

**Senate File 339 - Reprinted**

SENATE FILE 339  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1205)

(As Amended and Passed by the Senate March 13, 2013)

**A BILL FOR**

1 An Act relating to inspections of school buses and certain  
2 other vehicles used to transport children and making  
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 285.8, subsection 4, Code 2013, is  
2 amended to read as follows:

3 4. a. Inspect or cause to be inspected all vehicles used  
4 as school buses to transport school children and all vehicles  
5 otherwise regularly used to transport children to determine  
6 if such vehicles meet all legal and established standards  
7 of construction and can be operated with safety, comfort,  
8 and economy. When it is determined that further use of such  
9 vehicles is dangerous to the ~~pupils~~ children transported and to  
10 the safety and welfare of the traveling public, the department  
11 of education shall order such vehicle to be withdrawn from  
12 further use ~~on a specified date~~. School buses and vehicles  
13 otherwise regularly used to transport children which do not  
14 conform to the requirements of the department of education may  
15 be issued a temporary certificate of operation provided that  
16 such ~~school buses~~ vehicles can be operated with safety, and  
17 provided further that no such certificate shall be issued for a  
18 period in excess of ~~one year~~ thirty days. All equipment can be  
19 required to be altered, or safety equipment added, in order to  
20 make vehicles reasonably safe for operation. A vehicle which  
21 does not pass an inspection shall be subject to a subsequent  
22 inspection within not more than thirty days. A vehicle which  
23 does not pass a subsequent inspection shall be removed from  
24 service until such time as the vehicle passes an inspection.  
25 New buses and vehicles otherwise regularly used to transport  
26 children, after initial inspection and approval, shall be  
27 issued a seal of inspection. After each annual inspection a  
28 seal of inspection and approval shall be issued. ~~Said~~ The  
29 seals shall be mounted on the lower right hand corner of the  
30 windshield.

31 b. The state board of education shall adopt rules for  
32 required, uniform inspections of vehicles otherwise regularly  
33 used to transport children. Such rules shall allow for  
34 inspections to be conducted by qualified private automobile  
35 mechanics or the department of education.

1 c. For purposes of this subsection, "vehicle otherwise  
2 regularly used to transport children" means the same as defined  
3 in section 321.1, subsection 91A.

4 Sec. 2. Section 321.1, Code 2013, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 91A. "*Vehicle otherwise regularly used*  
7 *to transport children*" means every vehicle operated for the  
8 transportation of children, except for the following:

9 a. School buses.

10 b. Vehicles privately owned and not operated for  
11 compensation.

12 c. Vehicles used exclusively to transport children in the  
13 immediate family of the driver.

14 d. Vehicles used to provide transportation service available  
15 to the general public, whether or not for compensation.

16 e. Authorized emergency vehicles.

17 f. Vehicles incidentally used to transport children.

18 Sec. 3. Section 321.373, subsection 1, Code 2013, is amended  
19 to read as follows:

20 1. Every school bus except private passenger vehicles  
21 used as school buses and every vehicle otherwise regularly  
22 used to transport children shall be constructed and equipped  
23 to meet safety standards prescribed in rules adopted by the  
24 state board of education. Such rules shall conform to safety  
25 standards set forth in federal laws and regulations and shall  
26 conform, insofar as practicable, to the minimum standards  
27 for school buses recommended by the national conference on  
28 school transportation administered by the national commission  
29 on safety education and published by the national education  
30 association.

31 Sec. 4. Section 321.374, Code 2013, is amended to read as  
32 follows:

33 **321.374 Inspection — seal of approval.**

34 ~~No~~ A vehicle shall not be put into service as a school  
35 bus or as a vehicle otherwise regularly used to transport

1 children until it is given an original inspection to determine  
2 if it meets all legal and established uniform standards of  
3 construction for the protection of the health and safety of  
4 children to be transported. Vehicles which are approved shall  
5 be issued a seal of approval by the director of the department  
6 of education. All vehicles used as school buses or vehicles  
7 otherwise regularly used to transport children shall be given a  
8 safety inspection at least once a year. ~~Buses~~ Vehicles passing  
9 the inspection shall be issued an inspection seal of approval  
10 by the director of the department of education. The seal of  
11 original inspection and the annual seal of inspection shall be  
12 affixed to the lower right hand corner of the windshield. A  
13 vehicle which does not pass the inspection shall be subject to  
14 a subsequent inspection within not more than thirty days. A  
15 vehicle which does not pass a subsequent inspection shall be  
16 removed from service until such time as the vehicle passes an  
17 inspection.

18 Sec. 5. Section 321.379, Code 2013, is amended to read as  
19 follows:

20 **321.379 Violations.**

21 A school board, individual, or organization shall not  
22 purchase, construct, or contract for use, to transport ~~pupils~~  
23 ~~to or from school~~ children, any school bus or vehicle otherwise  
24 regularly used to transport children which does not comply with  
25 the minimum requirements of section 321.373 and any individual,  
26 or any member or officer of such board or organization who  
27 authorizes, the purchase, construction, or contract for any  
28 such ~~bus~~ vehicle not complying with these minimum requirements  
29 commits a simple misdemeanor.

30 Sec. 6. Section 331.653, subsection 32, Code 2013, is  
31 amended to read as follows:

32 32. Enforce sections 321.372 to 321.379 relating to school  
33 buses and vehicles otherwise regularly used to transport  
34 children.

35 Sec. 7. STATE MANDATE FUNDING SPECIFIED. In accordance

S.F. 339

1 with section 25B.2, subsection 3, the state cost of requiring  
2 compliance with any state mandate included in this Act shall  
3 be paid by a school district from state school foundation aid  
4 received by the school district under section 257.16. This  
5 specification of the payment of the state cost shall be deemed  
6 to meet all of the state funding-related requirements of  
7 section 25B.2, subsection 3, and no additional state funding  
8 shall be necessary for the full implementation of this Act  
9 by and enforcement of this Act against all affected school  
10 districts.