

2007 -- H 6371 SUBSTITUTE A

=====
LC03006/SUB A/4
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES

Introduced By: Representatives Gablinske, and Picard

Date Introduced: May 08, 2007

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 31 of the General Laws entitled "MOTOR AND OTHER
2 VEHICLES" is hereby amended by adding thereto the following chapter:

3 CHAPTER 22.1

4 PUPIL TRANSPORTATION VEHICLES

5 **31-22.1-1. Pupil transportation vehicle -- Definition.** – A pupil transportation vehicle is
6 a motor vehicle designed and constructed to seat not more than eight (8) passengers in addition to
7 the operator, used by a school committee to provide the transportation services required by law or
8 regulation to students being conveyed along a fixed school transportation route. In particular,
9 such vehicles may be used to provide the transportation services required by section 16-21-1,
10 section 16-21.1-1, et seq. and section 16-24-4 on routes in which only small numbers of students
11 are being conveyed.

12 **31-22.1-2. Pupil transportation vehicle -- Vehicle standards.** – Vans, sport utility
13 vehicles, and heavy automobiles as defined by applicable federal regulations may be used as
14 pupil transportation vehicles provided that these vehicles meet the highest federal
15 crashworthiness standards for these categories of vehicles. Unless otherwise specifically provided
16 for herein, the provisions of section 31-20-4, et seq. (Special Stops Required) shall be applicable
17 to pupil transportation vehicles. The provisions of section 31-23-42 (First aid kit and heating
18 equipment), section 31-23-42.2 (Power equipment on school buses), section 31-23-54 (Fire
19 extinguishers), section 31-23-55 (Speedometer and odometer) and section 31-23-56 (Stop arm)

1 shall be applicable to pupil transportation vehicles. A pupil transportation vehicle shall not be
2 required to be painted school bus yellow provided it carries a sign in school bus yellow visible
3 from forward and from in back of the vehicle containing the lettering required by section 31-20-
4 11.

5 **31-22.1-3. Equipment and operation of pupil transportation vehicles.** – No person
6 shall operate any student transportation vehicle, and the owner or custodian of a student
7 transportation vehicle shall not permit the same to be operated to convey students unless the
8 following requirements are complied with:

9 (1) The operator of a pupil transportation vehicle shall not allow the number of school
10 students riding in the pupil transportation vehicle at any one time to exceed the number of
11 adequate seats therein nor shall the operator drive said bus until each student is seated.

12 (2) No person shall operate a pupil transportation vehicle referred to in this section, nor
13 knowingly allow any passenger to ride in such vehicle unless the operator and all passengers are
14 wearing a safety belt which is properly adjusted and fastened.

15 (3) All doors shall be kept closed while the pupil transportation vehicle is in motion.

16 (4) No fueling shall take place while any pupil transportation vehicle is occupied by
17 students.

18 (5) Each pupil transportation vehicle shall be equipped with Type I Class A turn signal
19 lamps, which shall have a four-way hazard warning signal switch to cause simultaneous flashing
20 of the turn signal lamps which may be activated when a pupil transportation vehicle is
21 approaching a stop to load or discharge school students and when needed as a vehicular traffic
22 hazard warning. Each pupil transportation vehicle shall also be equipped with front and rear
23 alternating flashing school bus red signal lamps, which shall remain flashing when school pupils
24 are entering or leaving the pupil transportation vehicle. All aforementioned lamps shall comply
25 with applicable Federal Motor Vehicle Safety Standards and any applicable rules and regulations
26 promulgated by the department of motor vehicles. The operator of a pupil transportation vehicle
27 shall cause its headlamps to be illuminated while such bus is in operation.

28 (6) Any person who operates such a pupil transportation vehicle shall not permit the
29 boarding or discharging of school students therefrom unless the pupil transportation vehicle is
30 stopped as close as is practicable to the right-hand side or edge of the ways and shall announce
31 when discharging passengers there from that all persons who wish to cross to the other side of
32 the way shall do so by passing in front of the pupil transportation vehicle immediately upon
33 alighting therefrom. No person shall operate a pupil transportation vehicle on a way after
34 discharging passengers therefrom unless all persons who wish to cross to the other side have done

1 so. The monitor requirement of section 16-21-1 shall not apply to pupil transportation vehicles.

2 (7) Each pupil transportation vehicle shall be required to be equipped with one pair of
3 adequate chock blocks and three (3) flares in compliance with United States Motor Vehicle
4 D.O.T. Safety Standard No. 125, which shall be placed upon the roadway in conformance with
5 section 14 B of chapter 85 when such vehicle becomes disabled upon the traveled portion of any
6 way, and seat belts for each permanent seating accommodation designed and installed in
7 compliance with applicable United States Motor Vehicle Safety Standards.

8 (8) All pupil transportation vehicles used to transport school students under the
9 provisions of this section shall display sticker as authorized by the department of motor vehicles
10 for a reasonable fee established by the department of motor vehicles.

11 (9) Only the holder of a Rhode Island chauffeurs license shall operate a pupil
12 transportation vehicle when the vehicle is being used to convey students, who has passed a
13 written test as may be prescribed by the department of motor vehicles.

