

2022 Regular Session

SENATE BILL NO. 57

BY SENATOR MCMATH

BUS DRIVERS. Provides relative to the compensation of school bus operators. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:497, relative to the compensation of school bus operators who
3 transport public school students; to provide changes to the method by which
4 compensation is calculated; to require compensation for certain purchases made by
5 school bus operators; to provide for an effective date; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:497 is hereby amended and reenacted to read as follows:

9 §497. School bus operators; ~~operational schedules~~ **compensation**

10 A.(1) ~~Beginning with the fall term of 1986, and continuing thereafter, there~~
11 **There** shall be paid to the operators thereof, as defined herein **in this Section**, for the
12 operation of each school bus operated in the public school system of the state of
13 Louisiana, a rate of compensation for such operation in accordance with the
14 following ~~schedule~~:

15 ~~Beginning Fall Term, 1986 and thereafter~~

16 ~~(All figures are on a cents per mile basis.)~~

17 First 6 Next 6 Over 12

	Miles	Miles	Miles	
1				
2	Length of bus	0-6.0	6.1-12.0	12.0 Plus
3	39 feet or more	117.80	107.08	80.29
4	38 feet or more;			
5	but less than 39 feet	112.44	101.72	80.29
6	34 feet or more;			
7	but less than 38 feet	107.08	96.36	80.29
8	28 feet or more;			
9	but less than 34 feet	101.72	91.01	74.94
10	26 feet or more;			
11	but less than 28 feet	96.36	85.66	74.94
12	23 feet or more;			
13	but less than 26 feet	91.01	80.30	74.94
14	21 feet or more;			
15	but less than 23 feet	85.66	74.94	69.59
16	19 feet or more;			
17	but less than 21 feet	80.30	69.59	64.25
18	17 feet or more;			
19	but less than 19 feet	80.30	64.25	58.89
20	14 feet or more;			
21	but less than 17 feet	53.54	48.17	37.47
22	Less than 14 feet			
23	buses, station wagons;			
24	and carryalls	53.54	48.17	37.47

25 (a) For buses with a manufacturer's rated capacity of forty-eight
26 passengers or fewer, the minimum operational pay rate is \$1.4683 per mile of
27 paid mileage.

28 (b) For buses with a manufacturer's rated capacity of greater than forty-
29 eight passengers, the minimum operational pay rate is \$1.756 per mile of paid

1 mileage.

2 (2) For buses equipped with lift and mobility device securement systems,
3 the manufacturer's rated capacity shall be determined by the rated capacity of
4 a bus of equal length that is designed to transport only ambulatory passengers.

5 ~~(2)~~ (3)(a) The compensation, as computed in accordance with ~~the schedule~~
6 ~~contained in this Section shall be paid for a minimum of~~ the number of days of
7 actual operation, but not less than one hundred eighty days, during the ~~nine-month~~
8 official school year adopted by the public school governing authority, and for the
9 number of days of actual operation for any the summer semester, if applicable.

10 (b) Each public school governing authority shall establish supplemental
11 payments for individual operators who are required by the governing authority
12 to purchase any of the following equipment:

13 (i) Lift mechanisms, wheelchair or other mobility securement devices,
14 occupant restraints, cleaning supplies, or other equipment required exclusively
15 for transporting students with disabilities.

16 (ii) Air-conditioning equipment.

17 ~~(3) The State Board of Elementary and Secondary Education by rule shall~~
18 ~~establish the method to be used for computing bus length for purposes of this~~
19 ~~Section. The method established by the board shall be uniformly applicable to each~~
20 ~~city and parish school system and such method shall be used by a city or parish~~
21 ~~school board to the exclusion of all others.~~

22 B. The term "operator" as used in this Section shall mean any individual;
23 ~~parish, or city school board~~ or public school governing authority who owns and
24 is responsible for the operation, maintenance, and replacement of a school bus
25 operated in the public schools of the state, including state universities, colleges, and
26 junior colleges.

27 C. The term ~~"mileage one-way"~~ "paid mileage" as used in this Section shall
28 mean the distance the bus travels after picking up its first ~~child and~~ student until it
29 reaches the final student discharge destination or school of ~~said route or routes~~ each

1 morning and afternoon route officially designated by ~~each school board~~ the public
2 school governing authority.

