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HOUSE BILL NO. 809

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on February 15, 2018)

(Patron Prior to Substitute—Delegate O'Quinn)

A *BILL to amend and reenact § 22.1-177 of the Code of Virginia, relating to local school boards; display of advertising material on school buses.*

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-177 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-177. Regulations.

A. The Board may make regulations relating to the construction, design, operation, equipment, and color of public school buses and shall have the authority to issue an order prohibiting the operation on public streets and highways of any public school bus that does not comply with such regulations. Any such order shall be enforced by the Department of State Police.

B. Local school boards may, notwithstanding any regulation to the contrary, display decals:

1. *Decals depicting the flag of the United States on the sides and rear of school buses as long as any such decal does not obstruct the name of the school division or the number of the school bus and is no larger than 100 square inches. In addition, local school boards may, notwithstanding any regulation to the contrary, display decals*

2. *Decals relating to school bus safety. Local school divisions shall be responsible for the cost of the decals. Such decal shall not obstruct the name of the school division or the number of the school bus.*

3. *Commercial advertising material on the sides of school buses between the rear wheels and the rear of the bus, provided that no such material (i) obstructs the name of the school division or the number of the school bus, (ii) is sexually explicit, or (iii) pertains to alcohol; food or beverages that do not meet the nutrition standards developed by the U.S. Department of Agriculture pursuant to the Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296, or any additional state or local nutrition standards for food or beverages sold to students in school; gambling; politics; or tobacco.*

4. *School-related advertising material, including advertising material relating to school events and school board employment opportunities, on the sides of school buses between the rear wheels and the rear of the bus, provided that no such material obstructs the name of the school division or the number of the school bus.*

C. No regulation of the Board shall unreasonably limit the authority of any local school division to purchase and use school buses using compressed natural gas or other alternative fuels or convert its school buses to use compressed natural gas or other alternative fuels.

D. Any local school board may, notwithstanding any regulation to the contrary, sell or transfer any of its school buses to another school division or purchase a used school bus from another school division or a school bus dealer as long as the school bus (i) conforms to the specifications relating to construction and design effective in the Commonwealth on the date of manufacture; (ii) has a valid Virginia State Police inspection; and (iii) has not reached the end of its useful life according to the school bus replacement schedule utilized by the Department of Education as required by the general appropriation act.