

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 578 Session of
2007

INTRODUCED BY GREENLEAF, RHOADES, O'PAKE, RAFFERTY AND FONTANA,
MARCH 20, 2007

REFERRED TO EDUCATION, MARCH 20, 2007

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," further providing for pupil
6 transportation and liability insurance and for payments on
7 account of pupil transportation.

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

10 Section 1. Sections 1362 and 2541(c) of the act of March 10,
11 1949 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended November 20, 1979 (P.L.465, No.97), 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] three-quarters of a mile, and

1 when stations or other proper shelters are provided for the use
2 of such pupils where needed, and when the highway, road, or
3 traffic conditions are not such that walking constitutes a
4 hazard to the safety of the child, as so certified by the
5 Department of Transportation. The Department of Transportation
6 shall take into account the presence of sidewalks along the
7 highway, but such presence or lack thereof shall not be
8 controlling and the department shall consider all relevant
9 safety factors in making its determination as to whether or not
10 walking constitutes a hazard to pupils. All private motor
11 vehicles employed in transporting pupils for hire shall be
12 adequately covered by public liability insurance in such amount
13 as the board of school directors shall require.

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

15 * * *

16 (c) Payments for pupil transportation on account of the
17 school year 1979-1980 and every school year thereafter shall be
18 made only in the following cases:

19 (1) To all school districts for the transportation to and
20 from school of elementary school pupils, including kindergarten
21 pupils, residing [one and one-half (1 1/2) miles] three-quarters
22 (3/4) of a mile or more by the nearest public highway from the
23 school in which the pupils are enrolled and to which
24 transportation is authorized under section 1361 of this act or
25 residing in areas where the road or traffic conditions are such
26 that walking constitutes a hazard to the safety of the child
27 when so certified by the Department of Transportation. The
28 Department of Transportation shall take into account the
29 presence of sidewalks along the highway, but such presence or
30 lack thereof shall not be controlling and the department shall

1 consider all relevant safety factors in making its determination
2 as to whether or not walking constitutes a hazard to pupils.
3 Such elementary school pupils shall include nonresident children
4 who are placed in the home of a resident, or who are residents
5 of an orphanage, or home or children's home or other institution
6 for the care and training of orphans or other children.

7 (2) To all school districts for the transportation to and
8 from school of secondary school pupils residing [two (2)] one
9 and one-half (1 1/2) miles or more by the nearest public highway
10 from the school in which the pupils are enrolled and to which
11 transportation is authorized under section 1361 of this act or
12 residing in areas where the road or traffic conditions are such
13 that walking constitutes a hazard to the safety of the child
14 when so certified by the Department of Transportation. The
15 Department of Transportation shall take into account the
16 presence of sidewalks along the highway, but such presence or
17 lack thereof shall not be controlling and the department shall
18 consider all relevant safety factors in making its determination
19 as to whether or not walking constitutes a hazard to pupils.
20 Such secondary school pupils shall include nonresident children
21 who are placed in the home of a resident, or who are inmates of
22 an orphan asylum or home or children's home or other institution
23 for the care and training of orphans or other children.

24 (3) To all school districts for pupils transported to and
25 from approved consolidated schools or approved joint
26 consolidated schools living one and one-half (1 1/2) miles or
27 more from the school of attendance or residing in areas where
28 the road or traffic conditions are such that walking constitutes
29 a hazard to the safety of the child when so certified by the
30 Department of Transportation. The Department of Transportation

1 shall take into account the presence of sidewalks along the
2 highway, but such presence or lack thereof shall not be
3 controlling and the department shall consider all relevant
4 safety factors in making its determination as to whether or not
5 walking constitutes a hazard to pupils.

6 Consolidated schools or joint consolidated schools shall so
7 long as they are approved as to organization, control, location,
8 equipment, courses of study, qualifications of teachers, methods
9 of instruction, condition of admission, expenditures of money,
10 methods and means of transportation and the contracts providing
11 therefor, constitute approved consolidated schools or approved
12 joint consolidated schools.

13 (4) To all school districts for the transportation of
14 exceptional children regularly enrolled in special classes
15 approved by the Department of Education or enrolled in a regular
16 class in which approved educational provisions are made for
17 them.

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

20 * * *

21 Section 2. This act shall take effect in 60 days.