

**53A-17a-127 Eligibility for state-supported transportation -- Approved bus routes --  
Additional local tax.**

- (1) A student eligible for state-supported transportation means:
  - (a) a student enrolled in kindergarten through grade six who lives at least 1-1/2 miles from school;
  - (b) a student enrolled in grades seven through 12 who lives at least two miles from school; and
  - (c) a student enrolled in a special program offered by a school district and approved by the State Board of Education for trainable, motor, multiple-disability, or other students with severe disabilities who are incapable of walking to school or where it is unsafe for students to walk because of their disabling condition, without reference to distance from school.
- (2) If a school district implements double sessions as an alternative to new building construction, with the approval of the State Board of Education, those affected elementary school students residing less than 1-1/2 miles from school may be transported one way to or from school because of safety factors relating to darkness or other hazardous conditions as determined by the local school board.
- (3)
  - (a) The State Board of Education shall distribute transportation money to school districts based on:
    - (i) an allowance per mile for approved bus routes;
    - (ii) an allowance per hour for approved bus routes; and
    - (iii) a minimum allocation for each school district eligible for transportation funding.
  - (b) The State Board of Education shall distribute appropriated transportation funds based on the prior year's eligible transportation costs as legally reported under Subsection 53A-17a-126(3).
  - (c) The State Board of Education shall annually review the allowance per mile and the allowance per hour and adjust the allowances to reflect current economic conditions.
- (4)
  - (a) Approved bus routes for funding purposes shall be determined on fall data collected by October 1.
  - (b) Approved route funding shall be determined on the basis of the most efficient and economic routes.
- (5) A Transportation Advisory Committee with representation from local school superintendents, business officials, school district transportation supervisors, and the state superintendent's staff shall serve as a review committee for addressing school transportation needs, including recommended approved bus routes.
- (6)
  - (a) Except as provided in Subsection (6)(e), a local school board may provide for the transportation of students regardless of the distance from school, from:
    - (i) general funds of the district; and
    - (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.
  - (b) A local school board may use revenue from the tax described in Subsection (6)(a)(ii) to pay for transporting students and for the replacement of school buses.
  - (c)
    - (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002, the state may contribute an amount not to exceed 85% of the state average cost per mile, contingent upon the Legislature appropriating funds for a state contribution.
    - (ii) The state superintendent's staff shall distribute the state contribution according to rules enacted by the State Board of Education.
  - (d)

- (i) The amount of state guarantee money which a school district would otherwise be entitled to receive under Subsection (6)(c) may not be reduced for the sole reason that the district's levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 due to changes in property valuation.
  - (ii) Subsection (6)(d)(i) applies for a period of two years following the change in the certified tax rate.
  - (e) Beginning January 1, 2012, a local school board may not impose a tax in accordance with this Subsection (6).
- (7)
- (a)
    - (i) If a local school board expends an amount of revenue equal to at least .0002 per dollar of taxable value of the school district's board local levy imposed under Section 53A-17a-164 for the uses described in Subsection (6)(b), the state may contribute an amount not to exceed 85% of the state average cost per mile, contingent upon the Legislature appropriating funds for a state contribution.
    - (ii) The state superintendent's staff shall distribute the state contribution according to rules enacted by the State Board of Education.
  - (b)
    - (i) The amount of state guarantee money that a school district would otherwise be entitled to receive under Subsection (7)(a) may not be reduced for the sole reason that the district's levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 due to changes in property valuation.
    - (ii) Subsection (7)(b)(i) applies for a period of two years following the change in the certified tax rate.

Amended by Chapter 366, 2011 General Session  
Amended by Chapter 371, 2011 General Session