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

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I N A S S E M B L Y

February 25, 2016

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:

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 SHALL CONSIST OF THE COMMISSIONER OR HIS OR HER DESIGNEE, THE COMMISSIONER OF TRANSPORTATION OR HIS OR HER DESIGNEE, THE COMMISSIONER OF THE DEPARTMENT OF MOTOR VEHICLES OR HIS OR HER DESIGNEE AND ELEVEN MEMBERS TO BE APPOINTED BY THE COMMISSIONER IN ACCORDANCE WITH SUBDIVISION THREE OF THIS SECTION.

3. PURSUANT TO SUBDIVISION TWO OF THIS SECTION, THERE SHALL BE ELEVEN MEMBERS APPOINTED BY THE COMMISSIONER OF WHOM ONE MEMBER SHALL BE A SCHOOL DISTRICT TRANSPORTATION MANAGER, DIRECTOR OR SUPERVISOR; ONE MEMBER SHALL BE A REPRESENTATIVE OF A LOCAL SCHOOL BOARD; ONE MEMBER SHALL BE A SCHOOL ADMINISTRATOR; ONE MEMBER SHALL BE A SCHOOL BUSINESS OFFICIAL OR OTHER RELATED TITLE; ONE MEMBER SHALL BE A SCHOOL BUS CONTRACTOR; ONE MEMBER SHALL BE A SCHOOL BUS DRIVER, MONITOR OR ATTENDANT; THREE MEMBERS SHALL BE PARENTS OR GUARDIANS OF STUDENTS INCLUDING AT LEAST ONE PARENT OF A STUDENT RECEIVING SPECIAL EDUCATION SERVICES; 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.

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TISE IN ENSURING SAFETY IN SCHOOL TRANSPORTATION; AND ONE MEMBER SHALL BE A PUBLIC MEMBER WHO SHALL BE AN EXPERT ON THE SAFETY EQUIPMENT AVAILABLE IN SCHOOL TRANSPORTATION VEHICLES.

4. 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 FEDERAL, STATE AND LOCAL LAWS, REGULATIONS, AND PROGRAMS THAT ADDRESS SCHOOL BUS SAFETY, AND MAKE RECOMMENDATIONS FOR THE IMPROVEMENT OF STATE LAWS, 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 RECOMMENDATIONS RELATED TO SCHOOL BUS SAFETY MEASURES WHICH MAY REQUIRE RETROFITTING AND PROSPECTIVE VEHICLE PURCHASES, AND RECOMMENDATIONS RELATED TO 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.

5. 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.

6. THE TASK FORCE SHALL COMMENCE ITS DUTIES 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.

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

8. THE TASK FORCE SHALL PRESENT A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND TO THE TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY NO LATER THAN TWELVE MONTHS AFTER ITS COMMENCEMENT AND SHALL CEASE TO EXIST UPON SUBMITTING SUCH REPORT AND RECOMMENDATIONS.

S 2. This act shall take effect immediately.