



Linda S. Crawford

*Bill Analysis*  
Legislative Service Commission

## **H.B. 515**

123rd General Assembly  
(As Introduced)

**Reps. Tiberi, Willamowski, Austria, Distel, Goodman, Taylor, Allen, Flannery, Williams, Hartnett, Evans**

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### **BILL SUMMARY**

- Requires the Department of Education, based on information received from the Registrar of Motor Vehicles, to notify the employing school district, educational service center, or county board of mental retardation and developmental disabilities (MRDD) that a person employed as a school bus driver has had points assessed against the person's driving record as a result of a moving violation.
- Requires the employing board to notify the Department of Education of the identity of each person employed as a school bus driver.
- Requires the Registrar of Motor Vehicles to send the Department of Education a copy of a court record assessing points against a driving record of a person who holds a commercial driver's license with a school bus endorsement.

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### **CONTENT AND OPERATION**

#### **Existing law background**

Under law unaffected by the bill, a person who drives a school bus must hold a commercial driver's license (CDL) with a proper school bus endorsement. Applicants for a CDL are subject to specific qualifications and testing based on Federal Highway Administration standards. Holders of a CDL are subject to particular prohibitions involving the operation of a commercial motor vehicle, including a school bus; penalties may require disqualification from operating a commercial motor vehicle. (Secs. 4506.03, 4506.09, 4506.12, 4506.15, and 4506.16, not in the bill.)

In addition to the qualifications for holding a CDL with a school bus endorsement, existing statutory and administrative law establishes qualifications for employment as a school bus driver. School bus drivers must be certified by the employing educational service center (ESC) or superintendent of schools. To be certified, a person must be at least 18 years old, of good moral character, and qualified physically and otherwise for the position. A school bus driver must present to the school bus owner an abstract of his driving record obtained from the Bureau of Motor Vehicles and also must update the record annually. The annual record check must indicate no more than eight points on the bus driver's driving record within the last 24 months. (Sec. 3327.10 and Administrative Code secs. 3301-83-06 and 3301-83-07.)

Moreover, under current law, no person employed as a school bus driver who is convicted of a traffic violation or who has his CDL suspended or revoked may drive a school bus until the person files written notice of the conviction, suspension, or revocation with the district superintendent or other designated person. If a school bus driver fails to provide the required notification, the authority that granted the person his school bus certificate may revoke it. Failure to provide the required notification also is a minor misdemeanor. (Sec. 3327.10.)

### **The bill**

The bill requires the board of education of any school district, the governing board of an ESC, and any county MRDD board to notify the Department of Education of the identity of each person employed as a school bus driver and to update the information whenever it employs new school bus drivers. From the employment information received, the Department must compile and maintain a list of each person employed in this state as a school bus driver and the entity employing the person. (Sec. 3327.101(A) and (B).)

The bill also requires the Registrar of Motor Vehicles to notify the Department when a person who holds a commercial driver's license with a school bus endorsement is involved in a traffic violation for which points are assessed against the person's driving record.<sup>1</sup> Under the bill, the Registrar must forward a

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<sup>1</sup> *Under law unaffected by the bill, every court of record must keep a full record of every case in which a person is charged with specified violations of the Motor Vehicle Law or of any other law or ordinance regulating the operation of vehicles on highways; the court must assess the appropriate points for the traffic violation and forward an abstract of the court record to the Bureau of Motor Vehicles (BMV). The BMV must keep all abstracts received from a court and the Registrar of Motor Vehicles must suspend a person's driver's or commercial driver's license based on the accumulation of 12 or more points. (Sec. 4507.021, not in the bill.)*

copy of the court abstract to the Department within ten days of receiving the abstract from a court. (Sec. 4507.024.)

Upon receipt of a copy of an abstract, the Department must determine whether the person who is the subject of the abstract currently is employed as a school bus driver. If the person is employed as a school bus driver, the Department must forward a copy of the abstract to the school district, ESC, or county MRDD board employing the person.

"School bus driver" is defined by the bill as "a person who is employed to operate a school bus or motor van that is owned and operated by a school district, educational service center, or county board of mental retardation and developmental disabilities or that is privately owned and operated under contract with a school district, educational service center, or county board of mental retardation and developmental disabilities" (sec. 3327.101(C)).

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	12-07-99	p. 1379

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