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I N   A S S E M B L Y

February 25, 2016

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Introduced by M. of A. HUNTER, SEPULVEDA, STIRPE, BARRON, SOLAGES, MILLER, BRENNAN, WILLIAMS, TITONE, MAGNARELLI, JEAN-PIERRE, ROZIC, HYNDMAN, KIM, NOLAN, O'DONNELL, TITUS, ARROYO, ENGLEBRIGHT, HOOPER, RYAN, CRESPO, OTIS, MAYER, SIMON, BLAKE, JOYNER, MURRAY, SEAWRIGHT, DiPIETRO, WALKER -- Multi-Sponsored by -- M. of A. CANCEL, COOK, CROUCH, MAGEE, MOSLEY, THIELE -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing a task force on safety in school transportation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The education law is amended by adding a new section 3638  
2     to read as follows:  
3     S 3638. TASK FORCE ON SAFETY IN SCHOOL TRANSPORTATION. 1. THERE IS  
4     HEREBY CREATED A TASK FORCE WITH THE PURPOSE OF PROMOTING SAFETY IN  
5     SCHOOL TRANSPORTATION.  
6     2. THE TASK FORCE SHALL CONSIST OF THE COMMISSIONER OR HIS OR HER  
7     DESIGNEE, THE COMMISSIONER OF TRANSPORTATION OR HIS OR HER DESIGNEE, THE  
8     COMMISSIONER OF THE DEPARTMENT OF MOTOR VEHICLES OR HIS OR HER DESIGNEE  
9     AND ELEVEN MEMBERS TO BE APPOINTED BY THE COMMISSIONER IN ACCORDANCE  
10    WITH SUBDIVISION THREE OF THIS SECTION.  
11    3. PURSUANT TO SUBDIVISION TWO OF THIS SECTION, THERE SHALL BE ELEVEN  
12    MEMBERS APPOINTED BY THE COMMISSIONER OF WHOM ONE MEMBER SHALL BE A  
13    SCHOOL DISTRICT TRANSPORTATION MANAGER, DIRECTOR OR SUPERVISOR; ONE  
14    MEMBER SHALL BE A REPRESENTATIVE OF A LOCAL SCHOOL BOARD; ONE MEMBER  
15    SHALL BE A SCHOOL ADMINISTRATOR; ONE MEMBER SHALL BE A SCHOOL BUSINESS  
16    OFFICIAL OR OTHER RELATED TITLE; ONE MEMBER SHALL BE A SCHOOL BUS  
17    CONTRACTOR; ONE MEMBER SHALL BE A SCHOOL BUS DRIVER, MONITOR OR ATTEND-  
18    ANT; THREE MEMBERS SHALL BE PARENTS OR GUARDIANS OF STUDENTS INCLUDING  
19    AT LEAST ONE PARENT OF A STUDENT RECEIVING SPECIAL EDUCATION SERVICES;  
20    ONE MEMBER SHALL BE A PUBLIC MEMBER WHO SHALL HAVE KNOWLEDGE AND EXPER-

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

LBD13449-06-6

1 TISE IN ENSURING SAFETY IN SCHOOL TRANSPORTATION; AND ONE MEMBER SHALL  
2 BE A PUBLIC MEMBER WHO SHALL BE AN EXPERT ON THE SAFETY EQUIPMENT AVAIL-  
3 ABLE IN SCHOOL TRANSPORTATION VEHICLES.

4 4. IT SHALL BE THE DUTY OF THE TASK FORCE TO STUDY ISSUES ASSOCIATED  
5 WITH STUDENT SAFETY IN SCHOOL TRANSPORTATION. THE TASK FORCE SHALL:

6 A. REVIEW EXISTING FEDERAL, STATE AND LOCAL LAWS, REGULATIONS, AND  
7 PROGRAMS THAT ADDRESS SCHOOL BUS SAFETY, AND MAKE RECOMMENDATIONS FOR  
8 THE IMPROVEMENT OF STATE LAWS, INCLUDING ANY RECOMMENDATIONS NECESSARY  
9 TO ENSURE THAT THE PEDESTRIAN SAFETY RECORD IS ROUTINELY REVIEWED BY AN  
10 APPROPRIATE STATE OFFICE;

