

LEGISLATIVE COMMITTEE MINUTES

HB1202

Bill as Introduced

HB 1202 - AS INTRODUCED

2022 SESSION

22-2014
10/11

HOUSE BILL **1202**

AN ACT relative to transportation of pupils to school activities by a contract carrier.

SPONSORS: Rep. Boehm, Hills. 20; Rep. Ladd, Graf. 4

COMMITTEE: Education

ANALYSIS

This bill clarifies requirements for vehicles and operators of contract carriers transporting pupils for special education transition services.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to transportation of pupils to school activities by a contract carrier.

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

1 1 Pupils Transported to School Activities by Contract Carrier. Amend RSA 189:6-e, II to read as
2 follows:

3 II. In this section, "school activities" shall include, but is not limited to, sporting events,
4 intramural events, events associated with student clubs or organizations, job training programs,
5 field trips, and special education transition services that ~~[require travel of at least 150 miles round~~
6 ~~trip]~~ ***are approved by the school district.*** "School activities" shall not include transportation
7 between home and school.

8 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 66
HB 1202 - FINAL VERSION

2022 SESSION

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CHAPTER 66
HB 1202 - FINAL VERSION

22-2014
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STATE OF NEW HAMPSHIRE

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66:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 20, 2022
Effective Date: July 19, 2022

Committee Minutes

SENATE CALENDAR NOTICE
Education

Sen Ruth Ward, Chair
Sen Erin Hennessey, Vice Chair
Sen Denise Ricciardi, Member
Sen Jay Kahn, Member
Sen Suzanne Prentiss, Member

Date: March 8, 2022

HEARINGS

Tuesday	03/15/2022
(Day)	(Date)
Education	Legislative Office Building 101 9:00 a.m.
(Name of Committee)	(Place) (Time)
9:00 a.m.	HB 214 relative to a public school facility condition assessment and school building aid grants.
9:15 a.m.	HB 1074 relative to notice to a chartered public school of a special education services meeting.
9:30 a.m.	HB 1202 relative to transportation of pupils to school activities by a contract carrier.
9:45 a.m.	HB 1421-FN relative to lead in school drinking water.

EXECUTIVE SESSION ON PENDING LEGISLATION

Sponsors:

HB 214
Rep. Ladd
HB 1074

Rep. Allard

Rep. Mooney
Sen. Ward

HB 1202

Rep. Boehm

HB 1421-FN

Rep. Grassie

Rep. Langley

Sen. Watters

Rep. Healey
Sen. Carson

Rep. Ladd

Rep. B. Nelson

Rep. Marsh

Rep. Weyler

Rep. Woods

Rep. Knirk

Rep. Nottter

Rep. Meuse

Rep. Rung

Ava Hawkes 271-3266

Ruth Ward
Chairman

Senate Education Committee

Ava Hawkes 271-3266

HB 1202, relative to transportation of pupils to school activities by a contract carrier.

Hearing Date: March 15, 2022

Time Opened: 9:30 a.m.

Time Closed: 9:46 a.m.

Members of the Committee Present: Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill clarifies requirements for vehicles and operators of contract carriers transporting pupils for special education transition services.

Sponsors:

Rep. Boehm

Rep. Ladd

Who supports the bill: Representative Ralph Boehm, Representative Rick Ladd

Who opposes the bill: None

Who is neutral on the bill: NH State Trooper Gregory Hildreth (DOS)

Summary of testimony presented:

Representative Ralph Boehm - Hillsborough, District 20

- Representative Boehm introduced HB 1202.
- Last session, we learned that the use of coach buses by schools for student transport was illegal.
- This bill works to correct errors passed in the bill from last session.
- Coach buses can be a lot safer than school buses.
- With equipment and suitcases on board, students need coach buses for longer school trips.
- Most times these trips on coach buses are not paid for by taxes, but by parents or through fundraising.

- This bill would remove the roundtrip requirement of 160-miles from statute and add a requirement that trips be approved by school districts.
- Senator Kahn asked Representative Boehm if there was any input provided from school bus drivers on this bill.
 - Representative Boehm said he does not recall.

