

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

H

1

HOUSE BILL 1174

Short Title: Safe Transportation for School Students. (Public)

---

Sponsors: Representative Creech.

---

Referred to: Transportation.

---

April 10, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH  
3 CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN  
4 SCHOOL-SPONSORED TRAVEL.

5 Whereas, public school systems have long engaged in providing trips for  
6 students that enhance learning opportunities; and

7 Whereas, it is essential that travel for such trips be conducted as safely as  
8 humanly possible; and

9 Whereas, there exists a lack of clarity in current provision for the proper use  
10 of activity buses and private motorcoach carriers for such transportation; and

11 Whereas, State law limits the top speed of an activity bus to 55 miles per  
12 hour; and

13 Whereas, it is unsafe to put an activity bus on a superhighway in the path of  
14 traffic traveling at posted speed limits of 70 miles per hour; and

15 Whereas, school buses are manufactured and tested for low-speed use and  
16 were never intended to be over-the-road vehicles; and

17 Whereas, school personnel are not trained to inspect motorcoaches and  
18 determine their degree of safety; and

19 Whereas, there is a need for a process that will provide consistent, uniform,  
20 accurate certification of motorcoach companies; Now, therefore,  
21 The General Assembly of North Carolina enacts:

22 **SECTION 1.** Chapter 115C of the General Statutes is amended by adding a  
23 new section to read:

24 **"§ 115C-247.1. Certification of companies contracting with school systems for**  
25 **transportation of students.**

26 The North Carolina Department of Transportation is hereby directed to establish a  
27 system of certification of privately owned motorcoach companies that seek to contract  
28 with local school systems for the transportation of students, school personnel, and other  
29 persons authorized by the school system for school-sponsored trips.

1        The Department of Transportation shall develop a process of certification for these  
2 companies that shall include, but not be limited to:

3            (1) On-site inspection of interested companies.

4            (2) Assurance that the motorcoach companies, their drivers, and their  
5 vehicles meet the Federal Motor Carrier Safety Regulations. Within  
6 these regulations are hazardous materials rules and requirements for  
7 controlled substance and alcohol testing, financial responsibility,  
8 driver qualifications, driving rules, and standards for parts and  
9 accessories of equipment for the maintenance of the equipment.

10          (3) In addition to the Federal Motor Carrier Safety Regulations, the  
11 motorcoach company shall adhere to North Carolina motor vehicle  
12 laws. These laws include the requirement that motorcoach drivers have  
13 a valid commercial drivers license. North Carolina requires that buses  
14 be registered properly and that a carrier transporting passengers for  
15 hire must have a for-hire license.

16          (4) The Department of Transportation shall determine which companies  
17 are certified and the length of certification. The Department shall also  
18 have the right and responsibility to conduct additional on-site  
19 inspections when needed.

20          (5) The Department of Transportation may use federal funds that are  
21 currently being provided for this purpose. If additional funds are  
22 required the Department shall make request for these funds to the  
23 General Assembly.

24          (6) School systems utilizing motorcoach companies for transportation  
25 needs shall contract for such services only with motorcoach companies  
26 that are certified by the Department of Transportation."

27        **SECTION 2.** This act is effective when it becomes law.