
A BILL FOR AN ACT

RELATING TO SCHOOL BUS SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there is an ongoing
2 historical bus driver shortage resulting in the elimination of
3 nearly eighty bus routes across the State. Amid driver
4 shortage, the department of education suspended a total of one
5 hundred and eight routes in Central Oahu and East Hawaii Island.
6 The suspension affected approximately 3,720 students. In
7 response, the governor expedited the approval of an emergency
8 proclamation to temporarily relax rules around the types of
9 vehicles that can be used to safely transport students to and
10 from school, and regulations around the required driver
11 certifications. The proclamation was signed on August 2, 2024,
12 and will expire on March 25, 2025. It is essential for the
13 governor's emergency proclamation to be codified to allow for
14 greater flexibility of school buses services and access for all
15 students.

16 The purpose of this Act is to:



- 1 (1) Authorize the department of education to create a
- 2 staggered school hours program to obtain available
- 3 school bus services;
- 4 (2) Authorize the use of motorcoaches, small buses, and
- 5 vans for school bus services, provided certain
- 6 conditions are met;
- 7 (3) Appropriate funds to the department of education for
- 8 the purchase of motorcoaches, small buses, and vans
- 9 for school bus drivers; and
- 10 (4) Appropriate funds to the department of education to
- 11 incentivize obtaining a commercial driver's license,
- 12 to increase the number of persons eligible to become
- 13 school bus drivers.

14 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
 15 amended by adding a new section to be appropriately designated
 16 and to read as follows:

17 "§302A- School bus services; staggered school hours
 18 program. The department may institute a staggered school hours
 19 program in public schools to obtain available school bus
 20 services."

1 SECTION 3. Section 286-102, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) A person operating the following category or
4 combination of categories of motor vehicles shall be examined as
5 provided in section 286-108 and duly licensed by the examiner of
6 drivers:

7 (1) Mopeds;

8 (2) Motorcycles, except for autocycles as described in
9 paragraph (2) of the definition of "motorcycle" in
10 section 286-2, and motor scooters;

11 (3) Passenger cars of any gross vehicle weight rating,
12 buses designed to transport fifteen or fewer
13 occupants, trucks and vans having a gross vehicle
14 weight rating of eighteen thousand pounds or less, and
15 autocycles as described in paragraph (2) of the
16 definition of "motorcycle" in section 286-2; and

17 (4) All of the motor vehicles in category (3) and any
18 vehicle that is not a commercial motor vehicle.

19 A school bus, small bus, motorcoach, or van operator shall
20 be properly licensed to operate the category of vehicles that
21 the operator operates as a school bus, small bus, motorcoach, or



1 van and shall comply with the standards of the department of
2 transportation as provided by rules adopted pursuant to section
3 286-181."

4 SECTION 4. Section 286-181, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending subsections (b) through (e) to read:

7 "(b) The department of transportation shall grant
8 exemptions for the use of vehicles other than school vehicles,
9 including motorcoaches, small buses, and vans, when the
10 department finds that compliance with this section is:

11 (1) Impractical due to the unavailability of school
12 vehicles; or

13 (2) Impractical due to economic factors.

14 No exemption shall be granted for the qualifications of
15 individuals driving a bus as defined in section 286-2 and such
16 individuals shall meet school vehicle driver qualifications.

17 (c) The exemptions in subsection (b) shall be granted:

18 (1) To the department of education to administer to public
19 schools based on criteria developed by the departments
20 of transportation and education; provided that the
21 department of education shall submit a report to the



1 department of transportation at the end of each school
2 year on the extent to which these exemptions were
3 utilized;

4 (2) To a board of independent schools, which is registered
5 with the department of commerce and consumer affairs,
6 to administer to private schools utilizing criteria
7 developed by the departments of transportation and
8 education; provided that the board shall submit a
9 report to the department of transportation at the end
10 of each school year on the extent to which these
11 exemptions were utilized;

12 (3) [~~Only for~~] For the transport of pupils to and from
13 school functions or school-related activities [~~but~~
14 ~~not~~], for transportation to and from a school[~~+~~], and
15 for transportation to and from designated drop off
16 locations and pick up locations established by the
17 department of education, in consultation with the
18 department of transportation;

19 (4) Only when each pupil being transported has obtained a
20 written statement from the pupil's parent or legal
21 guardian waiving the State's liability; and



1 (5) In accordance with the procedures and criteria
2 established by rules of the department of
3 transportation.

