

STATE OF NEW YORK

6028

2017-2018 Regular Sessions

IN SENATE

May 10, 2017

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Education

AN ACT to amend the education law and the vehicle and traffic law, in
relation to contracts for transportation and required markings on
school buses

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 14 of section 305 of the education law is
2 amended by adding a new paragraph g to read as follows:

3 g. Notwithstanding the provisions of this subdivision, section one
4 hundred three of the general municipal law, or any other provision of
5 law to the contrary, the board of education shall be authorized to enter
6 into a piggyback contract with another school district that transports
7 students pursuant to a contract with a private transportation contrac-
8 tor, provided that the board finds that the contract cost is appropriate
9 and entry into a piggyback contract will result in a cost savings to the
10 school district. For purposes of this paragraph, a "piggyback contract"
11 means a contract for the transportation of students that: (1) provides
12 transportation to a location outside the students' school district of
13 residence to which another school district is already providing trans-
14 portation to its own students through an existing contract with a
15 private transportation contractor, other than a cooperatively bid
16 contract; (2) is entered into by the private transportation contractor
17 and each school district involved; and (3) provides for transportation
18 in accordance with the terms and conditions of such existing transporta-
19 tion contract.

20 § 2. Subparagraph 1 of paragraph (b) and paragraphs (c) and (d) of
21 subdivision 20 of section 375 of the vehicle and traffic law, subpara-
22 graph 1 of paragraph (b) as amended by chapter 242 of the laws of 1992,
23 paragraph (c) as amended by chapter 96 of the laws of 1973 and paragraph

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD11498-02-7

(d) as amended by chapter 567 of the laws of 1985, are amended to read as follows:

(1) In addition to such signal lamps, two signs shall be conspicuously displayed on the exterior of every such omnibus designating it as a school omnibus by the use of the words "SCHOOL BUS" which shall be painted or otherwise inscribed thereon in black letters. Such letters shall be of uniform size, at least eight inches in height, and each stroke of each letter shall be not less than one inch in width. The background of each such sign shall be painted ~~[the color known as "national school bus chrome."]~~ on a background of retro reflective national school bus yellow material. The material shall be the same quality and type as federal motor vehicle safety standards require for the marking of emergency exits. For each such omnibus having a seating capacity in excess of fifteen children, such signs shall be securely mounted on top of such vehicle, one of which shall be affixed on the front and one on the rear thereof. For each such omnibus having a seating capacity of not more than fifteen children, such signs shall be securely mounted on top of such vehicle, one of which shall face the front and one of which shall face the rear thereof. Each such sign shall be visible and readable from a point at least two hundred feet distant.

(c) ~~[In the event such vehicle is operated on a public highway during the period between one half hour after sunset and one half hour before sunrise, the signs required by paragraph (b) of this subdivision shall be illuminated as to be visible from a point at least five hundred feet distant.~~

~~(d)]~~ Every such omnibus shall be equipped as provided in paragraphs (a) and (b) of this subdivision, ~~[and such signs shall be displayed and illuminated in accordance with paragraphs (b) and (c) of this subdivision.]~~ and such signal lamps shall be operated as provided in paragraph (a) of this subdivision at all times when such omnibus shall be engaged in transporting pupils to and from school or school activities or in transporting children to and from child care centers maintained for children of migrant farm and food processing laborers, or in transporting children to and from camp or camp activities or transporting children to and from religious services or instruction or transporting persons with disabilities on any such omnibus used by any state facility or not-for-profit agency licensed by the state.

§ 3. This act shall take effect July 1, 2017, provided that if this act shall become a law after such date, it shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2017 and provided further, nothing in section two of this act shall be construed to require the retrofitting of school buses purchased prior to the effective date of this act.