

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1133

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DATE	D-PG	OFFICIAL STATUS
03/07/2013	679	Introduction and first reading Referred to Transportation and Public Safety
03/20/2013		Comm report: To pass as amended Second reading

A bill for an act

1.1
 1.2 relating to transportation; amending regulations governing school bus use for
 1.3 special events; amending Minnesota Statutes 2012, sections 169.011, by adding a
 1.4 subdivision; 169.443, subdivision 3; 221.132; proposing coding for new law in
 1.5 Minnesota Statutes, chapter 169.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 169.011, is amended by adding a
 1.8 subdivision to read:

1.9 Subd. 57a. **Pupil transport entity.** (a) "Pupil transport entity" means (1) a school,
 1.10 as defined in section 120A.22, subdivision 4; (2) a charter school operated under section
 1.11 124D.10; and (3) a private transportation contractor that operates under an agreement
 1.12 with an entity identified in clause (1) or (2).

1.13 (b) "Pupil transport entity" does not include a Head Start grantee or someone
 1.14 operating under an agreement with a Head Start grantee.

1.15 Sec. 2. Minnesota Statutes 2012, section 169.443, subdivision 3, is amended to read:

1.16 Subd. 3. **When signals not used.** School bus drivers shall not activate the prewarning
 1.17 flashing amber signals or flashing red signals and shall not use the stop arm signal:

1.18 (1) in special school bus loading areas where the bus is entirely off the traveled
 1.19 portion of the roadway and where no other motor vehicle traffic is moving or is likely to
 1.20 be moving within 20 feet of the bus;

1.21 (2) when directed not to do so, in writing, by the local school board;

1.22 (3) when a school bus is being used on a street or highway for purposes other
 1.23 than the actual transportation of school children to or from school or a school-approved
 1.24 activity, except as provided in subdivision 8;

2.1 (4) at railroad grade crossings; ~~and~~
 2.2 (5) when operating the bus under section 169.4475; and
 2.3 (6) when loading and unloading people at designated school bus stops where people
 2.4 are not required to cross the street or highway, while the bus is completely off the
 2.5 traveled portion of a roadway that has adequate shoulders. The driver shall drive the bus
 2.6 completely off the traveled portion of this roadway before loading or unloading people. A
 2.7 school bus stop is designated under this clause if the transportation director of the school
 2.8 district in which the bus stop is located, in consultation with the road authority, certifies the
 2.9 integrity of the shoulder and the safety of the location for loading and unloading people.
 2.10 Each designated school bus stop must be documented and approved by the school board.

2.11 **Sec. 3. [169.4475] SPECIAL EVENT SCHOOL BUS USE.**

2.12 **Subdivision 1. Temporary use authority.** (a) A pupil transport entity that meets
 2.13 the requirements of this section may operate a school bus for which the entity has paid
 2.14 registration tax under section 168.013, subdivision 18, to provide transportation that is not
 2.15 pupil transportation without reregistration of the bus, issuance of new plates, or payment
 2.16 of additional taxes and fees under chapter 168.

2.17 (b) Except as otherwise specified in this section, a school bus operated under this
 2.18 section is subject to school bus regulations under this chapter and chapter 171.

2.19 **Subd. 2. Requirements.** A pupil transport entity may operate a school bus under
 2.20 this section if:

2.21 (1) the transportation is performed under an agreement with a tax exempt entity
 2.22 under section 501(c) of the Internal Revenue Code, as defined in section 289A.02,
 2.23 subdivision 7, solely to transport participants in conjunction with a one-day special event
 2.24 organized or substantially sponsored by the tax exempt entity;

2.25 (2) the pupil transportation entity is registered as a motor carrier of passengers
 2.26 under section 221.0252;

2.27 (3) the pupil transportation entity uses a temporary vehicle identification card under
 2.28 section 221.132 for the school bus;

2.29 (4) the school bus is identified by a sign located high on the outside front and rear
 2.30 of the bus that does not include the word "School" and reads "Special Event Bus" in
 2.31 letters at least eight inches high; and

2.32 (5) the operator of a school bus under this section holds a commercial driver's license
 2.33 with mandated endorsements, as required under section 171.02, subdivision 2.

2.34 **Subd. 3. School bus equipment.** Notwithstanding section 169.448, subdivision 1, a
 2.35 school bus operated under this section may:

- 3.1 (1) be painted national school bus glossy yellow; and
 3.2 (2) be equipped with a stop-signal arm, prewarning flashing amber signals, and
 3.3 flashing red signals.

3.4 Sec. 4. Minnesota Statutes 2012, section 221.132, is amended to read:

3.5 **221.132 PREPAID TEMPORARY VEHICLE IDENTIFICATION CARD USE.**

3.6 **Subdivision 1. Temporary vehicle identification card.** (a) For special or
 3.7 extraordinary events, the commissioner may issue a prepaid temporary vehicle
 3.8 identification card to a permit or certificate holder subject to section 221.131, subdivision
 3.9 2 or 3, for a fee of \$5 per card. The card must be preprinted by the commissioner with
 3.10 the carrier's name, address, and permit or certificate number. The card may be used by
 3.11 the motor carrier to whom it is issued to identify a vehicle temporarily added to its fleet,
 3.12 if the vehicle:

3.13 (1) has evidence of being inspected under section 221.0252, subdivision 3, paragraph
 3.14 (a), clause (2), or under Code of Federal Regulations, title 49, section 396.17 or 396.23,
 3.15 paragraph (b)(1), which are incorporated by reference, within the previous 12 months; or

3.16 (2) has a current Commercial Vehicle Safety Alliance decal; or

3.17 (3) is a school bus operated for a special event under section 169.4475, and the bus
 3.18 has evidence of being inspected under section 169.451.

3.19 (b) The card must be executed by the motor carrier by dating and signing the card
 3.20 and describing the vehicle in which it will be carried. The identification card is valid for
 3.21 a period of ten days from the date the motor carrier places on the card when the card
 3.22 is executed. The card must be used within one year from the date of issuance by the
 3.23 commissioner. The card may not be used if the permit or certificate is not in full force
 3.24 and effect. The card may not be transferred. The commissioner may not refund the cost
 3.25 of unused prepaid temporary vehicle identification cards.

3.26 **Subd. 2. Special event school bus; regulations.** A school bus for which a
 3.27 temporary vehicle identification card is issued under subdivision 1, paragraph (a), clause
 3.28 (3), is not subject to the provisions of this chapter governing motor carriers of passengers,
 3.29 except for this section and section 221.131.