

A Bill for an Act Relating to Pupil Transportation.

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

SECTION 1. Section 286-181, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) The department of transportation may grant exemptions for the use of vehicles other than school vehicles when the department finds that compliance with this section is impossible or impractical due to factors, such as the unavailability of school vehicles, which are beyond the control of the school[.]; provided that no exemption shall be granted for the qualifications of individuals driving a bus as defined in section 286-2 and such individuals shall meet school vehicle driver qualifications. The exemptions shall be granted:

- (1) To the department of education, to administer to public schools based on criteria developed by the departments of transportation and education, provided that the department of education shall submit a report to the department of transportation at the end of each school year on the extent to which these exemptions were utilized;
- (2) To a board of independent schools, which is registered with the department of commerce and consumer affairs, to administer to private schools utilizing criteria developed by the departments of transportation and education, provided that the board shall submit a report to the department of transportation at the end of each school year on the extent to which these exemptions were utilized;
- (3) Only for the transport of pupils to and from school functions or school-related activities but not for transportation to and from a school;
- (4) Only when each pupil being transported has obtained a written statement from the pupil's parent or legal guardian waiving the State's liability; and
- (5) In accordance with the procedures and criteria established by rules of the department of transportation.

(c) The department of transportation may grant exemptions for the use of vehicles other than school vehicles for the transportation of students requiring special education and services when the department finds that compliance with this section is impossible or impractical[.]; provided that no exemption shall be granted for the qualifications of individuals driving a bus as defined in section 286-2 and such individuals shall meet school vehicle driver qualifications.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 1996.

(Approved June 12, 1996.)