THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 2395

JAN 21 2026

A BILL FOR AN ACT

RELATING TO STUDENT TRANSPORTATION.

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

SECTION 1. This Act shall be known and may be cited as the "Hawaii Free School Bus Access for Low-income Students Act".

SECTION 2. The legislature finds that the department of education provides regular bus service for qualified public school students to facilitate compliance with the State's compulsory attendance law and transportation of school children law, as well as with federal law relating to the provision of a free and appropriate education. The legislature further finds that the school bus service provided by the department of education is crucial for getting students to and from school, particularly for students who do not have other transportation options or face hardship in obtaining school transportation services due to economic difficulty. Students from low-income families may face additional transportation barriers that limit consistent school attendance and access to educational opportunities.

The legislature further finds that access to school bus service is currently constrained by a reservation-based system that operates on a first-come, first-served basis. This approach may unintentionally disadvantage low-income families, who may face challenges in monitoring and responding quickly to application timelines, such as limited internet access, language barriers, or inflexible work schedules. As a result, students with the greatest transportation need may be less likely to secure a seat on a school bus.

The legislature additionally finds that to qualify for regular school bus service, students in grades kindergarten through five must reside a mile or more, and students in grades six through twelve must reside 1.5 miles or more, from the school within their attendance area. The legislature further finds that a student who qualifies for free lunch under the free and reduced price lunch program is eligible for a free bus pass; however, there is no reciprocal benefit under the free and reduced price lunch program for that same student to receive a free bus pass. Students and families of households who qualify for the reduced price lunch would also benefit from receiving free bus passes.

The legislature recognizes that students from low-income households experience disproportionate transportation barriers that may negatively affect consistent school attendance and access to educational opportunities, and that proactive eligibility, prioritization, and communication practices are necessary to promote equitable access to school transportation services.

Accordingly, the purpose of this Act is to provide equitable access to education by requiring the department of education to create a student bus fare rate system for the department of education's school bus program that includes free bus passes for students whose household qualifies the student for free lunch or reduced price lunch under the free and reduced price lunch program.

SECTION 3. Section 302A-406, Hawaii Revised Statutes, is amended to read as follows:

"§**302A-406 Transportation of school children.** (a) The department may 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.

(b) The department shall adopt policies, procedures, and

programs [~~as it deems~~] necessary to provide suitable transportation[~~.~~]; provided that policies, procedures, and programs related to the department's school bus program that provide bus transportation services to students to and from school shall encompass a student bus fare rate system that includes eligibility for a free bus pass for students who qualify, based on the student's household eligibility, for free lunch or reduced price lunch under the free and reduced price lunch program; provided further that the department's school bus program shall give priority for any student who qualifies for free lunch or reduced price lunch in receiving a free bus pass.

(c) The department shall update and align its student transportation application forms, systems, and processes to ensure that students whose households qualify for free lunch or reduced price lunch under the free and reduced price lunch program may be easily identified for eligibility for a free bus pass pursuant to this section.

(d) The department shall, to the extent practicable and consistent with state and federal privacy laws, provide for automatic or streamlined qualification for a free bus pass for students who are determined to be eligible for free lunch or

reduced price lunch under the free and reduced price lunch program, without requiring duplicative documentation or separate applications from families of students.

(e) The department shall incorporate information regarding eligibility for free bus passes for students who qualify for free lunch or reduced price lunch under the free and reduced price lunch program into its communications with families of students, including providing advance notice prior to the opening of any application or reservation period for free bus passes; provided that the communications shall be designed to proactively inform families of eligibility, timelines, and prioritization criteria to reduce barriers to access and minimize the need for families to independently seek out or interpret eligibility requirements.

(f) The department may establish reasonable cutoff periods, timelines, or prioritization frameworks to manage capacity constraints on providing free bus passes pursuant to this section; provided that students who qualify for free lunch or reduced price lunch shall be prioritized in the allocation of available bus seats.

(g) The department shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session on the implementation of providing free bus passes for students who qualify, based on the student's household eligibility, for free lunch or reduced price lunch under the free and reduced price lunch program. The report shall include:

(1) The number of students who qualify for free lunch under the free and reduced price lunch program and received a free bus pass;

(2) The number of students who qualify for reduced price lunch under the free and reduced price lunch program and received a free bus pass;

(3) The amount of funds expended to provide free bus passes to qualifying students;

(4) A description of the department's procedures for identifying and prioritizing students who qualify for free lunch or reduced price lunch under the free and reduced price lunch program, including any automatic or streamlined eligibility processes;

(5) A summary of the department's outreach and communications efforts to notify families of students of eligibility, timelines, and prioritization for free bus passes; and

(6) Any proposed legislation.

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

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2026-2027 for the department of education to provide free bus passes for students whose household qualifies the student for free lunch or reduced price lunch under the free and reduced price lunch program.

The sum appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2026.

S.B. NO. 2395

INTRODUCED BY:

S.B. NO. 2395

Report Title:
DOE; Student Transportation; School Bus Program; Fares; Free and Reduced Price Lunch Program; Report; Appropriation

Description:
Requires the Department of Education to establish a student bus fare rate system that includes free bus passes for students whose household qualifies the student for free lunch or reduced price lunch under the free and reduced price lunch program. Requires reports to the Legislature. Appropriates funds.

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