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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 678

01/23/2023 Authored by Elkins, Hornstein, Tabke, Kraft, Lillie and others
The bill was read for the first time and referred to the Committee on Education Policy
02/02/2023 Adoption of Report: Re-referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; governing policy provisions on school-related active
1.3 transportation; amending Minnesota Statutes 2022, sections 123B.90, subdivision
1.4 2; 169.14, subdivision 5a, by adding a subdivision; proposing coding for new law
1.5 in Minnesota Statutes, chapter 123B.

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

1.7 Section 1. Minnesota Statutes 2022, section 123B.90, subdivision 2, is amended to read:

1.8 Subd. 2. Student training. (a) Each district must provide public school pupils enrolled
1.9 in kindergarten through grade 10 with age-appropriate school bus safety training, as described
1.10 in this section, of the following concepts:

- 1.11 (1) transportation by school bus is a privilege and not a right;
1.12 (2) district policies for student conduct and school bus safety;
1.13 (3) appropriate conduct while on the school bus;
1.14 (4) the danger zones surrounding a school bus;
1.15 (5) procedures for safely boarding and leaving a school bus;
1.16 (6) procedures for safe street or road crossing; and
1.17 (7) school bus evacuation.

1.18 (b) Each nonpublic school located within the district must provide all nonpublic school
1.19 pupils enrolled in kindergarten through grade 10 who are transported by school bus at public
1.20 expense and attend school within the district's boundaries with training as required in
1.21 paragraph (a).

2.1 (c) Students enrolled in kindergarten through grade 6 who are transported by school bus  
 2.2 and are enrolled during the first or second week of school must receive the school bus safety  
 2.3 training competencies by the end of the third week of school. Students enrolled in grades  
 2.4 7 through 10 who are transported by school bus and are enrolled during the first or second  
 2.5 week of school and have not previously received school bus safety training must receive  
 2.6 the training or receive bus safety instructional materials by the end of the sixth week of  
 2.7 school. Students taking driver's training instructional classes must receive training in the  
 2.8 laws and proper procedures when operating a motor vehicle in the vicinity of a school bus  
 2.9 as required by section 169.446, subdivisions 2 and 3. Students enrolled in kindergarten  
 2.10 through grade 10 who enroll in a school after the second week of school and are transported  
 2.11 by school bus and have not received training in their previous school district shall undergo  
 2.12 school bus safety training or receive bus safety instructional materials within four weeks  
 2.13 of the first day of attendance. Upon request of the superintendent of schools, the school  
 2.14 transportation safety director in each district must certify to the superintendent that all  
 2.15 students transported by school bus within the district have received the school bus safety  
 2.16 training according to this section. Upon request of the superintendent of the school district  
 2.17 where the nonpublic school is located, the principal or other chief administrator of each  
 2.18 nonpublic school must certify to the school transportation safety director of the district in  
 2.19 which the school is located that the school's students transported by school bus at public  
 2.20 expense have received training according to this section.

2.21 (d) A district and a nonpublic school with students transported by school bus at public  
 2.22 expense may provide kindergarten pupils with bus safety training before the first day of  
 2.23 school.

2.24 ~~(e) A district and a nonpublic school with students transported by school bus at public~~  
 2.25 ~~expense may also provide student safety education for bicycling and pedestrian safety, for~~  
 2.26 ~~students enrolled in kindergarten through grade 5.~~

2.27 ~~(f)~~ (e) A district and a nonpublic school with students transported by school bus at public  
 2.28 expense must make reasonable accommodations for the school bus safety training of pupils  
 2.29 known to speak English as a second language and pupils with disabilities.

2.30 ~~(g)~~ (f) The district and a nonpublic school with students transported by school bus at  
 2.31 public expense must provide students enrolled in kindergarten through grade 3 school bus  
 2.32 safety training twice during the school year.

2.33 ~~(h)~~ (g) A district and a nonpublic school with students transported by school bus at public  
 2.34 expense must conduct a school bus evacuation drill at least once during the school year.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2023.

3.2 Sec. 2. **[123B.935] ACTIVE TRANSPORTATION SAFETY TRAINING.**

3.3 Subdivision 1. **Training required.** (a) Each district must provide public school pupils  
3.4 enrolled in kindergarten through grade 3 with age-appropriate active transportation safety  
3.5 training. At a minimum, the training must include pedestrian safety, including crossing  
3.6 roads.

3.7 (b) Each district must provide public school pupils enrolled in grades 4 through 8 with  
3.8 age-appropriate active transportation safety training. At a minimum, the training must  
3.9 include:

3.10 (1) pedestrian safety, including crossing roads safely using the searching left, right, left  
3.11 for vehicles in traffic technique; and

3.12 (2) bicycle safety, including relevant traffic laws, use and proper fit of protective  
3.13 headgear, bicycle parts and safety features, and safe biking techniques.

