

HB 651 - AS INTRODUCED

2023 SESSION

23-0595

09/08

HOUSE BILL **651**

AN ACT authorizing the department of education and local school districts to contract with transportation network companies to provide school transportation services.

SPONSORS: Rep. Cordelli, Carr. 7; Rep. Hill, Merr. 2; Rep. Ankarberg, Straf. 7; Rep. T. Walsh, Merr. 10; Sen. Ward, Dist 8

COMMITTEE: Education

ANALYSIS

This bill allows the department of education to contract for buses to transport pupils with transportation network companies.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT authorizing the department of education and local school districts to contract with transportation network companies to provide school transportation services.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; TNC School Transportation Authorized. Amend RSA 376-A by inserting after
2 section 376-A:20 the following new section:

3 376-A:21 Transportation Network Company School Transportation Authorized.

4 I. The department of education or a school district may contract with a transportation
5 network company (TNC) to transport 8 persons or fewer to and from school or school-related
6 activities, where appropriate, as the contract with the transportation network company may
7 establish.

8 II. In addition to the requirements of this chapter for transportation network companies and
9 transportation network company drivers, the department of education or a school district may
10 establish additional requirements in the contract with the transportation network company. The
11 department of education, in consultation with a transportation network company that will provide
12 services pursuant to this section, may issue guidance to school districts contracting with a
13 transportation network company to provide transportation services.

14 III. Transportation network companies shall require transportation network company
15 drivers to comply with the requirements in RSA 376-A:12.

16 IV. A TNC that provides transportation services pursuant to this section shall provide an
17 annual safety report to the state board of education, the department of education, Chairs of senate
18 and house education and transportation committees.

19 V. A TNC shall name as an additional insured on such transportation network company's
20 insurance policy any school district that contracts with such transportation network company to
21 provide transportation services pursuant to this section.

22 VI. A school district that contracts for school transportation services pursuant to this section
23 shall:

24 (a) Provide notice to the parent or guardian of a student that such student will be riding
25 with a transportation network company;

26 (b) Permit the parent or guardian of a student to not allow such student to ride with a
27 transportation network company.

28 2 New Paragraph; Transportation Network; Rulemaking Authority. Amend RSA 376-A:19 by
29 inserting after paragraph IV the following new paragraph:

HB 651 - AS INTRODUCED

- Page 2 -

V. The commissioner, in consultation with the department of education, shall adopt rules pursuant to RSA 541-A relative to the school transportation by transportation network companies.

3 Pupils Transported in a Mixed Use School Bus. Amend RSA 189:6-c, I and II to read as follows:

I. Pupils may be transported to or from school activities in a mixed use school bus, as defined by RSA 259:96-a, which bears a valid state inspection sticker and is operated by a driver who holds a valid driver's license to operate that vehicle ***or a network transportation company pursuant to RSA 376-A:21.*** An operator of a mixed use school bus that qualifies as a commercial motor vehicle as defined in RSA 259:12-e shall hold a valid commercial driver license pursuant to RSA 263:86 appropriate for the type and class of mixed use school bus being driven.

II. Pupils with disabilities may be transported to or from school activities in a mixed use school bus ***or by a network transportation company*** unless the pupil's individualized education program as defined in RSA 186-C:2, III, or the pupil's accommodation plan pursuant to section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, states that neither ~~[such a]~~ vehicle shall ~~[not]~~ be used.

4 Effective Date. This act shall take effect 60 days after its passage.