- All trips have chaperones and teachers who have undergone a background check.
- A regular school bus cannot hold equipment and suitcases.
- Senator Kahn asked Representative Boehm about the licensing of a school bus driver versus a coach bus driver.
 - Representative Boehm said this is already law, except for the portion related to mileage.

**NH State Trooper Gregory Hildreth – Supervisor of People Transportation,
NH Department of Safety**

- They are neutral on this bill.
- Coach buses were not previously allowed because they are not as safe as school buses; school buses are larger, heavier, with reinforcements of steel, which are designed to protect kids.
- Coach buses are made for comfort.
- Senator Kahn asked Mr. Hildreth about the licensing of school bus drivers versus coach bus drivers.
 - Mr. Hildreth said the licensing requirements are currently in transition. However, right now, school bus drivers need to clear a background check to ensure that they are fit to drive.
 - There is a whole litany of things that could disqualify a school bus driver.
 - He has seen hazmat drivers get disqualified to drive a school bus.
 - DOS regulates school bus drivers higher than others on the road as they often transport over 70 children at a time.
 - Following the passage of a background check, school bus drivers must complete 10 hours of annual training in their first year. Then, every year after that, they must complete a minimum of 8 hours of annual training.
 - Next, school bus drivers must successfully complete a driving test at the DMV to ensure that they are familiar with railroad crossings, proper pick-up and drop-off locations, etc.
 - The largest benefit of school bus drivers is that they are background checked annually.
 - In limited circumstances, when contract carriers are not available, schools are enabled through statute to transport students themselves based on three criteria:
 - The car must be owned or leased by the school.
 - A school employee, from a janitor to a full-time teacher, must be the driver who has already undergone a background check.
 - This form of transport can only be used for school activities.
- Senator Kahn asked Mr. Hildreth if there is a driver safety check for citations that may have been issued to school bus drivers.

- Mr. Hildreth said yes, drivers must maintain their current driving file at their company's location. Every year, drivers must do an annual disclosure. There are all kinds of things that school bus drivers must do to clear the high bar set for them.
- If a school bus driver receives a citation for a DUI while driving their own vehicle, Mr. Hildreth's office must be notified so that he can revoke the school bus driver's certificate.
- There is a significant number of drivers whose certificates get revoked. He has six revocations next week.
- Senator Kahn asked Mr. Hildreth for clarity on the rules he has referenced. Mr. Hildreth said they are the administrative rules his office must enforce for school bus drivers.
- Senator Kahn asked Mr. Hildreth about the difference in licensing for a CDL driver of a chartered bus versus a school bus driver.
 - Mr. Hildreth said it gets much more complicated when dealing with CDLs as school bus drivers are not required to have a CDL, but they are required to have a school bus driver certificate.
 - A significant amount of the fleet are regular cars, vans, etc. which are considered school buses under their rules, whereas they must have certain equipment on board and be inspected. They must go through an additional inspection process, separate from the safety inspection.
- Senator Kahn asked Mr. Hildreth if chartered bus drivers have a CDL.
 - Mr. Hildreth said they should as the 26,000-pound threshold for a bus is likely at play. All federal regulations apply to them, including drug testing.
- Senator Kahn asked Mr. Hildreth if the main difference between the two drivers is driver education.
 - Mr. Hildreth said that is one difference. Another is the background checking portion and the annual review of their driving record.
 - There are certain federal regulations that would not disqualify a coach bus driver, but would disqualify a school bus driver.
- Senator Ward asked Mr. Hildreth about the very high bar that school bus drivers must pass and if parents should be worried about children riding in coach buses.
 - Mr. Hildreth said there are not many instances of issues that he is aware of. There is highway data that shows coach buses having fatalities in certain situations. Statistically, he can't answer how many fatalities occur in one vehicle versus another.

Speakers

Senate Education Committee

SIGN-IN SHEET

Date: 03/15/2022 Time: 09:30 a.m.

HB 1202 AN ACT relative to transportation of pupils to school activities by a contract carrier.

