

---

# A BILL FOR AN ACT

---

RELATING TO SCHOOL BUS SERVICES.

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

1       SECTION 1. The legislature finds that this year reported a  
2 historical bus driver shortage resulting in the elimination of  
3 nearly eighty bus routes across the State. Amid driver  
4 shortage, the department of education suspended a total of one  
5 hundred and eight routes in Central Oahu and East Hawaii Island.  
6 The suspension affected approximately 3,720 students. In  
7 response, Governor Green expedited the approval of an emergency  
8 proclamation to temporarily relax rules around the types of  
9 vehicles that can be used to safely transport students to and  
10 from school, and regulations around the required driver  
11 certifications. The proclamation was signed on August 2, 2024,  
12 and will expire on January 26, 2025. It is essential for the  
13 governor's emergency proclamation to be codified to allow for  
14 greater flexibility of school buses services and access for all  
15 students.

16       The purpose of this Act is to:



(1) Authorize the use of motorcoaches, small buses, and vans for school bus services, provided certain conditions are met;

(2) Authorize the department of education to create a staggered school start time program to mitigate the school bus driver shortage to increase the availability of student transportation for the 2025-2026 school year;

(3) Appropriate funds to the department of education for the purchase of motorcoaches, small buses, and vans for school bus drivers; and

(4) Appropriate funds to the department of education to incentivize obtaining a commercial driver's license, to increase the number of persons eligible to become school bus drivers.

SECTION 2. Section 286-102, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) A person operating the following category or combination of categories of motor vehicles shall be examined as provided in section 286-108 and duly licensed by the examiner of drivers:



(1) Mopeds;

(2) Motorcycles, except for autocycles as described in paragraph (2) of the definition of "motorcycle" in section 286-2, and motor scooters;

(3) Passenger cars of any gross vehicle weight rating, buses designed to transport fifteen or fewer occupants, trucks and vans having a gross vehicle weight rating of eighteen thousand pounds or less, and autocycles as described in paragraph (2) of the definition of "motorcycle" in section 286-2; and

(4) All of the motor vehicles in category (3) and any vehicle that is not a commercial motor vehicle.

A school bus, small bus, motorcoach, or van operator shall be properly licensed to operate the category of vehicles that the operator operates as a school bus, small bus, motorcoach, or van and shall comply with the standards of the department of transportation as provided by rules adopted pursuant to section 286-181."

SECTION 3. Section 286-181, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (b) through (e) to read:



1       "(b) The department of transportation shall grant  
2 exemptions for the use of vehicles other than school vehicles,  
3 including motorcoaches, small buses, and vans, when the  
4 department finds that compliance with this section is:

5           (1) Impractical due to the unavailability of school  
6 vehicles; or

7           (2) Impractical due to economic factors.

8 No exemption shall be granted for the qualifications of  
9 individuals driving a bus as defined in section 286-2 and such  
10 individuals shall meet school vehicle driver qualifications.

11       (c) The exemptions in subsection (b) shall be granted:

12           (1) To the department of education to administer to public  
13 schools based on criteria developed by the departments  
14 of transportation and education; provided that the  
15 department of education shall submit a report to the  
16 department of transportation at the end of each school  
17 year on the extent to which these exemptions were  
18 utilized;

19           (2) To a board of independent schools, which is registered  
20 with the department of commerce and consumer affairs,  
21 to administer to private schools utilizing criteria



1 developed by the departments of transportation and  
2 education; provided that the board shall submit a  
3 report to the department of transportation at the end  
4 of each school year on the extent to which these  
5 exemptions were utilized;

6 (3) ~~[Only for]~~ For the transport of pupils to and from  
7 school functions or school-related activities ~~[but~~  
8 ~~not]~~, for transportation to and from a school~~[+]~~, and  
9 for transportation to and from designated drop off  
10 locations and pick up locations established by the  
11 department of education, in consultation with the  
12 department of transportation;

13 (4) Only when each pupil being transported has obtained a  
14 written statement from the pupil's parent or legal  
15 guardian waiving the State's liability; and

16 (5) In accordance with the procedures and criteria  
17 established by rules of the department of  
18 transportation.

19 (d) ~~[The]~~ Notwithstanding any law to the contrary, the  
20 department of transportation may grant exemptions for the use of  
21 vehicles other than school vehicles ~~[for the transportation of~~



1 ~~students requiring special education and services]~~, including  
2 the use of motorcoaches, small buses, and vans, for school bus  
3 services when the department of transportation finds that  
4 compliance with this section is impossible or impractical;  
5 provided that an adult staff chaperone provided by the  
6 department of education escorts students being transported  
7 between designated off-campus and designated on-campus  
8 locations; provided further that no exemption shall be granted  
9 for the qualifications of individuals driving a bus as defined  
10 in section 286-2 and such individuals shall meet school vehicle  
11 driver qualifications[-]; provided further that the use of  
12 vehicles other than school vehicles shall meet any applicable  
13 state and federal regulations.

