

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1140 Session of
1975

INTRODUCED BY BONETTO AND STOUT, APRIL 29, 1975

REFERRED TO COMMITTEE ON EDUCATION, APRIL 29, 1975

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," transferring certain duties from the
6 Bureau of Traffic Safety to the Department of Education.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1362 and subsections (b) and (c) of
10 section 2541, act of March 10, 1949 (P.L.30, No.14), known as
11 the "Public School Code of 1949," amended December 29, 1972
12 (P.L.1726, No.372), are amended to read:

13 Section 1362. Kinds of Transportation; Liability
14 Insurance.--The free transportation of pupils, as required or
15 authorized by this act, or any other act, may be furnished by
16 using either school conveyances, private conveyances, or
17 electric railways, or other common carriers, when the total
18 distance which any pupil must travel by the public highway to or
19 from school, in addition to such transportation, does not exceed
20 one and one-half (1 1/2) miles, and when stations or other

1 proper shelters are provided for the use of such pupils where
2 needed, and when the highway, road, or traffic conditions are
3 not such that walking on the shoulder of the road where there
4 are no sidewalks constitutes a hazard to the safety of the
5 child, as so certified by the [Bureau of Traffic Safety.]
6 Department of Education. All private motor vehicles employed in
7 transporting pupils for hire shall be adequately covered by
8 public liability insurance in such amount as the board of school
9 directors shall require.

10 Section 2541. Payments on Account of Pupil Transportation.--

11 * * *

12 (b) Such payments for pupil transportation shall be made in
13 the following cases:

14 (1) To school districts of the fourth class and districts of
15 the third class which are located wholly within the boundary
16 lines of a township, or within the boundary lines of a borough
17 which has a population of less than five hundred (500)
18 inhabitants to the square mile, to districts of the third class
19 operating schools jointly with districts of the fourth class or
20 with other districts of the third class entitled to payment on
21 account of transportation to merged or union school districts in
22 which one or more of the component districts were heretofore
23 eligible for reimbursement on account of transportation to new
24 school districts composed of two or more former school districts
25 established as a result of reorganization of school districts
26 pursuant to Article II., subdivision (i) of this act and to
27 school districts which were eligible heretofore for
28 reimbursement on account of transportation, for the
29 transportation of elementary school pupils residing within any
30 part of the district last served by any elementary school closed

1 since the first Monday of July, one thousand nine hundred seven,
2 or within a district all of whose schools have been closed, or
3 who are assigned to a training school of a State college, and in
4 each case who reside one and one half (1 1/2) miles or more from
5 the school to which they are assigned or who reside in areas
6 where there are no sidewalks and the road or traffic conditions
7 are such that walking on the shoulder of the road constitutes a
8 hazard to the safety of the child when so certified by the
9 [Bureau of Traffic Safety in the Department of Transportation.]
10 Department of Education.

11 (2) To school districts of the fourth class and districts of
12 the third class which are located wholly within the boundary
13 lines of a township, or within the boundary lines of a borough
14 which has a population of less than five hundred (500)
15 inhabitants to the square mile, to merged or union school
16 districts in which one or more of the component districts were
17 heretofore eligible for reimbursement on account of
18 transportation to new school districts composed of two or more
19 former school districts established as a result of
20 reorganization of school districts pursuant to Article II.,
21 subdivision (i) of this act and to school districts which were
22 eligible heretofore for reimbursement on account of
23 transportation, for the transportation of any child living more
24 than two (2) miles by the nearest public highway from the
25 nearest school in session, or any child who resides in an area
26 where there are no sidewalks and the road or traffic conditions
27 are such that walking on the shoulder of the road constitutes a
28 hazard to the safety of the child when so certified by the
29 [Bureau of Traffic Safety,] Department of Education, and to the
30 districts of the third class operating schools jointly with

1 districts of the fourth class or with other districts of the
2 third class entitled to payment on account of transportation for
3 the transportation of any child living more than two (2) miles
4 by the nearest public highway from the nearest jointly operated
5 school in session offering the proper grades including pupils
6 who are attending area technical schools or any child who
7 resides in an area where there are no sidewalks and the road or
8 traffic conditions are such that walking on the shoulder of the
9 road constitutes a hazard to the safety of the child when so
10 certified by the [Bureau of Traffic Safety.] Department of
11 Education.

