

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 465
"AN ACT TO ENSURE THAT SCHOOL DISTRICTS ARE USING SAFE BUSES."

Amendment No. 1 to Senate Bill No. 465.

Amend Senate Bill No. 465 as originally introduced:

Add Representatives Bolin and Scroggin as cosponsors

AND

Page 1, delete line 25 entirely, and substitute the following:
"activity."

SECTION 2. The Division of Public School Academic Facilities, or its successor, shall under-take measures to provide for the safe, reliable and efficient transportation of school children, such measures shall include, but not be limited to the following:

(1) Development and implementation of a comprehensive maintenance management program for all preventive and other repair or replacement maintenance activities performed, including operating and maintenance documentation, on all public school buses;

(2) Ensure that the uniform comprehensive maintenance management program is adopted and followed by all school districts; and

(3) Develop and implement reasonable life-cycle replacement policies to introduce the latest safety, efficiency, and emissions improvements into each school district's school bus fleet.

SECTION 3. Arkansas Code Title 20, Chapter 78, Subchapter 2 is amended to add an additional section to read as follows:

20-78-225. Child safety alarm devices.

(a) All agencies or child care facilities licensed by the Department of Human Services under this subchapter, § 9-28-411, or § 20-28-208(e) that transport children have approved child safety alarm devices installed on any vehicles designed or used to transport more than seven (7) passengers and one (1) driver.

(b)(1) All such vehicles in active child transportation service prior to July 1, 2005, shall have a child safety alarm device installed by a qualified technician or mechanic no later than December 31, 2005.

(2) On or after July 1, 2005, all newly-acquired vehicles placed



in child transportation service shall have a child safety alarm installed before placing the vehicle into service.

(3) Any agencies or child care facilities required to have approved child safety alarm devices installed in a vehicle, shall ensure that the devices are maintained and are in proper working order anytime the vehicle is in use for transporting children.

(c) The Department of Human Services shall:

(1) Maintain a list of approved child safety alarm devices; and

(2) Promulgate rules as necessary for the proper implementation of this section.

(d) Contingent upon the availability of funding for such purpose, the Department of Human Services may provide reimbursement to agencies or child care facilities required under this section to retrofit vehicles in service prior to July 1, 2005, but the requirement to have approved child safety alarm devices in vehicles as required under this act shall not be contingent on the availability of funding or upon an agency's or child care facility's eligibility for reimbursement.

SECTION 4. Arkansas Code Title 20, Chapter 78, Subchapter 2 is amended to add an additional section to read as follows:

20-78-226. Violation.

(a) It shall be unlawful to transport children in a vehicle that is required to have an approved child safety alarm device as provided under § 20-78-226, if the approved child safety alarm device:

(1) Has not be installed;

(2) Is not in proper working condition; or

(3) Has been disconnected.

(b) Any person who knowingly violates the provisions of this section shall be guilty of a Class A misdemeanor.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that child safety alarm devices need to be installed in vehicles used to transport more than seven (7) passengers and one (1) driver, for programs licensed by the Department of Human Services in order to protect and preserve their health and safety. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Broadway

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Secretary