

CHAPTER 1154

SCHOOL BUS TRANSPORTATION

H. F. 628

AN ACT relating to school bus transportation requirements.

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

1 SECTION 1. Section two hundred eighty-five point one (285.1), subsection three
2 (3), Code 1975, is amended to read as follows:

3 3. In any district where transportation by school bus is impracticable or where
4 school bus service is not available, the board may require the parents or guardian
5 to transport their children to the school designated for attendance. The parent or
6 guardian shall be reimbursed for such transportation service for elementary pupils
7 by the board of resident district for the distance one way from the pupil's
8 residence to the school designated for attendance at the rate of ~~twenty-eight~~ *fifty-*
9 *six* cents per mile per day irrespective of number of children transported. For
10 high school pupils, the parent or guardian shall be reimbursed ~~forty~~ *eighty* dollars
11 per pupil per year for such service, provided however no family shall receive more
12 than ~~eighty~~ *one hundred sixty* dollars per year for transporting the members of the
13 family who attend high school. The provisions of this section shall apply to
14 eligible nonpublic school pupils as well as to eligible public school pupils.
15 However, reimbursement for nonpublic school pupils shall not exceed ~~forty~~ *eighty*
16 dollars per pupil per year.

17 *The provisions of this subsection shall be effective for transportation of children*
18 *commencing with the second semester of the school year beginning July 1, 1975.*

1 SEC. 2. Section two hundred eighty-five point one (285.1), subsection five (5),
2 Code 1975, is amended to read as follows:

3 5. Where transportation by school bus is impracticable or not available or other
4 existing conditions warrant it, arrangements may be made for use of common
5 carriers according to uniform standards established by the ~~state~~ superintendent of
6 public instruction *and at a cost based upon the actual cost of service and approved by*
7 *the board. The cost shall be the actual cost of service not to exceed forty* dollars
8 *per pupil per year.*

1 SEC. 3. Section two hundred eighty-five point one (285.1), subsection
2 seventeen (17), paragraph c, Code 1975, is amended to read as follows:

3 c. Utilizing the transportation reimbursement provision of subsection 3.
4 However, no reimbursement shall exceed ~~forty~~ *eighty* dollars per nonpublic school
5 pupil per year.

1 SEC. 4. Section two hundred eighty-five point two (285.2), unnumbered
2 paragraph four (4), Code 1975, is amended by striking the paragraph and
3 inserting in lieu thereof the following:

4 Claims for reimbursement shall be made to the department of public
5 instruction by the public school district providing transportation or transportation
6 reimbursement during a school year on a form prescribed by the department, and
7 the claim shall state the services provided and the actual costs incurred. A claim
8 shall not exceed the average transportation costs of the district per pupil
9 transported. Claims shall be accompanied by an affidavit of an officer of the
10 public school district affirming the accuracy of the claim. By February first and
11 by June fifteenth of each year the department shall certify to the state comptroller
12 the amounts of approved claims to be paid, and the state comptroller shall draw
13 warrants payable to school districts which have established claims. Claims shall
14 be allowed where practical, and at the option of the public school district of the

15 pupil's residence, subject to approval by the area education agency of the pupil's
 16 residence, under the provisions of subsection three (3) of section two hundred
 17 eighty-five point nine (285.9) of the Code, the public school district of the pupil's
 18 residence may transport any pupil to a school located in a contiguous public
 19 school district outside the boundary lines of the public school district of the
 20 pupil's residence. The public school district of the pupil's residence may contract
 21 with the contiguous public school district or with a private contractor under the
 22 provisions of section two hundred eighty-five point five (285.5) of the Code to
 23 transport the pupils to the school of attendance within the boundary lines of the
 24 contiguous public school district. The public school district in which the pupil
 25 resides may contract with the contiguous public school district or with a private
 26 contractor under the provisions of section two hundred eighty-five point five
 27 (285.5) of the Code to transport the pupil from the pupil's residence or from
 28 designated school bus collection locations to the school located within the
 29 boundary lines of the contiguous public school district, subject to the approval of
 30 the area education agency of the pupil's residence. The public school district of
 31 the pupil's residence may utilize the reimbursement provisions of section two
 32 hundred eighty-five point one (285.1), subsection three (3) of the Code.

