

# Committee Report

**CONSENT CALENDAR**

**March 13, 2019**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Education to which was referred HB  
400-LOCAL,**

**AN ACT relative to alternative transportation of  
students for public school activities. Having considered  
the same, report the same with the following resolution:  
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Arthur Ellison**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	Education
Bill Number:	HB 400-LOCAL
Title:	relative to alternative transportation of students for public school activities.
Date:	March 13, 2019
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

### STATEMENT OF INTENT

This bill would require local school districts to adopt a series of standards for alternative transportation of students for public school activities. The committee believes that local school boards already have adopted standards for alternative transportation of students that meet the needs of each local school district. Therefore, the committee recommends that the bill is Inexpedient to Legislate.

Vote 19-0.

Rep. Arthur Ellison  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### Education

**HB 400-LOCAL**, relative to alternative transportation of students for public school activities.  
**INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Ellison for Education. This bill would require local school districts to adopt a series of standards for alternative transportation of students for public school activities. The committee believes that local school boards already have adopted standards for alternative transportation of students that meet the needs of each local school district. Therefore, the committee recommends that the bill is Inexpedient to Legislate. **Vote 19-0.**

COMMITTEE REPORT

Ellison

COMMITTEE: Education

BILL NUMBER: HB 400- Local

TITLE: Relative to alternative transportation of students for public school activities

DATE: 3-13 CONSENT CALENDAR: YES  NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.
_____

STATEMENT OF INTENT:

this bill would require local school districts to adopt a series of standards for alternative transportation of students for public school activities


the committee believes that local school boards already have adopted standards for alternative transportation of students that meet the needs of each local school district

therefore the committee recommends that the bill is Inexpedient to Legislate

COMMITTEE VOTE: 19-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Ant Ellison 

For the Committee

# Voting Sheets

**HOUSE COMMITTEE ON EDUCATION**  
**EXECUTIVE SESSION on HB 400-LOCAL**

**BILL TITLE:** relative to alternative transportation of students for public school activities.

**DATE:** March 13, 2019

**LOB ROOM:** 207

**MOTIONS:** **INEXPEDIENT TO LEGISLATE**

Moved by Rep. Ellison


Seconded by Rep. Ladd

Vote: 19-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

  
Rep Linda Tanner, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 400-LOCAL

BILL TITLE: relative to alternative transportation of students for public school activities.

DATE: 3/13

LOB ROOM: 207

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. Ellison      Seconded by Rep. Ladd      Vote: 19-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

CONSENT CALENDAR:  YES       NO

Minority Report? \_\_\_\_\_ Yes      \_\_\_\_\_ No      If yes, author, Rep: \_\_\_\_\_ Motion \_\_\_\_\_

Respectfully submitted:   
Rep Linda Tanner, Clerk





2019 SESSION

Education

Bill #: HB 400-L Motion: 400 AM #: \_\_\_\_\_ Exec Session Date: March 13, 2019

Relative to alternative transportation of students for public school activities Members

	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Myler, Mel Chairman	19		
Luneau, David J. Vice Chairman	1		
Shaw, Barbara E. <i>Lane</i>	2		
Cornell, Patricia	3		
Doherty, David B.	4		
Le, Tamara N.	5		
Tanner, Linda L. Clerk	6		
Ellison, Arthur S.	7		
Mullen, Sue M.	8		
Riel, Cole J.	9		
Vallone, Mark	10		
Woodcock, Stephen L.	11		
Ladd, Rick M.	12		
Cordelli, Glenn <i>PACKARD</i>	13		
Elliott, Robert J.	14		
Boehm, Ralph G.	15		
Wolf, Dan H.	16		
Allard, James C.	17		
Forsythe, Robert L.			
Lekas, Alicia D.	18		
<b>TOTAL VOTE:</b>	19	0	

# Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 400-LOCAL

**BILL TITLE:** relative to alternative transportation of students for public school activities.

**DATE:** January 23, 2019

**LOB ROOM:** 207

**Time Public Hearing Called to Order:** 10:45 a.m.

**Time Adjourned:** 11:15 a.m.

**Committee Members:** Reps. Myler, Luneau, Tanner, Shaw, Cornell, Doherty, Le, Ellison, Mullen, Riel, Vallone, Woodcock, Ladd, Cordelli, Elliott, Boehm, Wolf, Allard, Forsythe and A. Lekas

**Bill Sponsors:**

Rep. Verville  
Sen. Reagan

Rep. Bershtein  
Sen. Carson

Rep. Spillane

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**(1.) Rep. Bershtein - Sponsor**

Enabling legislation that burdens schools  
Now Only a school bus can transport school students  
This sets out same requirements  
as designated volunteers for schools now.

**Question:** 189:c Can get a van to use for clubs. **Ans:** would give more flexibility.

**Question:** School bus driver's license even with non school bus? **Ans:** Should we amend this with school bus license to drive?

