
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 1453 **Hearing Date:** June 14, 2017
Author: Eduardo Garcia
Version: May 1, 2017
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: Schoolbuses: volunteer transportation

SUMMARY

This bill authorizes school districts to use schoolbuses to transport adult volunteers to and from educational activities.

BACKGROUND

Existing law:

- 1) Authorizes school districts to provide for the transportation of employees of the districts and of parents to and from educational activities. (Education Code § 39837.5)
- 2) Authorizes school districts to enter into a contract with a public agency for the use of schoolbuses to transport employees of the agency to or from their places of employment if certain conditions are met. (EC § 39840)
- 3) Authorizes school districts to use schoolbuses to transport people for purposes of community recreation, as defined. (EC § 39835)
- 4) Defines a “schoolbus” as a motor vehicle designed, use, or maintained for the transportation of any student in grade 12 or below to or from a public or private school or school activities, and lists exceptions to the definition (such as a vehicle carrying only members of the owner’s family, a schoolbus with flashing red lights and signs covered, a state-owned vehicle operated by a state employee, a public paratransit vehicle). (Vehicle Code § 545)

ANALYSIS

This bill:

- 1) Authorizes school districts to use schoolbuses to transport adult volunteers to and from educational activities that are authorized by the district.
- 2) Amends the definition of “schoolbus” in the Vehicle Code to clarify that the reference to the transportation of students and list of exceptions to the definition are not to be construed to prohibit the use of a schoolbus for any activity authorized by the Education Code.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “The purpose of this bill is to resolve a problem faced by the Coachella Valley Unified School District. Specifically, since 2004 the district has partnered with the Read with Me Volunteers Program to connect volunteer tutors (typically retirees) with English learners. Private and district buses are used to transport the volunteers to the schools. The cost is split between the volunteer program and the district. In November 2014 the district was cited by the California Highway Patrol for the misuse of schoolbuses. An effort to replace the district buses with a carpool resulted in more than half of the volunteers dropping out. When the program contracted with a charter bus company to replace the district buses, the cost went from \$35,000 for five months to \$75,000 for three months.”

- 2) ***Conflict between the Codes.*** The problem addressed by this bill appears to be based on the definition of "schoolbus" in the Vehicle Code, which does not take into account the permissible use of schoolbuses authorized in the Education Code. Based only on the Vehicle Code definition, a schoolbus can be used only to transport students, and if it is to be used to transport anyone other than students, all of the markings and signals that identify it as a schoolbus must be covered (which would remove it from the definition of schoolbus). This conflicts with the Education Code provisions that permit the use of schoolbuses to transport persons other than students.

SUPPORT

Riverside County Superintendent of Schools

OPPOSITION

None received

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