

JAN 17 2025

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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1       SECTION 1. The legislature finds that reliable student  
2       transportation is a critical component of ensuring equitable  
3       access to education for all Hawaii students. In recent years,  
4       disruptions in school bus services, including significant  
5       cancellations before the start of the school year, have severely  
6       impacted families and communities, leaving students stranded and  
7       unable to attend school consistently. Notably, at the beginning  
8       of the 2024-2025 school year, the department of education  
9       suspended one hundred forty-seven bus routes across central  
10      Oahu, upcountry Maui, and east Hawaii island, affecting nearly  
11      3,730 students who signed up for bus transportation.

12      The legislature further finds that while the department of  
13      education includes performance metrics, penalties, and some  
14      contingency planning in its contracts with student  
15      transportation providers, these provisions are largely reactive  
16      and fail to address systemic issues. For example, current  
17      contracts impose penalties for non-compliance and require



1 contractors to report missed or delayed routes; however, these  
2 measures do not adequately prevent disruptions or ensure that  
3 contractors are prepared to meet their obligations.

4 The legislature recognizes that designating student  
5 transportation as a critical service is essential to  
6 prioritizing its management and oversight. Proactive measures,  
7 including robust contingency planning, stricter accountability  
8 mechanisms, and clear performance standards, are necessary to  
9 prevent future cancellations, ensure consistent service, and  
10 restore public trust in the State's school transportation  
11 system.

12 Accordingly, the purpose of this Act is to:

- 13 (1) Designate student transportation as critical  
14 infrastructure and a critical service for Hawaii's  
15 public education system;
- 16 (2) Require school bus contracts to include minimum  
17 standards, performance metrics, and accountability  
18 requirements to ensure the reliability and efficiency  
19 of student transportation services; and



(3) Require school bus contracts to include proactive planning and oversight mechanisms to prevent service disruptions and enhance contractor accountability.

SECTION 2. Section 302A-406, Hawaii Revised Statutes, is amended to read as follows:

**"§302A-406 Transportation of school children.** (a) The department ~~[may]~~ shall provide suitable transportation to and from school and for educational field trips for all children in grades kindergarten to twelve and in special education classes. The department shall adopt policies, procedures, and programs as it deems necessary to provide suitable transportation.

(b) Student transportation shall be designated as critical infrastructure and a critical service of the public education system.

~~[(b)]~~ (c) The department shall adopt rules under chapter 91 governing the supervision and administration of the transportation of school children under this section."

SECTION 3. Section 302A-407, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Any school bus contract between the State and the contractor shall include ~~[a]~~ :



- 1        (1)    A provision requiring the contractor to equip the  
2               contractor's vehicles with the signs and visual  
3               signals described in section 291C-95(d) and (g) ~~[=]~~;
- 4        (2)    ~~[The contract shall also include other]~~ Other  
5               provisions as may be deemed necessary by the State for  
6               the safety of school bus passengers and ~~[shall~~  
7               ~~include]~~ provisions requiring compliance with the  
8               rules and standards described in section 286-181 ~~[=]~~;
- 9        (3)    A provision requiring the contractor to submit a  
10              detailed annual contingency plan to address potential  
11              service disruptions, including anticipated driver  
12              shortages, fleet capacity issues, and other  
13              operational risks;
- 14       (4)    Performance metrics, including metrics assessing  
15              driver availability and fleet capacity, to be reviewed  
16              and certified by the department no later than thirty  
17              days prior to the start of the school year;
- 18       (5)    A provision establishing penalties for noncompliance,  
19              including withholding payments and termination of the  
20              contract for repeated violations;



- 1        (6) Emergency protocols for timely communication with  
2        affected families in the event of service  
3        interruptions, which shall include:
- 4        (A) A requirement for contactors to notify the  
5        department no later than thirty days before the  
6        start of the school year of any anticipated  
7        driver shortages, fleet capacity issues, or  
8        potential service disruptions;
- 9        (B) A requirement for contractors to provide weekly  
10       updates during the thirty days prior to the start  
11       of the school year, detailing the progress in  
12       addressing any identified service risks;
- 13       (C) A mandate for the department to communicate  
14       service changes to families within five business  
15       days of receiving notification from the  
16       contractor; and
- 17       (D) Protocols for real-time updates to families on  
18       unexpected service interruptions during the  
19       school year, with clear guidance on how families  
20       can access alternative transportation options;  
21       and



1        (7) Requirements for annual audits and reports on  
2                contractor performance and service reliability, which  
3                shall be submitted to the legislature no later than  
4                twenty days prior to the convening of each regular  
5                session."

6                SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8                SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY: 



# S.B. NO. 1198

**Report Title:**

School Bus Contracts; Student Transportation; Service  
Disruptions

**Description:**

Designates student transportation as critical infrastructure and a critical service for Hawaii's public education system. Requires all school bus contracts between the State and the contractor to include certain standards, performance metrics, and accountability requirements to prevent service disruptions.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