**Question:** Other students ans don't know

**Question:** Aspect of having more than one adult driving? **Ans.** no.

**Question:** Amendment to cap the size of group so whole baseball team up the highway? **Ans:** No

**(2.) Carl Ladd - SA Admin. Opposes the bill**

School districts have individual policies  
increased liability for school even with disclaimer in bill if school sponsored  
Local control over transportation not a state issue.  
Age of driver, # of students

**Question:** Can parents pick up their own kids at your area? **Ans:** yes

**Question:** Is there flexibility in law now? **Ans:** Most likely have to get a school bus driver's license.

**Question:** If its by district doesn't lead to inequality ans rural districts work it out larger school district can get a van or small bus.

HB 400-Local - Page Two

(3.) Sgt. Chris Kolby - State Police

Dept of Safety regulates student transport

Regulations 131401 IEP kids are transported by criminal background check and school bus driver cert.

RSA 25996 RSA26329

Restrictions on licenses for 16-18 ans have to look up

189:6c mixed school bus

Current bill is a little too vague

**Question:** Would you want a 16 year old or a 96 yr old driving your kid? **Ans.** Not mine but, State offers school bus certificate 10 hours of training.

(4.) Nicole Heimark - NHSBA

Opposes this bill that enables teachers to transport small groups of students

May go against the code of ethics

Be very cautious about using a private vehicle

**Question:** Code is for teachers not parents more guidance and. More guidance.

**Question:** NHSBA has sample policy.

**Question:** Can a parent transport? **Ans:** RSA speaks to parent leaves others blank compensation makes a difference

Respectfully submitted:



Rep. Linda Tanner, Clerk

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 400-LOCAL

BILL TITLE: relative to alternative transportation of students for public school activities.

DATE: 1/23

ROOM: 207

Time Public Hearing Called to Order: 10:45

Time Adjourned: 11:15

(please circle if present)

Committee Members: Reps. Myles, Luneau, Tanner, Shaw, Cornell, Doherty, Le, Ellison, Mullen, Riel, Vallone, Woodcock, Ladd, Cordelli, Elliott, Boehm, Wolf, Allard, Forsythe and A. Lekas

Bill Sponsors:

Rep. Verville  
Sen. Reagan

Rep. Bershtein  
Sen. Carson

Rep. Spillane

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep Bershtein sponsor-sub pro
  - ② CARL LADD NSAd. Assoc oppose
  - ③ Sgt Chris Kolby no position
  - ④ Nicole Hermark NHTSBA oppose
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**From:** LT [<mailto:tannerwindom@gmail.com>]  
**Sent:** Wednesday, January 23, 2019 2:45 PM  
**To:** Johnston, Judith  
**Subject:** 1/23 ed committee notes

1/23 ed committee notes

### **HB 400-L**

1 Bershtein sponsor

Enabling legislation that burdens schools

Now Only a school bus can transport school busses

This sets out Same requirements

as designated volunteers for schools now

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?can a parent transport.ans RSA speaks to parent leaves others blank compensation makes a difference

Respectfully submitted Rep. Tanner Committee Clerk

Linda Tanner

“Unless someone like you cares a whole awful lot,  
Nothing is going to get better. It's not.”

— **Dr. Seuss, The Lorax**





Bill as  
Introduced

HB 400-LOCAL - AS INTRODUCED

2019 SESSION

19-0438  
06/08

HOUSE BILL

**400-LOCAL**

AN ACT relative to alternative transportation of students for public school activities.

SPONSORS: Rep. Verville, Rock. 2; Rep. Bershtein, Rock. 2; Rep. Spillane, Rock. 2; Sen. Reagan, Dist 17; Sen. Carson, Dist 14

COMMITTEE: Education

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ANALYSIS

This bill authorizes the use of certain private vehicles to transport students to and from school activities.

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Explanation: Matter added to current law appears in *bold italics*.  
Matter removed from current law appears [~~in brackets and struckthrough~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT relative to alternative transportation of students for public school activities.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Section; Transportation of Students; Private Vehicles. Amend RSA 189 by inserting  
2 after section 6-c the following new section:

3 189:6-d Transportation to and from School Activities in Private Vehicles.

4 I. In this section, "school activities" shall have the same meaning as in RSA 189:6-c, III.

5 II. Students may be transported to and from school activities in a private vehicle registered  
6 in New Hampshire which bears a valid state inspection sticker and is operated by a driver who  
7 holds a valid driver's license to operate that vehicle provided that:

8 (a) Drivers shall be designated volunteers under RSA 189:13, VII. The school district or  
9 school administrative unit shall conduct, or have a third party conduct, a local and national  
10 criminal background check for each driver applicant that shall include the United States  
11 Department of Justice National Sex Offender Public Website.

12 (b) Any driver of a vehicle that transports students to and from a school activity shall  
13 maintain primary motor vehicle liability insurance, consistent with RSA 259:61, in an amount  
14 determined by the school district or school administrative unit. No school, school district, or school  
15 administrative unit shall be held responsible for any loss, damage, or legal liability.

16 (c) Students may be transported to and from school activities in a private vehicle only  
17 after the school obtains informed, written parental consent.

18 2 Effective Date. This act shall take effect 60 days after its passage.