

CHAPTER 197

SCHOOL BUSES

S. F. 219

AN ACT relating to the use and operation of school buses.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred eighty-five point one (285.1), sub-
2 section one (1), Code 1973, is amended by striking the subsection and
3 inserting in lieu thereof the following:

4 1. The board of directors in every school district shall provide
5 transportation, either directly or by reimbursement for transportation,
6 for all resident pupils attending public school, kindergarten through
7 twelfth grade, except that:

8 a. Elementary pupils shall be entitled to transportation only if they
9 live more than two miles from the school designated for attendance.

10 b. High school pupils shall be entitled to transportation only if they
11 live more than three miles from the school designated for attendance.

12 For the purposes of this subsection, high school means a school
13 which commences with either grade nine or grade ten, as determined
14 by the board of directors of the school district.

15 Boards in their discretion may provide transportation for some or
16 all resident pupils attending public school who are not entitled to
17 transportation. Boards in their discretion may collect from the par-
18 ent or guardian of the pupil not more than the pro rata cost for such
19 optional transportation, determined as provided in subsection twelve
20 (12) of this section.

21 To the extent that this section as amended by this Act requires
22 transportation which was not required before the effective date of
23 this Act, the board of directors shall not be required to provide such
24 transportation before July 1, 1978.

1 SEC. 2. Section two hundred eighty-five point one (285.1), Code
2 1973, is amended by adding the following new subsections:

3 NEW SUBSECTION. Transportation authorized by this chapter is
4 exempt from all laws of this state regulating common carriers.

5 NEW SUBSECTION. Transportation for which the pro rata cost or
6 other charge is collected shall not be provided outside the state of
7 Iowa except in accordance with rules adopted by the state department
8 of public instruction in accordance with chapter seventeen A (17A)
9 of the Code. The rules shall take into account any applicable federal
10 requirements.

1 SEC. 3. Section two hundred eighty-five point ten (285.10), Code
2 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. In the discretion of the board, furnish a school
4 bus and services of a qualified driver to an organization of, or spon-
5 soring activities for, senior citizens, children, or handicapped persons
6 in this state. The board shall charge and collect an amount sufficient
7 to reimburse all costs of furnishing the bus and driver. A school bus
8 shall be used as provided in this subsection only at times when it is
9 not needed for transportation of pupils.

1 SEC. 4. Section two hundred eighty-five point ten (285.10), sub-
2 section six (6), Code 1973, is amended by striking the subsection and
3 inserting in lieu thereof the following:

4 6. Shall purchase liability insurance and other insurance coverage
5 which the board deems advisable to insure the school district, its offi-
6 cers, employees and agents against liability incurred as a result of
7 operating school buses, including but not limited to liability to pu-
8 pils or other persons lawfully transported. Section six hundred thir-
9 teen A point seven (613A.7) of the Code shall apply to such insurance.
10 However, the board of directors in its discretion shall determine the
11 insurance coverages and limits, and the school district and directors
12 shall not be liable as a result of any such discretionary decision.

1 SEC. 5. Section two hundred eighty-five point eleven (285.11),
2 subsection seven (7), Code 1973, is amended to read as follows:

3 7. The use of school buses shall be restricted to transporting pupils
4 to and from school and to and from extracurricular activities spon-
5 sored by the school when such extracurricular activity is under the
6 direction of a qualified member of the faculty and a part of the regu-
7 lar school program *and to transporting other persons to the extent*
8 *permitted by sections one (1) and three (3) of this Act.* School em-
9 ployees of districts operating buses may be transported to and from
10 school and approved activities which they are required to attend as
11 a result of their responsibilities. Provided, however, nothing in
12 this subsection shall prohibit the use of school buses in transporting
13 a school teacher going to and from her school when such school is on
14 an established school bus route and such teacher makes arrange-
15 ments with the district operating such school bus.

1 SEC. 6. Section two hundred eighty-five point one (285.1), Code
2 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. Boards in districts operating buses may in their
4 discretion transport senior citizens, children, and handicapped per-
5 sons, who are not otherwise entitled to free transportation, and shall
6 collect the pro rata cost of transportation. Transportation under this
7 subsection shall not be provided when the school bus is being used to
8 transport pupils to or from school unless the board determines that
9 such transportation is desirable and will not interfere with or delay
10 the transportation of pupils.

1 SEC. 7. Section three hundred twenty-one point eighteen (321.18),
2 subsection seven (7), Code 1973, is amended to read as follows:

3 7. Any school bus in this state used exclusively for the transporta-
4 tion of pupils to and from school or a school function *or for the pur-*
5 *poses provided in sections one (1) and three (3) of this Act.* Upon
6 application the department shall, without charge, issue a registration
7 certificate and shall also issue registration plates which shall have
8 imprinted thereon the words "Private School Bus" and a distinguish-
9 ing number assigned to the applicant. Such plates shall be attached
10 to the front and rear of each bus exempt from registration under this
11 subsection.

1 SEC. 8. Section three hundred twenty-one point three hundred
2 seventy-two (321.372), subsection one (1), Code 1973, is amended by

- 3 adding the following new unnumbered paragraph:
 4 NEW UNNUMBERED PARAGRAPH. A school bus shall, while carry-
 5 ing passengers, have its headlights turned on.
- 1 SEC. 9. Section two hundred eighty-five point eleven (285.11),
 2 subsection two (2), Code 1973, is repealed.

Approved July 12, 1973.

This Act was passed by the G. A. before July 1, 1973.

CHAPTER 198

TECHNICAL SCHOOLS

H. F. 395

AN ACT relating to powers of school districts for the purchase and sale of certain real estate and the construction of technical schools to teach vocational education and aviation mechanics.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section two hundred ninety-seven point seven (297.7),
 2 Code 1973, is amended by adding the following new unnumbered para-
 3 graph:
 4 NEW UNNUMBERED PARAGRAPH. Any other law to the contrary
 5 notwithstanding, the board of directors of a school district may ac-
 6 quire by purchase, lease, or other arrangement real estate located
 7 within or adjoining the boundaries of a municipal airport, and may
 8 take title, leasehold, or other interest, subject to a right of purchase
 9 or repurchase by the city owning or controlling the municipal airport.
 10 The city may purchase, repurchase, or repossess such real estate and
 11 the improvements constructed on the real estate upon terms and
 12 conditions as agreed to by the board of directors and the city council.
 13 The board of directors of any such school district may construct a
 14 technical school on the real estate to carry on vocational instruction
 15 in aviation mechanics and other aviation programs upon compliance
 16 with conditions and limitations otherwise provided by law.
- 1 SEC. 2. NEW SECTION. The power vested in the electors by sec-
 2 tion two hundred seventy-eight point one (278.1) of the Code shall
 3 not affect or limit the power granted to the board of directors of a
 4 school district in section one (1) of this Act, and the authority
 5 granted in section one (1) of this Act shall be construed as independ-
 6 ent of the power vested in the electors by section two hundred sev-
 7 enty-eight point one (278.1) of the Code.
- 1 SEC. 3. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in the West
 3 Des Moines Express, a newspaper published in West Des Moines,
 4 Iowa, and in The New Iowa Bystander, a newspaper published in Des
 5 Moines, Iowa.

Approved June 29, 1973.

I hereby certify that the foregoing Act, House File 395, was published in the West Des Moines Express, West Des Moines, Iowa, July 12, 1973, and in The New Iowa Bystander, Des Moines, Iowa, July 5, 1973.

MELVIN D. SYNHORST, *Secretary of State.*