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HOUSE BILL NO. 2720

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations on February 17, 2025)

(Patron Prior to Substitute—Delegate Austin)

A BILL to permit certain flexibility in certain local school divisions relating to student transportation.

Be it enacted by the General Assembly of Virginia:

1. § 1. Any school board that governs a school division with a total fall membership enrollment of fewer than 4,500 students may, notwithstanding any other provision of law to the contrary:

1. Enter into agreements with school boards of contiguous school divisions or comprehensive community colleges to provide student transportation to and from such schools, programs providing dual enrollment for secondary school students at comprehensive community colleges, career and technical education programs, joint and regional schools established pursuant to § 22.1-26 of the Code of Virginia, college partnership laboratory schools established pursuant to § 22.1-349.3 of the Code of Virginia, and school field trips under such terms and conditions as the local school boards deem appropriate and responsible. Such terms may include arrangements relating to cost-sharing, fees, insurance, and liability;

2. Provide or contract with a privately owned and operated entity to provide for the purpose of transporting students to and from school on a regularly scheduled basis a vehicle (i) designed to carry between 11 and 15 passengers, provided that such vehicle meets the federal standards set forth in 49 C.F.R. Part 571 for vehicles approved for transporting students to and from school or school-related activities; (ii) designed as a Type A school bus, Type B school bus, or Type C school bus as defined by Board of Education regulations; or (iii) designed for nine passengers or fewer. Any vehicle provided or contracted for the purpose of student transportation under this subdivision shall comply with any applicable state and federal laws and regulations and shall be subject to routine, scheduled inspections and random inspections, as determined by the Department of State Police; or

3. After holding at least one public hearing, adopt a resolution to utilize specialized management companies, transportation network companies, alternative transportation providers, public transportation, carpool coordination services, or private companies to supplement traditional school bus services in order to enhance quality and efficiency.

§ 2. Any entity with which any school board contracts or utilizes for the purpose of providing or supplementing traditional student transportation services pursuant to subdivision 2 or 3 of § 1 shall be required to meet and comply with any state and federal laws and regulations applicable to traditional student transportation services, including (i) any standards and requirements relating to school bus operator training, hiring, and employment, including any applicable criminal records or background check requirements; (ii) minimum insurance coverage requirements for any vehicles provided or utilized for such purposes; (iii) requirements relating to liability of the school board in the event of any accident, injury, or property damage resulting from the operation of any such vehicle for student transportation purposes; and (iv) any other applicable standards or requirements set forth in law or regulation relating to student transportation safety.

§ 3. Any local school board that chooses to provide for the transportation of students pursuant to § 1 of this act shall report annually to the Department of Education on data relating to student transportation for the local school division for the preceding school year, including information relating to route counts, the number of scheduled students receiving school transportation in the school division, the percentage of students in the school division utilizing school transportation, and the cost of providing such transportation per mile.

§ 4. The Department of Education shall exclude from the re-benchmarking process any additional expenditures relating to school divisions that implement the pilot program in accordance with the provisions of this act when adjusted for inflation.

2. That the provisions of this act shall expire on July 1, 2027.

SENATE SUBSTITUTE

HB2720S1

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