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HOUSE BILL NO. 810

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education
on February 7, 2018)

(Patron Prior to Substitute—Delegate O'Quinn)

A BILL to amend and reenact §§ 22.1-181 and 46.2-339 of the Code of Virginia, relating to school bus operators; training.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-181 and 46.2-339 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-181. Training program for school bus operators.

The Board of Education shall develop a training program for persons applying for employment, and employed, to operate school buses and shall promote its implementation. *For applicants not currently possessing a commercial driver's license, such regulations shall require (i) a minimum of 24 hours of classroom training administered pursuant to this section and (ii) six hours of behind-the-wheel training on a school bus that contains no pupil passengers. For applicants currently possessing a commercial driver's license, such regulations shall require (a) a minimum of four hours of classroom training administered pursuant to this section and (b) three hours of behind-the-wheel training on a school bus that contains no pupil passengers. Behind-the-wheel training shall be administered under the direct on-board supervision of a designated school bus driver trainer.*

§ 46.2-339. Qualifications of school bus operators; training; examination.

A. No person shall ~~drive~~ operate any school bus on a highway in the Commonwealth unless he has had a reasonable amount of experience in ~~driving~~ operating motor vehicles, and has passed a special examination pertaining to his ability to ~~drive~~ operate a school bus with safety to its passengers and to other persons using the highways. Such person shall obtain a commercial driver's license with the applicable classifications and endorsements, issued pursuant to the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), if the school bus he ~~drives~~ operates is a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act. For the purpose of preparing for the examination required by this section, any person holding a valid driver's license issued under Article 4 of this chapter, ~~may drive, under the direct supervision of a person holding a valid school bus license endorsement, a school bus which contains no other passengers, provided that, on and after April 1, 1992, only persons~~ holding a valid commercial driver's license or instruction permit issued under the provisions of the Virginia Commercial Driver's License Act, may operate, under the direct supervision of a person holding a valid commercial driver's license with a school bus endorsement, a school bus ~~which that~~ is a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act and ~~which that~~ contains no pupil passengers.

B. The Department may adopt regulations necessary to provide for the examination of persons desiring to qualify to ~~drive~~ operate school buses in the Commonwealth and for the granting of permits to qualified applicants.

C. Notwithstanding the provisions of this section ~~otherwise~~, no person shall ~~drive~~ operate any school bus on a highway in the Commonwealth during any period in which he is a person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1.

2. That the State Board of Education and the Department of Motor Vehicles' initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the State Board of Education and the Department of Motor Vehicles shall provide an opportunity for public comment on the regulations prior to adoption.