

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: HB 5

49th Legislature, 1st Special Session, 2009

Short Title: School Employees Driving School Buses

Sponsor(s): Representative Nora Espinoza and Others

Analyst: Pamela Herman and Peter B. van Moorsel

Date: October 19, 2009

Bill Summary:

HB 5 creates a new section of the *Public School Code* to:

- permit a school district, pursuant to local school board rule, to allow licensed school employees to drive students to school-sponsored or -sanctioned activities; and
- require that the local school board rule include any driver qualifications required by the school board.

Fiscal Impact:

According to the Public Education Department (PED) bill analysis, if HB 5 is enacted, school districts would be responsible for the costs associated with qualifying employees to drive a school bus, including:

- 36 hours of pre-service training, estimated by PED to cost \$100 per employee;
- 16 hours of in-service training annually;
- physical examinations; and
- alcohol and drug testing, costing approximately \$40 per test.

However, the bill analysis states that the cost savings associated with the provisions of HB 5 are difficult to determine.

Technical Issue:

Although the title of the bill specifically mentions *school buses*, the language in the bill does not raise the issue whether the provisions of the bill would apply to the use by certified school employees of private vehicles to transport students. If so, HB 5 could expose certified school employees to liability in the event of injury to students.

Issue:

PED indicates that school districts currently are able to qualify certified employees to operate school buses (including activity buses). The enactment of this bill may increase the available school bus driver pool.

Related Bills:

None