

**TRANSPORTATION OF CHILDREN IN  
KINDERGARTEN THROUGH SIXTH GRADE**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ed Mayne**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill adjusts eligibility for state-supported elementary school transportation funding.

**Highlighted Provisions:**

This bill:

- ▶ adjusts the eligibility distance for state-supported elementary school transportation funding from a student living within 1-1/2 miles to within one mile; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-17a-127**, as last amended by Chapter 73, Laws of Utah 2001

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*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~~] one mile 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-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 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~~] one mile 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 Office of Education shall distribute transportation monies 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 and 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:

(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 to pay for transporting participating students to interscholastic activities, night activities, and educational field trips approved by the 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 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.

~~[(7) There is appropriated for the fiscal year beginning July 1, 1999, \$225,000 to the state board as the state's contribution under Subsection (6)(c)(i).]~~

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### Legislative Review Note

as of 12-19-05 9:00 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

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**Fiscal Note**  
**Bill Number SB0126****Transportation of Children in Kindergarten Through  
Sixth Grade***23-Jan-06*  
*11:41 AM*

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**State Impact**

It is estimated that additional state costs to transport children could be from \$13,000,000 to \$17,000,000 in Uniform School Funds depending on current capacity of existing school buses. Local school district costs could be up to \$40,000,000 depending upon new buses needed at an average cost of \$90,000 each; and \$10,000,000 in other support costs.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
Uniform School Fund	\$13,000,000	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$13,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

Impacts would depend upon services provided to school districts.

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**Office of the Legislative Fiscal Analyst**