

# ACT No. 449

2022 Regular Session

HOUSE BILL NO. 215

BY REPRESENTATIVE WHITE

1 AN ACT

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

|                          | First 6 | Next 6   | Over 12   |
|--------------------------|---------|----------|-----------|
|                          | Miles   | Miles    | Miles     |
| 17 Length of bus         | 0-6.0   | 6.1-12.0 | 12.0 Plus |
| 18 39 feet or more       | 117.80  | 107.08   | 80.29     |
| 19 38 feet or more;      |         |          |           |
| 20 but less than 39 feet | 112.44  | 101.72   | 80.29     |
| 21 34 feet or more;      |         |          |           |
| 22 but less than 38 feet | 107.08  | 96.36    | 80.29     |

|    |                        |        |       |       |
|----|------------------------|--------|-------|-------|
| 1  | 28 feet or more;       |        |       |       |
| 2  | but less than 34 feet  | 101.72 | 91.01 | 74.94 |
| 3  | 26 feet or more;       |        |       |       |
| 4  | but less than 28 feet  | 96.36  | 85.66 | 74.94 |
| 5  | 23 feet or more;       |        |       |       |
| 6  | but less than 26 feet  | 91.01  | 80.30 | 74.94 |
| 7  | 21 feet or more;       |        |       |       |
| 8  | but less than 23 feet  | 85.66  | 74.94 | 69.59 |
| 9  | 19 feet or more;       |        |       |       |
| 10 | but less than 21 feet  | 80.30  | 69.59 | 64.25 |
| 11 | 17 feet or more;       |        |       |       |
| 12 | but less than 19 feet  | 80.30  | 64.25 | 58.89 |
| 13 | 14 feet or more;       |        |       |       |
| 14 | but less than 17 feet  | 53.54  | 48.17 | 37.47 |
| 15 | Less than 14 feet      |        |       |       |
| 16 | buses, station wagons, |        |       |       |
| 17 | and carryalls          | 53.54  | 48.17 | 37.47 |

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

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

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

25                   ~~(2)~~ (3)(a) The compensation, as computed in accordance with ~~the schedule~~  
 26                   ~~contained in this Section,~~ shall be paid for ~~a minimum of~~ the number of days of  
 27                   actual operation, but not less than one hundred eighty days, during the ~~nine-month~~  
 28                   official school year adopted by the public school governing authority, and for the  
 29                   number of days of actual operation for ~~any~~ the summer semester, if applicable.

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

4                    (i) Lift mechanisms, wheelchair or other mobility device securement  
 5                    systems, occupant restraints, cleaning supplies, or other equipment required  
 6                    exclusively for transporting students with disabilities.

7                    (ii) Air-conditioning equipment.

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

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

18                    C. The term "~~mileage one-way~~" "paid mileage" as used in this Section shall  
 19                    mean the distance the bus travels after picking up its first ~~child~~ student and until it  
 20                    reaches the final student discharge destination or school of ~~said route or routes~~ each  
 21                    morning and afternoon route officially designated by ~~each school board~~ the public  
 22                    school governing authority.

23                    D.(1) Each ~~school board~~ public school governing authority shall designate  
 24                    the size of the bus to be used on each official regular school bus route. When an  
 25                    operator deems it necessary to purchase a bus, either new or used for not more than  
 26                    five years from the date of manufacture, of the designated size to be used on an  
 27                    official regular school bus route, he shall obtain the approval for the purchase ~~by the~~  
 28                    ~~school board~~ from the public school governing authority or its duly designated  
 29                    officer or agent. After purchasing ~~a new or used bus not more than five years old,~~  
 30                    ~~so~~ an approved bus, no operator shall be penalized as a result of the change by the

1           ~~school board~~ public school governing authority in the designated size of the bus or  
 2           the length of the route within a ~~five-year~~ seven-year period following such purchase  
 3           of a bus. However, the period shall be seven years for those operators who purchase  
 4           a new bus after July 1, 1985.

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

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

13                    E. ~~Beginning with the first pay period commencing on or after January 1,~~  
 14          ~~1965, any parish or city school system~~ A public school governing authority exempt  
 15          from the provisions of R.S. 17:496 ~~shall participate in~~ is subject to this Section in the  
 16          same manner as other ~~parish and city school systems~~ public school governing  
 17          authorities.

18                    F.(1) ~~When funds become available, and continuing thereafter, there shall~~  
 19          ~~be paid to the operators thereof, as defined herein, for the operation of each school~~  
 20          ~~bus operated in the public school system of the state of Louisiana, a rate of~~  
 21          ~~compensation for such operation in accordance with the following schedule:~~

Beginning Fall Term, 1986 and Thereafter

| Length of bus                          | Cents per mile |
|--|----------------|
| 39 feet or more                        | 117.80         |
| 38 feet or more, but less than 39 feet | 112.44         |
| 34 feet or more, but less than 38 feet | 107.08         |
| 28 feet or more, but less than 34 feet | 101.72         |
| 26 feet or more, but less than 28 feet | 96.36          |
| 23 feet or more, but less than 26 feet | 91.01          |
| 21 feet or more, but less than 23 feet | 85.66          |

|   |   |       |
|---|---|-------|
| 1 | <del>19 feet or more, but less than 21 feet</del>                 | 80.30 |
| 2 | <del>17 feet or more, but less than 19 feet</del>                 | 80.30 |
| 3 | <del>14 feet or more, but less than 17 feet</del>                 | 53.54 |
| 4 | <del>Less than 14 feet buses, station wagons, and carryalls</del> | 53.54 |

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_