

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1504 Session of
2009

INTRODUCED BY J. TAYLOR, BRIGGS, BROWN, EVERETT, GEORGE, HELM,
KORTZ, M. O'BRIEN, SCAVELLO, SIPTROTH, WATERS AND YOUNGBLOOD,
MAY 13, 2009

REFERRED TO COMMITTEE ON EDUCATION, MAY 13, 2009

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] one (1) mile, and when stations

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

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

14 * * *

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

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

1 walking constitutes a hazard to pupils. Such elementary school
2 pupils shall include nonresident children who are placed in the
3 home of a resident, or who are residents of an orphanage, or
4 home or children's home or other institution for the care and
5 training of orphans or other children.

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

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

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

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.