

# **TRANSPORTATION OF STUDENTS BY SCHOOL DISTRICTS**

## 1998 GENERAL SESSION

# STATE OF UTAH

**Sponsor: Keele Johnson**

10 AN ACT RELATING TO PUBLIC EDUCATION; INCREASING THE TAX RATE A LOCAL  
11 SCHOOL BOARD MAY LEVY FOR TRANSPORTING STUDENTS; PROVIDING FOR A  
12 STATE GUARANTEE NOT TO EXCEED 85% OF THE STATE AVERAGE COST PER  
13 MILE ~~h~~, **CONTINGENT UPON THE LEGISLATURE APPROPRIATING FUNDS FOR A STATE**  
13a **CONTRIBUTION ~~h~~**; AND PROVIDING AN EFFECTIVE DATE.

14 This act affects sections of Utah Code Annotated 1953 as follows:

## 15 AMENDS:

16                   **53A-17a-127**, as last amended by Chapter 306, Laws of Utah 1993

17 *Be it enacted by the Legislature of the state of Utah:*

19       **53A-17a-127. Eligibility for state-supported transportation -- Approved bus routes**  
20   **-- Additional local tax.**

21 (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 [or more] from school;

24 (b) a student enrolled in grades seven through 12 who lives at least two [or more] miles  
25 from school; and

26 (c) a student enrolled in a special program offered by a school district and approved by the  
27 State Board of Education for trainable, motor, multiple-disabled, or other students with severe

1 disabilities who are incapable of walking to school or where it is unsafe for students to walk  
2 because of their handicapping condition, without reference to distance from school.

3 (2) If a school district implements double sessions as an alternative to new building  
4 construction, with the approval of the State Board of Education, those affected elementary school  
5 students residing less than 1-1/2 miles from school may be transported one way to or from school  
6 because of safety factors relating to darkness or other hazardous conditions as determined by the  
7 local school board.

8 (3) (a) [Transportation] The State Office of Education shall distribute transportation  
9 ~~monies [shall be distributed]~~ to school districts based on three factors:

10 (i) an allowance per mile for approved bus routes;

11 (ii) an allowance per hour for approved bus routes; and

12 (iii) an annual allowance for equipment and overhead costs based on approved bus routes  
13 and the age of the equipment.

14 (b) In order for a bus to be considered for the equipment allowance, it must meet federal  
15 and state regulations and standards for school buses.

16 (c) The State Office of Education shall annually review the allowance per mile, the  
17 allowance per hour, and the annual equipment and overhead allowance [shall be reviewed annually  
18 by the State Office of Education] and [adjusted] adjust the allowance to reflect current economic  
19 conditions.

20 (4) (a) Approved bus routes for funding purposes shall be determined on fall data collected  
21 by October 1.

22 (b) Approved route funding shall be determined on the basis of the most efficient and  
23 economic routes.

24 (5) A Transportation Advisory Committee with representation from local school  
25 superintendents, business officials, school district transportation supervisors, and the State Office  
26 of Education shall serve as a review committee for addressing school transportation needs,  
27 including recommended approved bus routes.

28 (6) (a) A local school board may provide for the transportation of students who are not  
29 eligible under Subsection (1), regardless of the distance from school, from:

30 [(a)] (i) general funds of the district; and

31 [(b)] (ii) a tax rate not to exceed [.0002] .0003 per dollar of taxable value imposed on the

1 district.

2 ~~[(7) Revenue]~~ (b) A local school board may use revenue from the tax ~~[may also be used]~~  
3 to pay for transporting participating students to interscholastic activities, night activities, and  
4 educational field trips approved by the ~~[local school]~~ board and for the replacement of school  
5 buses.

6 (c) (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002, the  
7 state ~~h~~ shall ~~MAY~~ ~~h~~ contribute an amount not to exceed 85% of the state average cost per mile,  
7a ~~h~~ based on

8 legislative appropriation] CONTINGENT UPON THE LEGISLATURE APPROPRIATING FUNDS FOR A  
8a STATE CONTRIBUTION ~~h~~ .

9 (ii) The State Office of Education shall distribute the state contribution according to rules  
10 enacted by the State Board of Education.

11 (d) (i) The amount of state guarantee money to which a school district would otherwise  
12 be entitled to under Subsection (6)(c) may not be reduced for the sole reason that the district's levy  
13 is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 pursuant  
14 to changes in property valuation.

15 (ii) Subsection (6)(d)(i) applies for a period of two years following the change in the  
16 certified tax rate.

17 Section 2. **Effective date.**

18 This act takes effect on July 1, 1998.

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**Legislative Review Note**  
**as of 11-20-97 1:14 PM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

**Committee Note**

The Education Interim Committee recommended this bill.