Name/Representing (please print neatly)

✓	RALPH BOEHM (REP)	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓	R. M. Ladd (Rep)	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Huast DOS	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Senate Remote Testify

Education Committee Testify List for Bill HB1202 on 2022-03-15

Support: 0 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Brackett, Glenn	A Lobbyist	NH AFL-CIO	Neutral

Testimony

HB1202

Ralph Boehm
Hillsborough D20
Litchfield

This was a bill from last year, when we learned that using coach buses for school travel was actually illegal. Even though they've been used ever since I could remember. We got hung up last year on the mileage, the original bill from the senate had 75 miles, was that one-way, round trip? But after we voted, it dawned on some of us that we messed up. Schools use coach buses for a lot of trips less than 75 miles. Some examples, school field trips out of state, going to the airport, other overnite events. Londonderry Marching Band for years have gone to multiple events, including Rose Bowl, inaugurations, etc. With their equipment and suitcases they need coach buses. Airport is only about 50 miles. I went on a field trip some years ago to Europe, coach bus was needed to the airport. Other school trips, natures classroom, etc. And in most cases these trips are not paid by taxes, but paid by fund raisers and fees to the students. It will not be used for normal school trips.

II. In this section, "school activities" shall include, but is not limited to, sporting events, intramural events, events associated with student clubs or organizations, job training programs, field trips, and special education transition services that ~~[require travel of at least 150 miles round trip]~~ are approved by the school district. "School activities" shall not include transportation between home and school.

Thank you

Voting Sheets

LCB
LCR

Senate Education Committee
EXECUTIVE SESSION RECORD
2022-2023 Session

Bill # HB 1202

Hearing date: 3/15/22

Executive Session date: 4/13/22

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

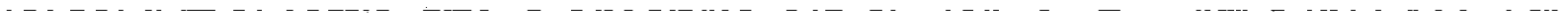
Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Prentiss

Notes:



Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, April 14, 2022

THE COMMITTEE ON Education

to which was referred **HB 1202**

AN ACT

relative to transportation of pupils to school
activities by a contract carrier.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Suzanne Prentiss
For the Committee

This bill clarifies requirements for vehicles and operators of contract carriers transporting pupils. This bill would remove the roundtrip requirement of 160-miles from statute and add a requirement that trips be approved by school districts.

Ava Hawkes 271-3266

FOR THE CONSENT CALENDAR

EDUCATION

HB 1202, relative to transportation of pupils to school activities by a contract carrier.

Ought to Pass, Vote 5-0.

Senator Suzanne Prentiss for the committee.

This bill clarifies requirements for vehicles and operators of contract carriers transporting pupils. This bill would remove the roundtrip requirement of 160-miles from statute and add a requirement that trips be approved by school districts.

Docket of hb1202		
11/18/2021	H	Introduced 01/05/2022 and referred to Education
01/09/2022	H	Public Hearing: 01/19/2022 01:00 pm LOB 205-207
02/10/2022	H	Executive Session: 02/09/2022 01:00 pm LOB 205-207
02/10/2022	H	Committee Report: Ought to Pass (Vote 17-1; CC)
02/16/2022	H	Ought to Pass: MA VV 02/16/2022 HJ 3
03/01/2022	S	Introduced 02/24/2022 and Referred to Education; SJ 5
03/09/2022	S	Hearing: 03/15/2022, Room 101, LOB, 09:30 am; SC 11
04/14/2022	S	Committee Report: Ought to Pass, 04/21/2022; Vote 5-0; CC; SC 16
04/21/2022	S	Ought to Pass: MA, VV; OT3rdg; 04/21/2022; SJ 9
05/13/2022	S	Enrolled Adopted, VV; (In recess 05/12/2022); SJ 13
05/13/2022	H	Enrolled (in recess of) 05/12/2022
05/24/2022	H	Signed by Governor Sununu 05/20/2022; Chapter 66; Eff. 07/19/2022

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HIB 1202

Senate Committee: SDA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

[Signature]
Committee Aide

9/28/22
Date

Senate Clerk's Office AK