11 B. EXAMINE THE POSSIBILITY OF REQUIRING A STATE DEPARTMENT OR OFFICE  
12 TO CONDUCT A BIENNIAL REVIEW OF ALL ASPECTS OF SCHOOL BUS SAFETY AND TO  
13 ISSUE RECOMMENDATIONS FOR ADDITIONAL ACTION OR OVERSIGHT, AS APPROPRI-  
14 ATE;

15 C. DEVELOP RECOMMENDATIONS RELATED TO SCHOOL BUS SAFETY MEASURES WHICH  
16 MAY REQUIRE RETROFITTING AND PROSPECTIVE VEHICLE PURCHASES, AND RECOM-  
17 MENDATIONS RELATED TO THE POTENTIAL APPLICATION OF VEHICLE SENSOR TECH-  
18 NOLOGY TO IMPROVE SCHOOL BUS SAFETY;

19 D. IDENTIFY BEST PRACTICES FOR THE DESIGNATION OF SCHOOL BUS STOPS;

20 E. REVIEW THE CURRENT SAFETY STATUS OF STUDENTS WHO WALK TO AND FROM  
21 SCHOOL AND IDENTIFY STRATEGIES THAT SUPPORT SAFE PEDESTRIAN BEHAVIOR BY  
22 STUDENTS BETWEEN THEIR HOMES AND SCHOOLS, INCLUDING AS THEY WALK TO AND  
23 FROM BUS STOPS AND BOARD AND EXIT BUSES;

24 F. IDENTIFY SAFETY PROTOCOLS TO BE FOLLOWED BY SCHOOL BUS DRIVERS AND  
25 SCHOOL BUS AIDES, INCLUDING SAFEGUARDS TO ENSURE THAT PROTOCOLS ARE  
26 FOLLOWED WHEN A SUBSTITUTE DRIVER OR SCHOOL BUS AIDE IS ASSIGNED TO A  
27 SCHOOL BUS;

28 G. DEVELOP RECOMMENDATIONS TO CURB ILLEGAL PASSING OF SCHOOL BUSES;  
29 AND

30 H. DETERMINE IF THERE IS A NEED FOR ADDITIONAL PUBLIC EDUCATION  
31 PROGRAMS THAT PROMOTE SCHOOL BUS SAFETY.

32 5. ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE WITHIN THIRTY DAYS  
33 OF THE EFFECTIVE DATE OF THIS SECTION. VACANCIES IN THE MEMBERSHIP OF  
34 THE TASK FORCE SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL  
35 APPOINTMENTS WERE MADE. THE MEMBERS OF THE TASK FORCE SHALL SERVE WITH-  
36 OUT COMPENSATION BUT MAY BE REIMBURSED, WITHIN THE LIMITS OF FUNDS MADE  
37 AVAILABLE TO THE TASK FORCE, FOR NECESSARY EXPENSES INCURRED IN THE  
38 PERFORMANCE OF THEIR DUTIES.

39 6. THE TASK FORCE SHALL COMMENCE ITS DUTIES AS SOON AS IS PRACTICAL  
40 UPON THE APPOINTMENT OF A MAJORITY OF ITS MEMBERS. THE TASK FORCE SHALL  
41 APPOINT A SECRETARY WHO NEED NOT BE A MEMBER. THE TASK FORCE SHALL  
42 SELECT A CHAIR FROM AMONG ITS MEMBERS.

43 7. THE DEPARTMENT MAY PROVIDE STAFF AND RELATED SUPPORT SERVICES TO  
44 THE TASK FORCE. THE TASK FORCE MAY MEET AND HOLD HEARINGS AT SUCH PLACES  
45 AS IT SHALL DESIGNATE.

46 8. THE TASK FORCE SHALL PRESENT A REPORT OF ITS FINDINGS AND RECOMMEN-  
47 DATIONS TO THE GOVERNOR AND TO THE TEMPORARY PRESIDENT OF THE SENATE AND  
48 SPEAKER OF THE ASSEMBLY NO LATER THAN TWELVE MONTHS AFTER ITS COMMENCE-  
49 MENT AND SHALL CEASE TO EXIST UPON SUBMITTING SUCH REPORT AND RECOMMEN-  
50 DATIONS.

51 S 2. This act shall take effect immediately.