

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 522 Session of
1977

INTRODUCED BY BELLOMINI AND PETRARCA, MARCH 7, 1977

REFERRED TO COMMITTEE ON EDUCATION, MARCH 7, 1977

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 Transportation
7 and establishing procedures for certain certifications.

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

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

14 Section 1362. Kinds of Transportation; Liability
15 Insurance.--The free transportation of pupils, as required or
16 authorized by this act, or any other act, may be furnished by
17 using either school conveyances, private conveyances, or
18 electric railways, or other common carriers, when the total
19 distance which any pupil must travel by the public highway to or
20 from school, in addition to such transportation, does not exceed
21 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 Transportation. A hazardous walking route
7 inspection shall be made by the Department of Transportation
8 only upon the written request of the local school authorities.

9 All private motor vehicles employed in transporting pupils for
10 hire shall be adequately covered by public liability insurance
11 in such amount as the board of school directors shall require.

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

13 * * *

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

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

1 transportation of elementary school pupils residing within any
2 part of the district last served by any elementary school closed
3 since the first Monday of July, one thousand nine hundred seven,
4 or within a district all of whose schools have been closed, or
5 who are assigned to a training school of a State college, and in
6 each case who reside one and one half (1 1/2) miles or more from
7 the school to which they are assigned or who reside in areas
8 where there are no sidewalks and the road or traffic conditions
9 are such that walking on the shoulder of the road constitutes a
10 hazard to the safety of the child when so certified by the
11 [Bureau of Traffic Safety in the] Department of Transportation
12 pursuant to the procedure set forth in section 1362.

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

1 [Bureau of Traffic Safety,] Department of Transportation
2 pursuant to the procedure set forth in section 1362. and to the
3 districts of the third class operating schools jointly with
4 districts of the fourth class or with other districts of the
5 third class entitled to payment on account of transportation for
6 the transportation of any child living more than two (2) miles
7 by the nearest public highway from the nearest jointly operated
8 school in session offering the proper grades including pupils
9 who are attending area technical schools or any child who
10 resides in an area where there are no sidewalks and the road or
11 traffic conditions are such that walking on the shoulder of the
12 road constitutes a hazard to the safety of the child when so
13 certified by the [Bureau of Traffic Safety.] Department of
14 Transportation pursuant to the procedure set forth in section
15 1362.

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

21 (4) To all third and fourth class school districts, for
22 pupils transported to and from approved consolidated schools or
23 approved joint consolidated schools living one and one-half
24 miles or more from the school of attendance or residing in areas
25 where there are no sidewalks and the road or traffic conditions
26 are such that walking on the shoulder of the road constitutes a
27 hazard to the safety of the child when so certified by the
28 [Bureau of Traffic Safety.] Department of Transportation
29 pursuant to the procedure set forth in section 1362.

30 Consolidated schools or joint consolidated schools shall so

1 long as they are approved by the Secretary of Education as to
2 organization, control, location, equipment, courses of study,
3 qualifications of teachers, methods of instruction, condition of
4 admission, expenditures of money, methods and means of
5 transportation and the contracts providing therefor, constitute
6 approved consolidated schools or approved joint consolidated
7 schools.

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

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

12 (7) To all school districts, for the transportation of
13 nonresident children who are placed in the home of a resident,
14 or who are inmates of an orphan asylum or home or a children's
15 home or other institution for the care and training of orphans
16 or other children, and who attend the public schools, and who
17 live two miles or more from the nearest school with the proper
18 grades or residing in areas where there are no sidewalks and the
19 road or traffic conditions are such that walking on the shoulder
20 of the road constitutes a hazard to the safety of the child when
21 so certified by the [Bureau of Traffic Safety.] Department of
22 Transportation pursuant to the procedure set forth in section
23 1362.

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

27 (1) To all school districts for the transportation to and
28 from school of elementary school pupils, including kindergarten
29 pupils, residing one and one-half (1 1/2) miles or more by the
30 nearest public highway from the school in which the pupils are

1 enrolled and to which transportation is authorized under section
2 1361 of this act or residing in areas where there are no
3 sidewalks and the road or traffic conditions are such that
4 walking on the shoulder of the road constitutes a hazard to the
5 safety of the child when so certified by the [Bureau of Traffic
6 Safety.] Department of Transportation pursuant to the procedure
7 set forth in section 1362. Such elementary school pupils shall
8 include nonresident children who are placed in the home of a
9 resident, or who are residents of an orphanage, or home or
10 children's home or other institution for the care and training
11 of orphans or other children.

12 (2) To all school districts for the transportation to and
13 from school of secondary school pupils residing two (2) miles or
14 more by the nearest public highway from the school in which the
15 pupils are enrolled and to which transportation is authorized
16 under section 1361 of this act or residing in areas where there
17 are no sidewalks and the road or traffic conditions are such
18 that walking on the shoulder of the road constitutes a hazard to
19 the safety of the child when so certified by the [Bureau of
20 Traffic Safety.] Department of Transportation pursuant to the
21 procedure set forth in section 1362. Such secondary school
22 pupils shall include nonresident children who are placed in the
23 home of a resident, or who are inmates of an orphan asylum or
24 home or children's home or other institution for the care and
25 training of orphans or other children.

26 (3) To all school districts for pupils transported to and
27 from approved consolidated schools or approved joint
28 consolidated schools living one and one-half (1 1/2) miles or
29 more from the school of attendance or residing in areas where
30 there are no sidewalks and the road or traffic conditions are

1 such that walking on the shoulder of the road constitutes a
2 hazard to the safety of the child when so certified by the
3 [Bureau of Traffic Safety.] Department of Transportation
4 pursuant to the procedure set forth in section 1362.

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

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

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

19 * * *

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