, nor does it authorize a police officer to investigate the possible overcrowding of a school bus. Recent events have shown that overcrowding is a potential reality in some school buses in this state, and that such overcrowding may pose several safety hazards.

C.S.S.B. 1079 prohibits the operation of a school bus if the number of persons inside the bus exceeds the manufacturer's design capacity for the vehicle or if the bus' door is open, and authorizes a school bus operator to prohibit a passenger from standing or sitting on the floor of a bus or anywhere that is not a seat. This bill additionally establishes a school bus evacuation training program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 (Section 545.426, Transportation Code) and SECTION 2 (Section 34.0021, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter I, Chapter 545, Transportation Code, by adding Section 545.426, as follows:

Sec. 545.426. OPERATION OF SCHOOL BUS. (a) Prohibits a person from operating a school bus if the door of the bus is open or the number of passengers on the bus is greater than the manufacturer's design capacity for that bus.

(b) Authorizes a school bus operator, while operating the school bus, to prohibit a passenger from standing in the bus, sitting on the floor of the bus, or sitting in any location on the bus that is not designed as a seat.

(c) Authorizes the Department of Public Safety to adopt rules as necessary to administer and enforce this section.

SECTION 2. Amends Chapter 34, Education Code, by adding Section 34.0021, as follows:

Sec. 34.0021. SCHOOL BUS EMERGENCY EVACUATION TRAINING. (a) Requires each school district, pursuant to the safety standards established by the Department of Public Safety (DPS) under Section 34.002 (Safety Standards), Education Code, to conduct a training session for students and teachers concerning school bus evacuation procedures during an emergency.

(b) Requires a school district to conduct the school bus emergency evacuation training (training) at least twice a school year, with one training session occurring in the fall and the other in the spring. Requires a training session to occur on a school bus and to last for at least one hour.

(c) Requires the training to be based on the recommendations of certain school transportation safety manuals.

(d) Requires the school district to provide DPS with a record certifying the district's completion of the training session not later than the 30th day after the date of said completion.

(e) Authorizes DPS to adopt rules necessary to implement this section.

SECTION 3. Makes application of this Act prospective to the 2007-2008 school year.

SECTION 4. Effective date: September 1, 2007.