S T A T E O F N E W Y O R K

6687--A

I N S E N A T E

February 4, 2016

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, 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:

Section 1. The education law is amended by adding a new section 3638 to read as follows:

S 3638. TASK FORCE ON SAFETY IN SCHOOL TRANSPORTATION. 1. THERE IS HEREBY CREATED A TASK FORCE WITH THE PURPOSE OF PROMOTING SAFETY IN SCHOOL TRANSPORTATION.

2. THE TASK FORCE SHOULD CONSIST OF EIGHTEEN MEMBERS, INCLUDING THE COMMISSIONER, EX OFFICIO, OR A DESIGNEE; THE COMMISSIONER OF TRANSPORTATION, EX OFFICIO, OR A DESIGNEE; THE COMMISSIONER OF THE DEPARTMENT OF MOTOR VEHICLES, EX OFFICIO, OR A DESIGNEE; THE DIRECTOR OF THE OFFICE OF TRAFFIC SAFETY AND MOBILITY, EX OFFICIO, OR A DESIGNEE; AND FOURTEEN MEMBERS TO BE APPOINTED BY THE GOVERNOR. THE MEMBERS APPOINTED BY THE GOVERNOR SHOULD INCLUDE: ONE SCHOOL DISTRICT TRANSPORTATION COORDINATOR; ONE REPRESENTATIVE OF THE SCHOOL ADMINISTRATORS ASSOCIATION; ONE REPRESENTATIVE OF THE EMPIRE STATE SUPERVISORS AND ADMINISTRATORS ASSOCIATION; ONE REPRESENTATIVE OF NEW YORK STATE UNITED TEACHERS; ONE REPRESENTATIVE OF THE NEW YORK STATE SCHOOL BOARDS ASSOCIATION; ONE REPRESENTATIVE OF THE NEW YORK STATE ASSOCIATION OF SCHOOL BUSINESS OFFICIALS; ONE REPRESENTATIVE OF THE NEW YORK STATE SCHOOL BUS CONTRACTORS ASSOCIATION; ONE REPRESENTATIVE OF THE NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION; ONE REPRESENTATIVE OF YOUTH CAMPS WHO IS A MEMBER OF THE STATE CAMP ADVISORY COUNCIL; THREE PARENTS OR GUARDIANS OF STUDENTS INCLUDING AT LEAST ONE PARENT OF A STUDENT RECEIVING SPECIAL EDUCATION SERVICES; ONE PUBLIC MEMBER WHO SHALL HAVE KNOWLEDGE AND EXPERTISE IN ENSURING SAFETY IN SCHOOL TRANSPORTATION; AND ONE PUBLIC MEMBER WHO SHALL BE AN EXPERT ON THE SAFETY EQUIPMENT AVAILABLE IN SCHOOL TRANSPORTATION VEHICLES.

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

LBD13449-04-6

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

A. REVIEW EXISTING STATE LAWS, REGULATIONS, AND PROGRAMS THAT ADDRESS SCHOOL BUS SAFETY, AND MAKE RECOMMENDATIONS FOR THEIR IMPROVEMENT, INCLUDING ANY RECOMMENDATIONS NECESSARY TO ENSURE THAT THE PEDESTRIAN SAFETY RECORD IS ROUTINELY REVIEWED BY AN APPROPRIATE STATE OFFICE;

B. EXAMINE THE POSSIBILITY OF REQUIRING A STATE DEPARTMENT OR OFFICE TO CONDUCT A BIANNUAL REVIEW OF ALL ASPECTS OF SCHOOL BUS SAFETY AND TO ISSUE RECOMMENDATIONS FOR ADDITIONAL ACTION OR OVERSIGHT, AS APPROPRIATE;

C. DEVELOP A PLAN TO PHASE IN ANY SCHOOL BUS SAFETY MEASURES RECOMMENDED BY THE TASK FORCE THROUGH RETROFITTING AND PROSPECTIVE VEHICLE PURCHASES, AND IDENTIFY THE POTENTIAL APPLICATION OF VEHICLE SENSOR TECHNOLOGY TO IMPROVE SCHOOL BUS SAFETY;

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

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

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

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

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

4. ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS SECTION. VACANCIES IN THE MEMBERSHIP OF THE TASK FORCE SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENTS WERE MADE. THE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION BUT MAY BE REIMBURSED, WITHIN THE LIMITS OF FUNDS MADE AVAILABLE TO THE TASK FORCE, FOR NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

5. THE TASK FORCE SHALL ORGANIZE AS SOON AS IS PRACTICAL UPON THE APPOINTMENT OF A MAJORITY OF ITS MEMBERS. THE TASK FORCE SHALL APPOINT A SECRETARY WHO NEED NOT BE A MEMBER. THE TASK FORCE SHALL SELECT A CHAIR FROM AMONG ITS MEMBERS.

6. THE DEPARTMENT SHALL PROVIDE STAFF AND RELATED SUPPORT SERVICES TO THE TASK FORCE. THE TASK FORCE SHALL ALSO BE ENTITLED TO CALL UPON THE SERVICES OF ANY STATE, COUNTY, OR MUNICIPAL DEPARTMENT, BOARD, COMMISSION OR AGENCY, AS MAY BE AVAILABLE TO IT FOR THESE PURPOSES, AND TO INCUR SUCH TRAVELING AND OTHER MISCELLANEOUS EXPENSES AS IT MAY DEEM NECESSARY FOR THE PROPER EXECUTION OF ITS DUTIES AND AS MAY BE WITHIN THE LIMIT OF FUNDS APPROPRIATED OR OTHERWISE MADE AVAILABLE TO IT FOR THESE PURPOSES. THE TASK FORCE MAY MEET AND HOLD HEARINGS AT SUCH PLACES AS IT SHALL DESIGNATE.

7. THE TASK FORCE SHALL PRESENT A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND TO THE LEGISLATURE NO LATER THAN TWELVE MONTHS AFTER ITS ORGANIZATION AND SHALL CEASE TO EXIST UPON SUBMITTING SUCH REPORT AND RECOMMENDATIONS.

S 2. This act shall take effect immediately.