

**TRANSPORTATION OF STUDENTS BY
SCHOOL DISTRICTS**

1998 GENERAL SESSION

STATE OF UTAH

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

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

AMENDS:

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

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

Section 1. Section **53A-17a-127** is amended to read:

**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 [or more] from school;

(b) a student enrolled in grades seven through 12 who lives at least two [or more] 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-disabled, 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 handicapping 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) ~~[Transportation]~~ The State Office of Education shall distribute transportation monies ~~[shall be distributed]~~ to school districts based on three factors:

- (i) an allowance per mile for approved bus routes;
- (ii) an allowance per hour for approved bus routes; and
- (iii) an annual allowance for equipment and overhead costs based on approved bus routes and the age of the equipment.

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

(c) The State Office of Education shall annually review the allowance per mile, the allowance per hour, and the annual equipment and overhead allowance ~~[shall be reviewed annually by the State Office of Education]~~ and ~~[adjusted]~~ adjust the allowance 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 Office of Education shall serve as a review committee for addressing school transportation needs, including recommended approved bus routes.

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

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

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

~~[(7) Revenue]~~ (b) A local school board may use revenue from the tax ~~[may also be used]~~ to pay for transporting participating students to interscholastic activities, night activities, and educational field trips approved by the ~~[local school]~~ board 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 Office of Education shall distribute the state contribution according to rules enacted by the State Board of Education.

(d) (i) The amount of state guarantee money to which a school district would otherwise be entitled to 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 pursuant 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.

Section 2. **Effective date.**

This act takes effect on July 1, 1998.