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HOUSE BILL NO. 873

Offered January 13, 2016

Prefiled January 12, 2016

A *BILL to amend the Code of Virginia by adding sections numbered 22.1-176.2 and 23-2.7, relating to public and private elementary and secondary schools and institutions of higher education; selection of for-hire motor carriers.*

Patron—Hugo

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 22.1-176.2 and 23-2.7 as follows:

§ 22.1-176.2. Public and private elementary and secondary schools; for-hire motor carriers for school-sponsored events.

A. For the purposes of this section, "for-hire motor carrier" has the same meaning as provided by the Federal Motor Carrier Safety Administration pursuant to federal regulations.

B. Each public and private elementary and secondary school shall exercise due diligence in the selection of a commercial motor carrier to transport individuals to and from school-sponsored events, including verifying, to the greatest extent possible, that the for-hire motor carrier:

1. Complies with applicable state and federal motor carrier safety regulations;

2. Has implemented safety management controls that consist of written policies and procedures prescribing the means by which the motor carrier ensures against preventable crashes and the use of unsafe vehicles and drivers;

3. Has received a satisfactory rating by the Federal Motor Carrier Safety Administration or a report of an equivalent onsite comprehensive review within the last 24 months; and

4. Has demonstrated acceptable monthly on-road performance, including vehicle and driver out-of-service rates of not more than 33 percent and crash rates of not more than 1.5 crashes per million miles driven.

C. Each public and private elementary and secondary school shall document the results of its exercise of due diligence pursuant to subsection B in writing.

§ 23-2.7. Public and private institutions of higher education; for-hire motor carriers for school-sponsored events.

A. For the purposes of this section, "for-hire motor carrier" has the same meaning as provided by the Federal Motor Carrier Safety Administration pursuant to federal regulations.

B. Each public and private institution of higher education shall exercise due diligence in the selection of a commercial motor carrier to transport individuals to and from school-sponsored events, including verifying, to the greatest extent possible, that the for-hire motor carrier:

1. Complies with applicable state and federal motor carrier safety regulations;

2. Has implemented safety management controls that consist of written policies and procedures prescribing the means by which the motor carrier ensures against preventable crashes and the use of unsafe vehicles and drivers;

3. Has received a satisfactory rating by the Federal Motor Carrier Safety Administration or a report of an equivalent onsite comprehensive review within the last 24 months; and

4. Has demonstrated acceptable monthly on-road performance, including vehicle and driver out-of-service rates of not more than 33 percent and crash rates of not more than 1.5 crashes per million miles driven.

C. Each public and private institution of higher education shall document the results of its exercise of due diligence pursuant to subsection B in writing.

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