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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION OF SCHOOL CHILDREN.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to require the  
2 department of education to provide or subsidize the cost of  
3 suitable transportation to and from school for children in  
4 kindergarten to grade twelve or in special education classes who  
5 attend public schools, except public schools in the Honolulu  
6 departmental district, using school transportation revolving  
7 funds.

8           SECTION 2. Section 302A-406, Hawaii Revised Statutes, is  
9 amended to read as follows:

10           "~~[+]~~§302A-406~~[+]~~ **Transportation of school children.** (a)  
11 ~~[The]~~ To the extent that funds are appropriated for the purposes  
12 of this subsection or available in the school transportation  
13 revolving fund for the purposes of this subsection, the  
14 department ~~[may]~~ shall provide or subsidize the cost of suitable  
15 transportation to and from school ~~[and for educational field~~  
16 ~~trips]~~ for ~~[all]~~ children in ~~[grades]~~ kindergarten to grade  
17 twelve and in special education classes ~~[. The department shall~~  
18 ~~adopt such policy, procedure, and program as it deems necessary~~



1 ~~to provide suitable transportation. In formulating the policy,~~  
2 ~~procedure, and program, the department shall consider the school~~  
3 ~~district; the school attendance area in which a school child~~  
4 ~~normally resides; the distance the school child lives from the~~  
5 ~~school; the availability of public carriers or other means of~~  
6 ~~transportation; the frequency, regularity, and availability of~~  
7 ~~public transportation; and the grade level, physical handicap,~~  
8 ~~or special learning disability of a school child, and it may~~  
9 ~~also consider such conditions and circumstances unique or~~  
10 ~~peculiar to a county or area.] who attend public schools, except~~  
11 ~~public schools located within the third departmental district~~  
12 ~~(Honolulu), as designated in section 13-1(d).~~

13 (b) The department shall adopt rules under chapter 91  
14 governing the supervision and administration of the  
15 transportation of school children under this section. In  
16 formulating rules, policies, procedures, and programs to  
17 effectuate this section, the department shall consider:

- 18 (1) The school district;  
19 (2) The school attendance area in which a school child  
20 normally resides;  
21 (3) The distance the school child lives from the school;



- 1        (4) The availability and cost of public carriers or other
- 2                means of transportation;
- 3        (5) The frequency, regularity, and availability of public
- 4                transportation;
- 5        (6) The grade level, physical handicap, or special
- 6                learning disability of a school child; and
- 7        (7) Any other conditions and circumstances unique or
- 8                peculiar to a county or area."

9            SECTION 3. Section 302A-407, Hawaii Revised Statutes, is  
 10 amended by amending subsection (f) to read as follows:

11            "(f) All moneys received from students and parents or  
 12 guardians of students by public schools for state-provided  
 13 school [~~busing~~] transportation services, as authorized by  
 14 section 302A-406, if any, shall be deposited into the school  
 15 [~~bus-fare~~] transportation revolving fund. Except as otherwise  
 16 provided by the legislature, expenditures for the operation of  
 17 state-contracted school [~~bus~~] transportation services, as  
 18 authorized by section 302A-406, shall be made from this fund."

19            SECTION 4. Section 302A-407.5, Hawaii Revised Statutes, is  
 20 amended to read as follows:

21            "[+]§302A-407.5[+] **School [~~bus-fare~~] transportation**  
 22 **revolving fund.** (a) There is established in the state treasury

1 the school [~~bus fare~~] transportation revolving fund, into which  
2 shall be deposited:

3 (1) [~~all~~] All moneys received from students and parents or  
4 guardians of students by public schools for state-  
5 provided school [~~busing~~] transportation services, as  
6 authorized by section 302A-406[~~-~~]; and

7 (2) All other moneys appropriated for school  
8 transportation services.

9 (b) Except as otherwise provided by the legislature,  
10 moneys in the school [~~bus fare~~] transportation revolving fund  
11 shall be used for school [~~busing~~] transportation costs and  
12 services, as authorized by section 302A-406."

13 SECTION 5. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

Transportation; School Children; Fuel Tax

**Description:**

If funds are available, requires the Department of Education to provide or subsidize the cost of suitable transportation to and from school for public school students in kindergarten to grade 12 and special education classes, except for those who attend public schools located in the Honolulu departmental district. Effective July 1, 2050. (SB2452 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