3 D.(1) Each ~~school board~~ public school governing authority shall designate
4 the size of the bus to be used on each official regular school bus route. When an
5 operator deems it necessary to purchase a bus, either new or used for not more than
6 five years from the date of manufacture, of the designated size to be used on an
7 official regular school bus route, he shall obtain the approval for the purchase by the
8 ~~school board~~ public school governing authority or its duly designated officer or
9 agent. After purchasing a ~~new or used bus not more than five years old,~~ so an
10 approved bus, no operator shall be penalized as a result of the change by the ~~school~~
11 ~~board~~ public school governing authority in the designated size of the bus or the
12 length of the route within a ~~five-year~~ seven-year period, ~~following such purchase of~~
13 ~~a bus. However, the period shall be seven years for those operators who purchase a~~
14 ~~new bus after July 1, 1985.~~

15 (2) No ~~city or parish school board~~ public school governing authority shall
16 approve the purchase by an operator of a used bus when the sole purpose of such
17 purchase is to extend the protected period against penalty provided for in this
18 Subsection.

19 (3) The distribution of state funds for school transportation to the ~~city and~~
20 ~~parish school boards~~ public school governing authority shall include any costs
21 incurred by ~~school boards~~ the public school governing authority in complying with
22 these provisions.

23 E. Beginning with the first pay period commencing on or after January 1,
24 1965, any ~~parish or city school system~~ public school governing authority exempt
25 from the provisions of R.S. 17:496 shall participate in this Section in the same
26 manner as other ~~parish and city school systems~~ public school governing
27 authorities.

28 F.(1) ~~When funds become available, and continuing thereafter, there shall be~~
29 ~~paid to the operators thereof, as defined herein, for the operation of each school bus~~

1 operated in the public school system of the state of Louisiana, a rate of compensation
2 for such operation in accordance with the following schedule:

3 Beginning Fall Term, 1986 and Thereafter

4 <u>Length of bus</u>	<u>Cents per mile</u>
5 39 feet or more	117.80
6 38 feet or more, but less than 39 feet	112.44
7 34 feet or more, but less than 38 feet	107.08
8 28 feet or more, but less than 34 feet	101.72
9 26 feet or more, but less than 28 feet	96.36
10 23 feet or more, but less than 26 feet	91.01
11 21 feet or more, but less than 23 feet	85.66
12 19 feet or more, but less than 21 feet	80.30
13 17 feet or more, but less than 19 feet	80.30
14 14 feet or more, but less than 17 feet	53.54
15 Less than 14 feet buses, station wagons, and carryalls	53.54

16 (2) The compensation, as computed in accordance with the schedules
17 contained in this Section, shall be paid for a minimum of one hundred eighty days
18 during the nine-month school year, and for the number of days of actual operation
19 for any summer semester. However, until funds become available, payment shall be
20 made as provided in Subsection A of this Section.

21 Section 2. Implementation of this Act shall begin with the 2022-2023 school year.

22 Section 3. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST

SB 57 Original 2022 Regular Session McMath

Present law provides a schedule of compensation rates to be paid to school bus operators for the transportation of public school students. Provides for varying rates based on distance traveled and length of bus. Specifies that the compensation shall be paid for a minimum of 180 days during a nine-month school year and for the number of days of actual operation of a summer semester.

Proposed law changes the operational pay rate to a minimum of \$1.4683 per mile of paid mileage for school buses with capacities of 48 or fewer passengers and a minimum of \$1.756 per mile of paid mileage for school buses with capacities greater than 48 passengers.

Proposed law provides that, for buses equipped with lift and mobility device securement systems, the manufacturer's rated capacity shall be determined by the rated capacity of a bus of equal length that is designed to transport only ambulatory passengers.

Proposed law clarifies operators shall be paid for the number of days of actual operation but not less than 180 days during the school year calendar, as adopted by the public school governing authority and the number of days of actual operation during a summer semester.

Present law provides the State Board of Elementary and Secondary Education (BESE) shall establish a uniform method for computing bus length.

Proposed law deletes the provisions relative to BESE.

Proposed law defines "paid mileage" as the distance of a bus route beginning when the first student is picked up and ending when the bus reaches the final student discharge destination or school on both morning and afternoon routes.

Proposed law requires a public school governing authority to establish supplemental payments for a school bus operator who is required to purchase certain equipment or supplies related to transporting students with disabilities or air conditioning equipment.

Proposed law requires the new compensation rates to be implemented beginning with the 2022-2023 school year.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:497)