

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 631
99TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 13, 2017, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1254S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 162.064 and 302.272, RSMo, and to enact in lieu thereof two new sections relating to school bus drivers.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 162.064 and 302.272, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 162.064 and 302.272, to
3 read as follows:

162.064. 1. Each school district shall have on file a statement from a
2 medical examiner which indicates that the driver is physically qualified to
3 operate a school bus for the purpose of transporting pupils. Such statement shall
4 be made on an annual basis, **unless a statement is issued by a department**
5 **of transportation certified medical examiner in which case such**
6 **examiner may issue a statement for up to a two-year duration, subject**
7 **to rules promulgated by the department of transportation.** The term
8 "medical examiner" includes, but is not limited to, doctors of medicine, doctors of
9 osteopathy, physician assistants, advanced practice nurses, and doctors of
10 chiropractic. For new drivers, such statement shall be on file prior to the driver's
11 initial operation of a school bus. This section shall apply to drivers employed by
12 the school district or under contract with the school district.

13 2. **The director of the department of transportation may**
14 **promulgate all necessary rules and regulations for the administration**
15 **of this section. Any rule or portion of a rule, as that term is defined in**
16 **section 536.010, that is created under the authority delegated in this**
17 **section shall become effective only if it complies with and is subject to**
18 **all of the provisions of chapter 536 and, if applicable, section**

19 **536.028. This section and chapter 536 are nonseverable, and if any of**
20 **the powers vested with the general assembly pursuant to chapter 536**
21 **to review, to delay the effective date, or to disapprove and annul a rule**
22 **are subsequently held unconstitutional, then the grant of rulemaking**
23 **authority and any rule proposed or adopted after August 28, 2017, shall**
24 **be invalid and void.**

302.272. 1. No person shall operate any school bus owned by or under
2 contract with a public school or the state board of education unless such driver
3 has qualified for a school bus endorsement under this section and complied with
4 the pertinent rules and regulations of the department of revenue and any final
5 rule issued by the secretary of the United States Department of Transportation
6 or has a valid school bus endorsement on a valid commercial driver's license
7 issued by another state. A school bus endorsement shall be issued to any
8 applicant who meets the following qualifications:

9 (1) The applicant has a valid state license issued under this chapter;

10 (2) The applicant is at least twenty-one years of age; and

11 (3) The applicant has successfully passed an examination for the
12 operation of a school bus as prescribed by the director of revenue. The
13 examination shall include any examinations prescribed by the secretary of the
14 United States Department of Transportation, and a driving test in the type of
15 vehicle to be operated. The test shall be completed in the appropriate class of
16 vehicle to be driven. For purposes of this section classes of school buses shall
17 comply with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub.
18 Law 99-570). For drivers who are at least seventy years of age, such
19 examination, **excluding the pre-trip inspection portion of the commercial**
20 **driver's license skills test**, shall be completed annually **to retain the school**
21 **bus endorsement.**

22 2. The director of revenue, to the best of the director's knowledge, shall
23 not issue or renew a school bus endorsement to any applicant whose driving
24 record shows that such applicant's privilege to operate a motor vehicle has been
25 suspended, revoked or disqualified or whose driving record shows a history of
26 moving vehicle violations.

27 3. The director may adopt any rules and regulations necessary to carry
28 out the provisions of this section. Any rule or portion of a rule, as that term is
29 defined in section 536.010, that is created under the authority delegated in this
30 section shall become effective only if it complies with and is subject to all of the

31 provisions of chapter 536 and, if applicable, section 536.028. This section and
32 chapter 536 are nonseverable and if any of the powers vested with the general
33 assembly pursuant to chapter 536 to review, to delay the effective date, or to
34 disapprove and annul a rule are subsequently held unconstitutional, then the
35 grant of rulemaking authority and any rule proposed or adopted after August 28,
36 2004, shall be invalid and void.

37 4. Notwithstanding the requirements of this section, an applicant who
38 resides in another state and possesses a valid driver's license from his or her
39 state of residence with a valid school bus endorsement for the type of vehicle
40 being operated shall not be required to obtain a Missouri driver's license with a
41 school bus endorsement.

✓

Bill

Copy