1 SEC. 5. Section two hundred eighty-five point ten (285.10), subsection seven
 2 (7), paragraph b, Code 1975, is amended to read as follows:

3 b. May purchase buses and enter into contract to pay for such buses over a
 4 five-year period as follows: One-fourth of the cost when bus is delivered and the
 5 balance in equal annual installments, plus simple interest due. The interest rate
 6 shall be the lowest rate available and shall not exceed four percent simple interest.
 7 The bus shall serve as security for balance due. Bus bodies and chassis shall be
 8 purchased on separate contracts *unless the bus is constructed as an integral unit,*
 9 *inseparable as to body and chassis, by the manufacturer or is a used or demonstrator*
 10 *bus.*

1 SEC. 6. Section two hundred eighty-five point ten (285.10), subsection nine (9),
 2 Code 1975, is amended to read as follows:

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

1 SEC. 7. Section two hundred eighty-five point eleven (285.11), subsection
 2 seven (7), Code 1975, is amended to read as follows:

3 7. No bus shall leave the public highway to receive or discharge pupils *unless*
 4 *their safety is enhanced thereby, or the private road is maintained in the same manner*
 5 *as a public roadway.*

1 SEC. 8. Section two hundred eighty-five point ten (285.10), Code 1975, is
 2 amended by adding the following new subsection:

3 NEW SUBSECTION. In the discretion of the board furnish a school bus and
 4 services of a qualified driver for transportation of persons other than pupils to
 5 activities in which pupils from the school are participants or are attending the
 6 activity or for which the school is a sponsor. The board shall charge and collect
 7 an amount sufficient to reimburse all costs of furnishing the bus and driver. A
 8 school bus shall be used as provided in this subsection only at times when it is not
 9 needed for transportation of pupils.

1 SEC. 9. Section two hundred eighty-five point eleven (285.11), subsection six
 2 (6), Code 1975, is amended to read as follows:

3 6. The use of school buses shall be restricted to transporting pupils to and from
 4 school and to and from extra-curricular activities sponsored by the school when
 5 such extra-curricular activity is under the direction of a qualified member of the
 6 faculty and a part of the regular school program and to transporting other
 7 persons to the extent permitted by section 285.1, subsection 1, and section 285.10,
 8 subsection 9 and section eight (8) of this Act. School employees of districts
 9 operating buses may be transported to and from school and approved activities
 10 which they are required to attend as a result of their responsibilities. Provided,
 11 however, nothing in this subsection shall prohibit the use of school buses in
 12 transporting a school teacher going to and from her school when such school is
 13 on an established school bus route and such teacher makes arrangements with the
 14 district operating such school bus.

1 SEC. 10. Section three hundred twenty-one point three hundred forty-three
 2 (321.343), unnumbered paragraph one (1), Code 1975, is amended to read as
 3 follows:

4 The driver of any motor vehicle carrying passengers for hire, or of any school
 5 bus carrying any school child, or of any vehicle carrying explosive substances or
 6 flammable liquids as a cargo or part of a cargo, before crossing at grade any track
 7 or tracks of a railroad, shall stop such vehicle within fifty feet but not less than
 8 ten feet from the nearest rail of such railroad and while so stopped shall listen
 9 and look in both directions along such track for any approaching train, and for
 10 signals indicating the approach of a train, except as hereinafter provided, and
 11 shall not proceed until he can do so safely.

