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SENATE BILL 170

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO SCHOOL DISTRICT SOLVENCY; INCREASING THE WALKING
DISTANCE FOR PUBLIC SCHOOL STUDENTS FOR FISCAL YEARS 2017 AND
2018; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-16-4 NMSA 1978 (being Laws 1967,
Chapter 16, Section 222, as amended) is amended to read:

"22-16-4. SCHOOL BUS ROUTES--LIMITATIONS--EXCEPTIONS--
MINIMUM REQUIREMENTS.--

A. Bus routes shall be established by the local
school district.

B. Except as provided in Subsections C [~~and D~~]
through E of this section, no school bus route shall be
maintained for distances less than:

(1) one mile one way for students in grades

.205414.1

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1 kindergarten through six;

2 (2) one and one-half miles one way for
3 students in grades seven through nine; and

4 (3) two miles one way for students in grades
5 ten through twelve.

6 C. In school districts having hazardous walking
7 conditions as determined by the local school board and
8 confirmed by the state transportation director, students of any
9 grade may be transported a lesser distance than that provided
10 in Subsection B of this section. General standards for
11 determining hazardous walking conditions shall be established
12 by the state transportation division of the department [~~of~~
13 ~~education~~] with the approval of the [~~state board~~] department,
14 but the standards shall be flexibly and not rigidly applied by
15 the local school board and the state transportation director to
16 prevent accidents and help ensure student safety.

17 D. Exceptional children whose handicaps require
18 transportation and three- and four-year-old children who meet
19 the [~~state board approved~~] department-approved criteria and
20 definition of developmentally disabled may be transported a
21 lesser distance than that provided in Subsection B of this
22 section.

23 E. For fiscal years 2017 and 2018, if local school
24 district solvency requires, school bus routes shall not be
25 maintained for distances less than:

.205414.1

1 (1) one and one-half miles one way for
2 students in grades kindergarten through six;

3 (2) two miles one way for students in grades
4 seven through nine; and

5 (3) two and one-half miles one way for
6 students in grades ten through twelve."

7 SECTION 2. EMERGENCY.--It is necessary for the public
8 peace, health and safety that this act take effect immediately.

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