14 (e) The department of transportation shall adopt safety  
15 rules and standards relating to school vehicles, equipment, and  
16 drivers, including but not limited to:

17 (1) School vehicle and school vehicle equipment design,  
18 construction, and identification;

19 (2) School vehicle driver qualification and training as  
20 required by law;

21 (3) School vehicle operation;



- (4) School vehicle maintenance and maintenance records;
- (5) Special school vehicle safety inspections;
- (6) Criteria for passenger loading and unloading safety areas; and
- (7) Procedures and criteria for the granting of exemptions permitted under subsections (b), (c), and (d); provided that the rules and standards shall permit the use of small buses ~~[or]~~, vans ~~[weighing less than ten thousand pounds]~~, or motorcoaches for the transportation of pupils of a public or private day care center, child care facility, headstart program, [and] preschool, kindergarten, elementary, or secondary school, including any special school for children in the State with an accompanying adult staff chaperone escort provided by the department of education for students transported between designated locations off-campus and designated locations on-campus or of school pupils and school staffs to and from school-related activities."

2. By amending subsection (i) to read:



1        "(i) As used in subsection (b), a school vehicle is  
2 unavailable when it:

3        (1) Is being used during a specific time for contracted  
4 school-related transportation to and from school or  
5 related destinations;

6        (2) Fails that day's inspection and has not been repaired;

7        (3) Is already in transportation service; or

8        (4) Is committed for transportation service[; ~~or~~

9        ~~(5) Does not meet the requests of a school for a  
10 motorcoach with undercarriage storage compartments and  
11 public address system; provided that the use of the  
12 motorcoach shall be used solely for the transportation  
13 of middle, intermediate, or high school student groups  
14 to and from school-related events or activities. As  
15 used in this paragraph, "motorcoach" means a vehicle  
16 that carries more than twenty-five passengers, has a  
17 gross vehicle weight rating of at least 26,000 pounds,  
18 and is no more than fifteen years old]."~~

19        SECTION 4. Chapter 302A, Hawaii Revised Statutes, is  
20 amended by adding a new section to be appropriately designated  
21 and to read as follows:





1       "§302A- Staggered school start time program. The  
2       department of education may institute a staggered school start  
3       time program in the state public school system to mitigate the  
4       school bus driver shortage to accommodate the 2025-2026 school  
5       year."

6       SECTION 5. There is appropriated out of the general  
7       revenues of the State of Hawaii the sum of \$                   or so  
8       much thereof as may be necessary for fiscal year 2025-2026 and  
9       the same sum or so much thereof as may be necessary for fiscal  
10      year 2026-2027 for the purchasing of motorcoaches, small buses,  
11      and vans for school bus services.

12      The sum appropriated shall be expended by the department of  
13      education for the purposes of this Act.

14      SECTION 6. There is appropriated out of the general  
15      revenues of the State of Hawaii the sum of \$                   or so  
16      much thereof as may be necessary for fiscal year 2025-2026 and  
17      the same sum or so much thereof as may be necessary for fiscal  
18      year 2026-2027 for the department of education to incentivize  
19      obtaining a commercial driver's license.

20      The sum appropriated shall be expended by the department of  
21      education for the purposes of this Act.




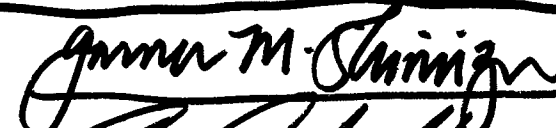
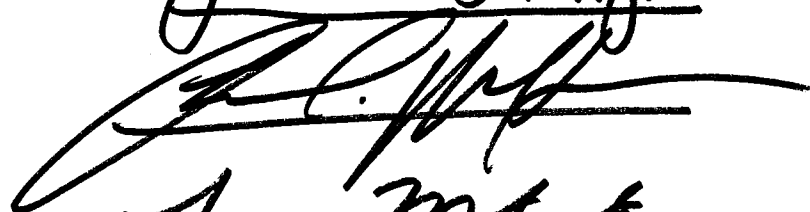
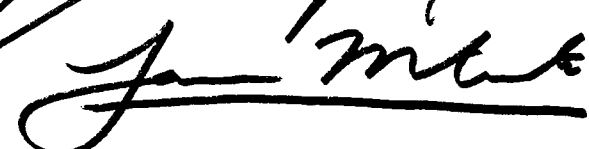




# H.B. NO. 288

1       SECTION 7. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3       SECTION 8. This Act shall take effect upon its approval.  
4

INTRODUCED BY:

JAN 16 2025



# H.B. NO. 288

**Report Title:**

DOT; DOE; School Bus Services; Staggered Start Times; Minority  
Caucus Package

**Description:**

Authorizes the Department of Education to use alternative vehicles for student transportation under certain conditions and appropriates funds for the purchase of alternative vehicles and individuals to obtain CDL licensure. Allows Department schools to initiate staggered start times. Appropriates funds.

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