1 SEC. 11. Section three hundred twenty-one point three hundred seventy-three
 2 (321.373), subsection six (6), Code 1975, is amended by striking the subsection
 3 and inserting in lieu thereof the following:

4 6. No vehicle except a school bus shall be operated on a public highway if the
 5 vehicle is painted the color known as national school bus glossy yellow. A school
 6 bus which has been permanently converted for a purpose other than transporting
 7 pupils to or from school shall be painted a color other than national school bus
 8 glossy yellow, and shall have the "school bus" signs, stop arm, and the special
 9 signal lamps removed.

1 SEC. 12. Section three hundred twenty-one point three hundred seventy-three
 2 (321.373), Code 1975, is amended by adding the following new subsection:

3 NEW SUBSECTION. A school bus may be equipped with a white flashing strobe
 4 light mounted on the roof of the bus to afford optimum visibility during periods
 5 of inclement weather. The light shall be of a type approved by the department of
 6 transportation and shall be installed and operated in accordance with rules
 7 promulgated by the department of public instruction. Each new school bus put
 8 into initial service after January 1, 1977 shall be equipped with such a light.

1 SEC. 13. Section three hundred twenty-one point three hundred seventy-eight
 2 (321.378), Code 1975, is amended to read as follows:

3 **321.378 Applicability.** The provisions of sections 321.372 to through 321.380,
 4 shall apply to any and all types of school districts public and nonpublic schools
 5 where children are transported to and from public schools school.

1 SEC. 14. 1. This Act, being deemed of immediate importance, shall take effect
 2 and be in force from and after its publication in The Fremont Gazette, a
 3 newspaper published in Fremont, Iowa, and in The Record, a newspaper
 4 published in Cedar Falls, Iowa.

5 2. The sections of this Act amending section two hundred eighty-five point one
 6 (285.1), subsection five (5), Code 1975; section two hundred eighty-five point two
 7 (285.2), unnumbered paragraph four (4), Code 1975; section two hundred eighty-
 8 five point one (285.1), subsection three (3), Code 1975; and section two hundred
 9 eighty-five point one (285.1), subsection seventeen (17), shall take effect after its

10 publication as provided in paragraph one (1) of this section. The remaining
11 sections of this Act shall take effect on July 1, 1976.

Approved May 24, 1976

I hereby certify that the foregoing Act, House File 628, was published in The Fremont Gazette, Fremont, Iowa on May 27, 1976, and in The Record, Cedar Falls, Iowa on May 29, 1976.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1155

SCHOOL BUILDING PLANS

H. F. 467

AN ACT relating to approval of plans for constructing school buildings.

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

1 SECTION 1. Section two hundred ninety-seven point seven (297.7), subsection
2 one (1), Code 1975, is amended to read as follows:

3 1. The provisions of sections 23.2 and 23.18 shall be applicable to the
4 construction or repair of school buildings. Before ~~erecting~~ *constructing* any school
5 building at a cost of more than five thousand dollars, the board of directors shall
6 consult with the building consultant in the department of public instruction as to
7 the most approved plan for such building, *and the building consultant shall return*
8 *the plan together with any recommendations to the board of directors within thirty*
9 *days following the receipt of the plan.*

Approved May 13, 1976

CHAPTER 1156

SCHOOLHOUSE SITES

S. F. 74

AN ACT relating to the use of tax money for purchase and improvement of schoolhouse sites.

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

1 SECTION 1. Section two hundred ninety-seven point five (297.5), Code 1975, is
2 amended to read as follows:

3 **297.5 Tax.** The directors in any high school district maintaining a program
4 kindergarten through grade twelve ~~and having a total enrollment of six hundred~~
5 ~~or more may, at their regular meeting in July, or at a special meeting called for~~
6 ~~that purpose between the time designated for such regular meeting and the third~~
7 ~~Monday in August, by February first of each year~~ certify an amount not exceeding
8 twenty-seven cents per thousand dollars of assessed value to the board of
9 supervisors, who shall levy the amount so certified, and the tax so levied shall be
10 placed in the schoolhouse fund and used only for the purchase *and improvement*
11 of sites in and for said school district *as specified by the directors.*