

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 740 Session of 1991

INTRODUCED BY FOX, JAROLIN, NAILOR, FLICK, ARMSTRONG, MAIALE, TRELLO, WOGAN, PESCI, NYCE, HERSHEY, OLASZ, RAYMOND, CLARK, BELARDI, BUNT, STABACK, DeLUCA, VROON, PHILLIPS, GEIST, KOSINSKI, HARPER, MELIO, E. Z. TAYLOR, GIGLIOTTI, SAURMAN, LAUGHLIN, TANGRETTI, BILLOW, PERZEL, FARGO AND BATTISTO, MARCH 13, 1991

REFERRED TO COMMITTEE ON EDUCATION, MARCH 13, 1991

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," providing for drug and alcohol tests
6 for school bus drivers.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 1368. Drug and Alcohol Testing Program.--(a) The
13 Secretary of Education shall, in the interest of pupil safety,
14 promulgate regulations within eighteen (18) months after the
15 effective date of this section to establish a program to require
16 school districts to conduct preemployment, periodic recurring,
17 random and post-accident testing of school bus drivers, to
18 determine if the school bus drivers have used alcohol or

1 controlled substances in violation of the regulations or the
2 law.

3 (b) The regulations shall:

4 (1) Develop minimum drug and alcohol thresholds which would
5 indicate impairment of faculties.

6 (2) Determine what types of tests are appropriate to detect
7 violations of the regulations or the law.

8 (3) Provide that a test which indicates the use by a school
9 bus driver of alcohol or a controlled substance in violation of
10 the regulations or the law shall be confirmed by a second test,
11 and that the second test shall, if appropriate, be of a higher
12 laboratory quality than the first.

13 (4) Require that all school bus drivers in this Commonwealth
14 be tested at least every six (6) months for the use of alcohol
15 or controlled substances in violation of the regulations or the
16 law.

17 (5) Develop guidelines for the disqualification, suspension
18 or dismissal of school bus drivers for violation of the
19 regulations or the law.

20 (c) As used in this section, the term "school bus driver"
21 means a person who drives either a school conveyance or a
22 private conveyance under contract for the transportation of
23 pupils to and from school.

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