4 (d) [The] Notwithstanding any law to the contrary, the
5 department of transportation may grant exemptions for the use of
6 vehicles other than school vehicles [~~for the transportation of~~
7 ~~students requiring special education and services~~], including
8 the use of motorcoaches, small buses, and vans, for school bus
9 services when the department of transportation finds that
10 compliance with this section is impossible or impractical;
11 provided that an adult staff chaperone provided by the
12 department of education escorts students being transported
13 between designated off-campus and designated on-campus
14 locations; provided further that no exemption shall be granted
15 for the qualifications of individuals driving a bus as defined
16 in section 286-2 and such individuals shall meet school vehicle
17 driver qualifications~~[]~~; provided further that the use of
18 vehicles other than school vehicles shall meet any applicable
19 state and federal regulations.



1 (e) The department of transportation shall adopt safety
2 rules and standards relating to school vehicles, equipment, and
3 drivers, including but not limited to:

- 4 (1) School vehicle and school vehicle equipment design,
5 construction, and identification;
- 6 (2) School vehicle driver qualification and training as
7 required by law;
- 8 (3) School vehicle operation;
- 9 (4) School vehicle maintenance and maintenance records;
- 10 (5) Special school vehicle safety inspections;
- 11 (6) Criteria for passenger loading and unloading safety
12 areas; and
- 13 (7) Procedures and criteria for the granting of exemptions
14 permitted under subsections (b), (c), and (d);

15 provided that the rules and standards shall permit the use of
16 small buses [~~or~~], vans [~~weighing less than ten thousand pounds~~],
17 or motorcoaches for the transportation of pupils of a public or
18 private day care center, child care facility, headstart program,
19 [~~and~~] preschool, kindergarten, elementary, or secondary school,
20 including any special school for children in the State with an
21 accompanying adult staff chaperone escort provided by the



1 department of education for students transported between
2 designated locations off-campus and designated locations
3 on-campus or of school pupils and school staffs to and from
4 school-related activities."

5 2. By amending subsection (i) to read:

6 "(i) As used in subsection (b), a school vehicle is
7 unavailable when it:

- 8 (1) Is being used during a specific time for contracted
9 school-related transportation to and from school or
10 related destinations;
- 11 (2) Fails that day's inspection and has not been repaired;
- 12 (3) Is already in transportation service; or
- 13 (4) Is committed for transportation service[; ~~or~~
- 14 ~~(5) Does not meet the requests of a school for a~~
15 ~~motorcoach with undercarriage storage compartments and~~
16 ~~public address system; provided that the use of the~~
17 ~~motorcoach shall be used solely for the transportation~~
18 ~~of middle, intermediate, or high school student groups~~
19 ~~to and from school-related events or activities. As~~
20 ~~used in this paragraph, "motorcoach" means a vehicle~~
21 ~~that carries more than twenty-five passengers, has a~~



1 ~~gross vehicle weight rating of at least 26,000 pounds,~~
2 ~~and is no more than fifteen years old]."~~

3 SECTION 5. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2025-2026 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2026-2027 for the department of education to purchase
8 motorcoaches, small buses, and vans for school bus services.

9 The sums appropriated shall be expended by the department
10 of education for the purposes of this Act.

11 SECTION 6. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2025-2026 and
14 the same sum or so much thereof as may be necessary for fiscal
15 year 2026-2027 for the department of education to incentivize
16 obtaining a commercial driver's license.

17 The sums appropriated shall be expended by the department
18 of education for the purposes of this Act.

19 SECTION 7. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 8. This Act shall take effect on July 1, 3000.



Report Title:

DOT; DOE; School Bus Services; Staggered School Hours;
Appropriation

Description:

Authorizes the Department of Education to use alternative vehicles for student transportation under certain conditions. Allows the Department of Education to institute a staggered school hours program in public schools. Appropriates funds for the purchase of alternative vehicles and individuals to obtain CDL licensure. Effective 7/1/3000. (HD1)

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