

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**H**

**1**

**HOUSE BILL 1155**

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

---

Sponsors: Representative Sherrill.

---

Referred to: Education.

---

April 7, 2005

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

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

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

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

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

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

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

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

**SECTION 1.** G.S. 115C-247 reads as rewritten:

**"§ 115C-247. Purchase of activity buses by local boards.**

The several local boards of education in the State are hereby authorized and empowered to take title to school buses purchased with local or community funds for the purpose of transporting pupils to and from athletic events and for other local school activity purposes, and commonly referred to as activity ~~buses~~. ~~The buses.~~

Each local board of education that operates activity buses shall adopt a policy relative to the proper use of the vehicles. The policy shall restrict the use of these buses to the counties within the athletic conference in which the school participates.

1       The provisions of G.S. 115C-42 shall be fully applicable to the ownership and  
2 operation of such activity school buses. Activity buses may also be used as provided in  
3 G.S. 115C-243."

4       **SECTION 2.** Chapter 115C of the General Statutes is amended by adding a  
5 new section to read:

6       "**§ 115C-247.1. Certification of companies contracting with school systems for**  
7       **transportation of students.**

8       The North Carolina Department of Transportation shall establish a system of  
9 certification of privately owned motorcoach companies that seek to contract with local  
10 school systems for the transportation of students, school personnel, and other persons  
11 authorized by the school system for school-sponsored trips.

12       The requirements of the system shall include, but not be limited to:

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

14       (2) Assurance that the motorcoach companies, their drivers, and their  
15 vehicles meet the Federal Motor Carrier Safety Regulations. Within  
16 these regulations are (i) hazardous materials rules, (ii) requirements for  
17 controlled substance and alcohol testing, (iii) financial responsibility  
18 requirements, (iv) driver qualifications, (v) driving rules, and (vi)  
19 standards for parts and accessories of equipment for the maintenance  
20 of the equipment.

21       (3) The requirement that the motorcoach companies adhere to North  
22 Carolina motor vehicle laws. These laws include the requirement that  
23 motorcoach drivers have a valid commercial drivers license. North  
24 Carolina requires that buses be registered properly and that a carrier  
25 transporting passengers for hire must have a for-hire license.

26       The Department of Transportation shall determine which companies are certified  
27 and the length of certification. The Department shall also have the right and  
28 responsibility to conduct additional on-site inspections when needed.

29       School systems using motorcoach companies for transportation needs shall contract  
30 for such services only with motorcoach companies that are certified by the Department  
31 of Transportation."

32       **SECTION 3.** This act is effective when it becomes law.