

ADVERTISEMENTS ON SCHOOL BUSES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jim Bird

Senate Sponsor: Michael G. Waddoups

LONG TITLE

General Description:

This bill authorizes the sale of advertising space on a school bus.

Highlighted Provisions:

This bill:

▶ allows a local school board or charter school governing board to sell advertising space on the exterior of a school bus;

▶ requires a local school board or charter school governing board to adopt guidelines for the type of advertising permitted on a school bus;

▶ prohibits certain types of advertising on a school bus; ~~and~~ ~~and~~

▶ requires the Department of Transportation to make rules governing the placement and size of an advertisement on a school bus ~~and~~ ~~and~~ and

▶ requires that revenue from the sale of advertising space on a school bus be used for pupil transportation. ~~and~~

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

41-6a-1309, Utah Code Annotated 1953

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



28 Section 1. Section **41-6a-1309** is enacted to read:

29 **41-6a-1309. Advertising on a school bus.**

30 (1) A local school board or charter school governing board may sell advertising space
31 on the exterior of a school bus in accordance with this section.

32 (2) (a) A local school board or charter school governing board ~~H→~~ **that sells advertising**
32a **space on the exterior of a school bus** ~~←H~~ shall adopt guidelines
33 for the type of advertising that will be permitted.

34 (b) Advertising on a school bus:

35 (i) shall be age appropriate;

36 (ii) shall be consistent with the instructional requirements of Section 53A-13-101;

37 (iii) may not contain:

38 (A) promotion of any substance ~~H→~~ **or activity** ~~←H~~ that is illegal for minors, such as
38a alcohol, tobacco,

39 drugs, ~~H→~~ [f] or [h] ~~←H~~ gambling ~~H→~~ [,or] ;

39a1 **(B) promotion of any political party, candidate,**
39a **or issue** ~~←H~~ ; or

40 ~~H→~~ [~~B~~] (C) ~~←H~~ sexual material; and

41 (iv) may not resemble a traffic-control device as defined in Section 41-6a-102.

42 (3) (a) The Department of Transportation shall make and enforce rules pursuant to
43 Section 41-6a-1304 governing the placement and size of an advertisement on a school bus.

44 (b) Rules made under Subsection (3)(a) shall ~~H→~~ :

44a (i) ~~←H~~ prohibit the placement of an

45 advertisement on the back ~~H→~~ **or the front** ~~←H~~ of a school bus ~~H→~~ [:] ; and

45a **(ii) limit the size of an advertisement to no more than 35% of the area of the side of**
45b **a school bus.** ~~←H~~

46 (4) (a) A school bus advertisement shall be painted or affixed by decal on a school bus
47 in a manner that complies with rules adopted under Subsection (3).

48 (b) A commercial advertiser that contracts with a school district for the use of space for
49 an advertisement shall pay:

50 (i) the cost of placing the advertisement on a school bus; and

51 (ii) for the removal of the advertisement after the term of the contract has expired.

52 (5) A school district or charter school shall ~~H→~~ [~~deposit~~] use ~~←H~~ revenue from the
52a sale of advertising

53 space on a school bus ~~H→~~ [~~into the school district's or charter school's general fund~~] for

53a **expenditures made within accounting function classification 2700, School Transportation**

53b **Services, of the Financial Accounting for Local and State School Systems guidelines developed**

53c **by the National Center for Education Statistics.** ~~←H~~ .

Legislative Review Note
as of 10-13-10 2:30 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 199, 2011 General Session

SHORT TITLE: **Advertisements on School Buses**

SPONSOR: **Bird, J.**

STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Public schools may increase revenue by as much as \$3.3 million through advertising on school buses. Estimates indicate that local governing boards may net \$750 to \$1,500 per bus each year, depending on market conditions. Currently, school districts have 2,225 school busses.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.