

ACT 169

S.B. NO. 1766-84

A Bill for an Act Relating to School Vehicles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. 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) Motor scooters;
- (2) Motorcycles and motor scooters;

- (3) Passenger cars of any gross vehicle weight rating and trucks and buses having a gross vehicle weight rating of ten thousand pounds or less;
- (4) All of the motor vehicles in category (3) and buses with a gross vehicle weight rating of more than ten thousand pounds;
- (5) All of the motor vehicles in category (3) and trucks having a gross vehicle weight rating of more than ten thousand pounds, other than tractor-semitrailer combinations and truck-trailer combinations;
- (6) All of the motor vehicles in category (5) and tractor-semitrailer combinations;
- (7) All of the motor vehicles in category (6) and truck-trailer combinations;
- (8) All of the motor vehicles in categories (4) and (5);
- (9) All of the motor vehicles in categories (4) and (6);
- (10) All of the motor vehicles in categories (4) and (7).

A school bus or van operator [must] shall be properly licensed to operate the category of vehicles that he operates as a school bus or van and [in addition must hold a] shall comply with the standards of the department of [education school bus operator certificate] transportation as provided by rules [or regulations promulgated] adopted pursuant to section 286-181.”

SECTION 2. Section 286-181, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

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

- (1) School vehicle and school vehicle equipment design, construction, and identification;
- (2) School vehicle driver qualification and training as required by law;
- (3) School vehicle operation;
- (4) School vehicle maintenance and maintenance records;
- (5) Special school vehicle safety inspections; and
- (6) Criteria for passenger loading and unloading safety areas[.];

provided that the rules and standards shall permit the use of small school buses or vans weighing less than ten thousand pounds for the transportation of pupils of a day care center, child care facility, headstart program, and preschool, or of school athletes and school athletic staffs to and from school related athletic activities.”

SECTION 3. The department of transportation shall adopt rules and standards pursuant to section 286-181, relating to the use of school buses and vans weighing less than 10,000 pounds for the transportation of pupils of day care centers, child care facilities, headstart programs, and preschools and for

school related athletic activities. Until such time as rules are adopted by the department, buses and vans shall meet those safety requirements imposed upon motor vehicles engaged in transporting persons on the public highways in furtherance of a commercial or educational enterprise (P.U.C. regulations) with respect to equipment design, construction, and safety inspection. In addition, the following rules shall be in effect until the department adopts its rules and standards.

- (1) Buses and vans shall be identified on the front and rear with the words "SCHOOL BUS" printed in black letters not less than eight inches high in strokes not less than three-fourths inch in width.
- (2) Buses and vans shall be protected by a metal guard or guards around the circumference of the drive-shaft.
- (3) Buses and vans and those driving them shall comply with either safety rules or standards of the department of transportation, or safety rules and standards of other state departments continuing in effect pursuant to Act 94, Session Laws of Hawaii 1983, relating to school vehicle driver qualification and training, school vehicle operation, school vehicle maintenance and maintenance records, and criteria for passenger loading and unloading safety areas.

SECTION 4. School buses and vans weighing less than 10,000 pounds which are used in the transportation of pupils of day care centers, child care facilities, headstart programs, and preschools, and for school related athletic activities shall not have to comply with rules and standards of the department of transportation with respect to vehicle color until two years after the effective date of this Act.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved May 26, 1984.)