3.14 (c) A nonpublic school may provide nonpublic school pupils enrolled in kindergarten  
3.15 through grade 8 with training as specified in paragraphs (a) and (b).

3.16 Subd. 2. **Deadlines.** (a) Students under subdivision 1, paragraph (a), who are enrolled  
3.17 during the first or second week of school and have not previously received active  
3.18 transportation safety training specified in that paragraph must receive the safety training by  
3.19 the end of the third week of school.

3.20 (b) Students under subdivision 1, paragraph (b), who are enrolled during the first or  
3.21 second week of school and have not previously received active transportation safety training  
3.22 specified in that paragraph must receive the safety training by the end of the sixth week of  
3.23 school.

3.24 (c) Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the  
3.25 second week of school and have not received the appropriate active transportation safety  
3.26 training in their previous school district must undergo the training or receive active  
3.27 transportation safety instructional materials within four weeks of the first day of attendance.

3.28 (d) A district and a nonpublic school may provide kindergarten pupils with active  
3.29 transportation safety training before the first day of school.

3.30 Subd. 3. **Instruction.** (a) A district may provide active transportation safety training  
3.31 through distance learning.

4.1 (b) A district and a nonpublic school must make reasonable accommodations for the  
 4.2 active transportation safety training of pupils known to speak English as a second language  
 4.3 and pupils with disabilities.

4.4 Subd. 4. Model program. The commissioner of transportation must maintain a  
 4.5 comprehensive collection of active transportation safety training materials that meets the  
 4.6 requirements under this section.

4.7 EFFECTIVE DATE. This section is effective August 1, 2023.

4.8 Sec. 3. Minnesota Statutes 2022, section 169.14, subdivision 5a, is amended to read:

4.9 Subd. 5a. **Speed zoning in school zone; surcharge.** (a) Each of the local authorities  
 4.10 having jurisdiction over a street or highway within a school zone of a public or nonpublic  
 4.11 school may establish a school speed limit on any street or highway within a that school zone  
 4.12 of a public or nonpublic school, regardless of jurisdiction over the road. The school speed  
 4.13 zone must be established upon the basis of an engineering and traffic investigation as  
 4.14 prescribed by the commissioner of transportation. The establishment of a school speed limit  
 4.15 on any trunk highway shall be with the consent of the commissioner of transportation. Such  
 4.16 The school speed limits shall be are in effect when children are present, going to or leaving  
 4.17 school during opening or closing hours or during school recess periods. The school speed  
 4.18 limit shall must not be lower than 15 miles per hour and shall must not be more than 30  
 4.19 miles per hour below the established speed limit on an affected street or highway.

4.20 (b) The school speed limit ~~shall be~~ is effective upon the erection of appropriate signs  
 4.21 designating the speed and indicating the beginning and end of the reduced speed zone. Any  
 4.22 speed in excess of such posted school speed limit is unlawful. ~~All such~~ The signs shall must  
 4.23 be erected by the local authorities on those streets and highways under their respective  
 4.24 jurisdictions and by the commissioner of transportation on trunk highways.

4.25 (c) For the purpose of this subdivision, "school zone" means that section of a street or  
 4.26 highway which abuts the grounds of a school where children have access to the street or  
 4.27 highway from the school property or where an established school crossing is located provided  
 4.28 the school advance sign prescribed by the Manual on Uniform Traffic Control Devices  
 4.29 adopted by the commissioner of transportation pursuant to section 169.06 is in place. All  
 4.30 signs erected by local authorities to designate speed limits in school zones ~~shall~~ must conform  
 4.31 to the Manual on Uniform Traffic Control Devices.

5.1 (d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person  
5.2 who violates a speed limit established under this subdivision is assessed an additional  
5.3 surcharge equal to the amount of the fine imposed for the violation, but not less than \$25.

5.4 **EFFECTIVE DATE.** This section is effective August 1, 2023.

5.5 Sec. 4. Minnesota Statutes 2022, section 169.14, is amended by adding a subdivision to  
5.6 read:

5.7 **Subd. 5i. School-related speed limits.** (a) A statutory or home rule charter city may  
5.8 establish speed limits other than the limits provided in subdivision 2 for any street or highway  
5.9 established within the city, regardless of jurisdiction over the road, on a street or highway  
5.10 segment that is:

5.11 (1) within two miles of a school speed zone; or

5.12 (2) designated by the city as part of a safe routes to school corridor.

5.13 (b) The school-related speed limit must not be lower than 20 miles per hour.

5.14 (c) A city that establishes a speed limit pursuant to this subdivision must implement  
5.15 speed limit changes in a consistent and understandable manner. The city must erect  
5.16 appropriate signs to display the speed limit.

5.17 **EFFECTIVE DATE.** This section is effective August 1, 2023.