

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to permit certain flexibility in certain local school divisions relating to student transportation.*

3 [H 2720]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. § 1.** *Any school board that governs a school division with a total fall membership enrollment of fewer*  
7 *than 4,500 students may, notwithstanding any other provision of law to the contrary:*8 *1. Enter into agreements with school boards of contiguous school divisions or comprehensive community*  
9 *colleges to provide student transportation to and from such schools, programs providing dual enrollment for*  
10 *secondary school students at comprehensive community colleges, career and technical education programs,*  
11 *joint and regional schools established pursuant to § 22.1-26 of the Code of Virginia, college partnership*  
12 *laboratory schools established pursuant to § 22.1-349.3 of the Code of Virginia, and school field trips under*  
13 *such terms and conditions as the local school boards deem appropriate and responsible. Such terms may*  
14 *include arrangements relating to cost-sharing, fees, insurance, and liability;*15 *2. Provide or contract with a privately owned and operated entity to provide for the purpose of*  
16 *transporting students to and from school on a regularly scheduled basis a vehicle (i) designed to carry*  
17 *between 11 and 15 passengers, provided that such vehicle meets the federal standards set forth in 49 C.F.R.*  
18 *Part 571 for vehicles approved for transporting students to and from school or school-related activities; (ii)*  
19 *designed as a Type A school bus, Type B school bus, or Type C school bus as defined by Board of Education*  
20 *regulations; or (iii) designed for nine passengers or fewer. Any vehicle provided or contracted for the*  
21 *purpose of student transportation under this subdivision shall comply with any applicable state and federal*  
22 *laws and regulations and shall be subject to routine, scheduled inspections and random inspections, as*  
23 *determined by the Department of State Police; or*24 *3. After holding at least one public hearing, adopt a resolution to utilize specialized management*  
25 *companies, transportation network companies, alternative transportation providers, public transportation,*  
26 *carpool coordination services, or private companies to supplement traditional school bus services in order to*  
27 *enhance quality and efficiency.*28 *§ 2.* *Any entity with which any school board contracts or utilizes for the purpose of providing or*  
29 *supplementing traditional student transportation services pursuant to subdivision 2 or 3 of § 1 shall be*  
30 *required to meet and comply with any state and federal laws and regulations applicable to traditional student*  
31 *transportation services, including (i) any standards and requirements relating to school bus operator*  
32 *training, hiring, and employment, including any applicable criminal records or background check*  
33 *requirements; (ii) minimum insurance coverage requirements for any vehicles provided or utilized for such*  
34 *purposes; (iii) requirements relating to liability of the school board in the event of any accident, injury, or*  
35 *property damage resulting from the operation of any such vehicle for student transportation purposes; and*  
36 *(iv) any other applicable standards or requirements set forth in law or regulation relating to student*  
37 *transportation safety.*38 *§ 3.* *Any local school board that chooses to provide for the transportation of students pursuant to § 1 of*  
39 *this act shall report annually to the Department of Education on data relating to student transportation for*  
40 *the local school division for the preceding school year, including information relating to route counts, the*  
41 *number of scheduled students receiving school transportation in the school division, the percentage of*  
42 *students in the school division utilizing school transportation, and the cost of providing such transportation*  
43 *per mile.*44 *§ 4.* *The Department of Education shall exclude from the re-benchmarking process any additional*  
45 *expenditures relating to school divisions that implement the pilot program in accordance with the provisions*  
46 *of this act when adjusted for inflation.*47 **2. That the provisions of this act shall expire on July 1, 2027.**