12 (3) To all school districts, for the transportation of
13 physically or mentally handicapped children regularly enrolled
14 in special classes approved by the Department of Education or
15 enrolled in a regular class in which approved educational
16 provisions are made for them.

17 (4) To all third and fourth class school districts, for
18 pupils transported to and from approved consolidated schools or
19 approved joint consolidated schools living one and one-half
20 miles or more from the school of attendance or residing in areas
21 where there are no sidewalks and the road or traffic conditions
22 are such that walking on the shoulder of the road constitutes a
23 hazard to the safety of the child when so certified by the
24 [Bureau of Traffic Safety.] Department of Education.

25 Consolidated schools or joint consolidated schools shall so
26 long as they are approved by the Secretary of Education as to
27 organization, control, location, equipment, courses of study,
28 qualifications of teachers, methods of instruction, condition of
29 admission, expenditures of money, methods and means of
30 transportation and the contracts providing therefor, constitute

1 approved consolidated schools or approved joint consolidated
2 schools.

3 (5) To all school districts, for pupils transported to and
4 from schools used for the purpose of better gradation.

5 (6) To all school districts for pupils transported to and
6 from area technical schools.

7 (7) To all school districts, for the transportation of
8 nonresident children who are placed in the home of a resident,
9 or who are inmates of an orphan asylum or home or a children's
10 home or other institution for the care and training of orphans
11 or other children, and who attend the public schools, and who
12 live two miles or more from the nearest school with the proper
13 grades or residing in areas where there are no sidewalks and the
14 road or traffic conditions are such that walking on the shoulder
15 of the road constitutes a hazard to the safety of the child when
16 so certified by the [Bureau of Traffic Safety.] Department of
17 Education.

18 (c) Payments for pupil transportation on account of the
19 school year 1972-1973 and every school year thereafter shall be
20 made only in the following cases:

21 (1) To all school districts for the transportation to and
22 from school of elementary school pupils, including kindergarten
23 pupils, residing one and one-half (1 1/2) miles or more by the
24 nearest public highway from the school in which the pupils are
25 enrolled and to which transportation is authorized under section
26 1361 of this act or residing in areas where there are no
27 sidewalks and the road or traffic conditions are such that
28 walking on the shoulder of the road constitutes a hazard to the
29 safety of the child when so certified by the [Bureau of Traffic
30 Safety.] Department of Education. Such elementary school pupils

1 shall include nonresident children who are placed in the home of
2 a resident, or who are residents of an orphanage, or home or
3 children's home or other institution for the care and training
4 of orphans or other children.

5 (2) To all school districts for the transportation to and
6 from school of secondary school pupils residing two (2) miles or
7 more by the nearest public highway from the school in which the
8 pupils are enrolled and to which transportation is authorized
9 under section 1361 of this act or residing in areas where there
10 are no sidewalks and the road or traffic conditions are such
11 that walking on the shoulder of the road constitutes a hazard to
12 the safety of the child when so certified by the [Bureau of
13 Traffic Safety.] Department of Education. Such secondary school
14 pupils shall include nonresident children who are placed in the
15 home of a resident, or who are inmates of an orphan asylum or
16 home or children's home or other institution for the care and
17 training of orphans or other children.

18 (3) To all school districts for pupils transported to and
19 from approved consolidated schools or approved joint
20 consolidated schools living one and one-half (1 1/2) miles or
21 more from the school of attendance or residing in areas where
22 there are no sidewalks and the road or traffic conditions are
23 such that walking on the shoulder of the road constitutes a
24 hazard to the safety of the child when so certified by the
25 [Bureau of Traffic Safety.] Department of Education.

26 Consolidated schools or joint consolidated schools shall so
27 long as they are approved as to organization, control, location,
28 equipment, courses of study, qualifications of teachers, methods
29 of instruction, condition of admission, expenditures of money,
30 methods and means of transportation and the contracts providing

1 therefor, constitute approved consolidated schools or approved
2 joint consolidated schools.

3 (4) To all school districts for the transportation of
4 exceptional children regularly enrolled in special classes
5 approved by the Department of Education or enrolled in a regular
6 class in which approved educational provisions are made for
7 them.

8 (5) To all school districts for pupils transported to and
9 from area technical schools.

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