

**Representative Melissa G. Ballard** proposes the following substitute bill:

**SCHOOL TRANSPORTATION AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires the State Board of Education to establish a working group to study and make recommendations related to unsafe or hazardous routes for students who walk to school.

**Highlighted Provisions:**

This bill:

- ▶ requires the State Board of Education to establish a working group to study and make recommendations related to unsafe or hazardous routes for students who walk to school;
- ▶ provides requirements related to membership and study components of the working group;
- ▶ requires the State Board of Education and the Department of Transportation to report to the Legislature; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

⠨→ [~~None~~] This bill provides a coordination clause. ←⠨



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **53F-2-403**, as renumbered and amended by Laws of Utah 2018, Chapter 228a **Ĥ→ Utah Code Sections Affected by Coordination Clause:**28b **53E-1-201, as enacted by Laws of Utah 2018, Chapter 1 ←Ĥ**

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30 *Be it enacted by the Legislature of the state of Utah:*31 Section 1. Section **53F-2-403** is amended to read:32 **53F-2-403. Eligibility for state-supported transportation -- Approved bus routes**33 **-- Study and recommendations for unsafe or hazardous routes.**

34 (1) A student eligible for state-supported transportation means:

35 (a) a student enrolled in kindergarten through grade [~~six~~] 6 who lives at least 1-1/2  
36 miles from school;37 (b) a student enrolled in grades [~~seven~~] 7 through 12 who lives at least two miles from  
38 school; and39 (c) a student enrolled in a special program offered by a school district and approved by  
40 the State Board of Education for trainable, motor, multiple-disability, or other students with  
41 severe disabilities who are incapable of walking to school or where it is unsafe for students to  
42 walk because of their disabling condition, without reference to distance from school.43 (2) If a school district implements double sessions as an alternative to new building  
44 construction, with the approval of the State Board of Education, those affected elementary  
45 school students residing less than 1-1/2 miles from school may be transported one way to or  
46 from school because of safety factors relating to darkness or other hazardous conditions as  
47 determined by the local school board.48 (3) (a) The State Board of Education shall distribute transportation money to school  
49 districts based on:

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

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

52 (iii) a minimum allocation for each school district eligible for transportation funding.

53 (b) The State Board of Education shall distribute appropriated transportation funds  
54 based on the prior year's eligible transportation costs as legally reported under Subsection  
55 **53F-2-402(3)**.

56 (c) The State Board of Education shall annually review the allowance per mile and the

57 allowance per hour and adjust the allowances to reflect current economic conditions.

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

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

62 (5) A [~~Transportation Advisory Committee~~] transportation advisory committee with  
63 representation from school district superintendents, business officials, school district  
64 transportation supervisors, and State Board of Education employees shall serve as a review  
65 committee for addressing school transportation needs, including recommended approved bus  
66 routes.

67 (6) A local school board may provide for the transportation of students regardless of the  
68 distance from school, from general funds of the school district.

69 (7) (a) (i) If a local school board expends an amount of revenue equal to at least .0002  
70 per dollar of taxable value of the school district's board local levy imposed under Section  
71 [53F-8-302](#) to pay for transporting students and for the replacement of school buses, the state  
72 may contribute an amount not to exceed 85% of the state average cost per mile, contingent  
73 upon the Legislature appropriating funds for a state contribution.

74 (ii) The State Board of Education's employees shall distribute the state contribution  
75 according to rules enacted by the State Board of Education.

76 (b) (i) The amount of state guarantee money that a school district would otherwise be  
77 entitled to receive under Subsection (7)(a) may not be reduced for the sole reason that the  
78 school district's levy is reduced as a consequence of changes in the certified tax rate under  
79 Section [59-2-924](#) due to changes in property valuation.

80 (ii) Subsection (7)(b)(i) applies for a period of two years following the change in the  
81 certified tax rate.

82 (8) (a) The state board shall establish a working group to study and make  
83 recommendations related to improving unsafe or hazardous routes for students who walk to  
84 school.

85 (b) The working group shall include representatives of:

86 (i) the state board;

87 (ii) school district superintendents;

88 (iii) school district business administrators;

89 (iv) the transportation advisory committee described in Subsection (5); and

90 (v) the Department of Transportation.

91 (c) (i) The working group shall study, based on information provided by each school  
92 district:

93 (A) the number of unsafe or hazardous routes for students to walk to school;

94 (B) information that supports a determination that a route is unsafe or hazardous; and

95 (C) plans that a school district develops under Subsection (8)(c)(ii).

96 (ii) A school district shall develop a plan to address unsafe or hazardous routes within  
97 the school district that includes:

98 (A) how the Department of Transportation, a city, or a county will provide resources to  
99 help address the unsafe or hazardous routes; and

100 (B) the estimated time and cost to address each unsafe or hazardous route.

101 (iii) The working group shall study the components described in Subsection (8)(c)(i)  
102 based on measuring a distance described in Subsection (1) or (2):

103 (A) in the way in which the distance is currently measured; and

104 (B) from where a student lives to the main entrance of the school.

105 (d) (i) The state board shall report to the Education Interim Committee the  
106 recommendations described in Subsection (8)(a) on or before the committee's November

106a Ĥ→ 2019 ←Ĥ

107 interim meeting.

108 (ii) The report shall include recommendations related to the differences in measuring  
109 distance described in Subsection (8)(c)(iii).

110 (iii) The Department of Transportation shall report to the Education Interim  
111 Committee, in coordination with the state board's report, on how the Department of  
112 Transportation will help address unsafe or hazardous routes for students who walk to school.

112a Ĥ→ Section 2. Coordinating H.B. 363 with S.B. 14 -- Substantive amendment.

112b **If this H.B. 363 and S.B. 14, Education Reporting Requirements, both pass and become**  
112c **law, it is the intent of the Legislature that the Office of Legislative Research and General**  
112d **Counsel prepare the Utah Code database for publication by:**

112e **(1) inserting the following language as a new Subsection 53E-1-201(2)(f):**

112f **"(f) the reports described in Section 53F-2-403 by the state board and the Department**  
112g **of Transportation regarding unsafe or hazardous routes for students who walk to school;"**  
112h **and**

112i **(2) renumbering remaining subsections accordingly. ←Ĥ**