14 **31-22.2-4. Operation of pupil transportation vehicles. – No pupil transportation**
15 **vehicle shall be operated, under the provisions of this chapter, for purposes of transporting**
16 **students prior to September 1, 2007.**

17 SECTION 2. Section 31-22-11.6 of the General Laws in Chapter 31-22 entitled
18 "Miscellaneous Rules" is hereby amended to read as follows:

19 **31-22-11.6. Child care vehicles and school extra-curricular vehicles. --** (a) (1)
20 Pursuant to section 31-22-10, the division of motor vehicles is authorized to promulgate rules and
21 regulations concerning the type, construction, and equipment of motor vehicles used for the
22 transportation of children to and from child care facilities and to and from school sponsored
23 activities including athletics and extra-curricular activities.

24 (2) (i) For the purposes of this section, "school bus", as referred to in section 31-1-3(v),
25 is defined as a vehicle which is used to carry children to or from school on school bound routes at
26 the outset of the children's school day and/or on home bound routes at the end of the children's
27 school day. For these routes, a school bus or a pupil transportation vehicle as set forth in sections
28 31-22.1-1 and 31-22.1-2 must be used regardless of the number of students being transported.

29 (ii) For purposes of this section, "school extra-curricular vehicles" is defined as vehicles
30 designed to transport fewer than fifteen (15) students to and from school sponsored activities
31 including athletics, internships, work experiences, and extra-curricular activities where school
32 buses are not used because of the small number of students being transported.

33 (iii) For the purpose of this section, "child care vehicle" is defined as a motor vehicle
34 owned or leased by a licensed child care agency that does not exceed fifteen (15) passengers and

1 is being used to transport children from schools to child care facilities and/or from child care
2 facilities to schools. Two (2) door sedans shall not be considered child care vehicles or school
3 extra-curricular vehicles.

4 (b) The division of motor vehicles shall have the authority to suspend the registration of
5 any vehicle used for child care transportation or school extra-curricular transportation that does
6 not meet the following requirements:

7 (1) Seating. - Adequate seating space for all passengers shall be provided. The maximum
8 seating capacity of a child care vehicle and school extra-curricular vehicle shall be fifteen (15)
9 persons, including the driver. No standing shall be permitted while the vehicle is in operation.

10 (2) Safety belts. - Safety belts shall be required for all passengers riding in the child care
11 vehicle and school extra-curricular vehicle.

12 (3) Vehicle registration. - All child care vehicles and school extra-curricular vehicles
13 shall be registered as public vehicles.

14 (4) Vehicle inspection. - All child care vehicles and school extra-curricular vehicles shall
15 be inspected for excessive emissions and/or safety items according to a staggered appointment
16 schedule as determined by the director of administration, or his or her designee, and from time to
17 time thereafter as may be required, and the vehicle owner shall display upon the vehicle the
18 certificate of inspection and approval issued to the vehicle until the certificate shall expire.

19 (5) Inspector's rejection notice. - The director of administration, or his or her designee,
20 may affix a notice of rejection to any vehicle that fails to pass the required inspection
21 requirements. The rejection notice shall not be destroyed or removed from the vehicle until the
22 vehicle has passed the inspection requirements, or its removal has been authorized by the director
23 of administration or his or her designee.

24 (6) (i) Vehicle identification. - Any and all child care vehicles and school extra-
25 curricular vehicles must have the name of the child care organization conspicuously placed on the
26 side of the vehicle. The identification shall be required to possess two inch (2") letters, and be
27 permanently affixed on the side of the vehicle.

28 (ii) Should any child care vehicle and school extra-curricular vehicle be a leased vehicle,
29 the vehicle shall forego the requirement of having the name of the child care facility or school
30 permanently affixed to the side of the vehicle, but instead may satisfy the identification
31 requirement by placing a magnetized sign naming the child care facility or school or any other
32 temporarily affixed apparatus; provided, that the temporary identification sign not be
33 interchanged, replaced, or modified to change the purpose or function of the child care vehicle
34 and school extra-curricular vehicle.

1 (7) (i) Fire extinguisher. - The child care vehicle and school extra-curricular vehicle shall
2 be equipped with at least one pressurized, potassium bicarbonate base dry chemical-type fire
3 extinguisher, mounted in the manufacturer's extinguisher bracket, and located in the driver's
4 compartment in full view of and readily accessible to the driver. A pressure gauge shall be
5 mounted on the extinguisher so as to be easily read without removing the extinguisher from its
6 mounted position.

7 (ii) The fire extinguisher shall have a minimum capacity of not less than two and a half
8 pounds (2 1/2 lbs.) and be of a type approved by the Underwriters Laboratories, Inc., with a rating
9 of not less than ten (10) B:C. The operating mechanism shall be sealed with a type of seal that
10 will not interfere with use of the fire extinguisher.

11 (8) First-Aid kits. - Every child care vehicle and school extra-curricular vehicle shall be
12 equipped with a first-aid kit mounted in an area accessible to the operator which consists of
13 bandages, sterile pads, adhesive tape, and Band-Aids for use in the administration of first-aid
14 treatment.

15 (9) School extra-curricular vehicles purchased after January 1, 2000 shall further comply
16 with regulations which the division of motor vehicles is authorized to promulgate which require
17 these vehicles to meet appropriate safety standards. The additional safety requirements of this
18 subsection shall, effective January 1, 2008, also apply to school extra-curricular vehicles in
19 service prior to January 1, 2000, which are still in service after January 1, 2008.

20 SECTION 3. This act shall take effect upon passage.

=====
LC03006/SUB A/4
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES

1 This act would provide for pupil transportation vehicles in order to allow for the
2 transportation of small numbers of students.

3 This act would take effect upon passage.

=====
LC03006/SUB A/4
=====