

**Title 5-DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 30-Division of Financial and Administrative
Services Chapter 261-School Transportation**

PROPOSED AMENDMENT

5 CSR 30-261.045 Pupil Transportation in Vehicles Other Than School Buses. The State Board of Education (board) is amending subsection 3(A).

PURPOSE: The proposed amendment removes the requirement for restroom facilities in common carriers used to transport students to and from field trips or other special trips for educational purposes.

(3) Requirements for Transportation of Students in Authorized Common Carriers.

(A) Authorized common carriers shall only be used to transport students to and from field trips or other special trips for educational purposes and shall not be used to transport students to and from school. Authorized common carriers, as used in this rule, are over-the-road intercity-type coaches equipped with reclining seats[,] **and** air conditioning [*and restroom facilities, and*]. **Authorized common carriers must also hold[ing]** authority from the Missouri Department of **Transportation, Motor Carrier Services**, [*of Economic Development, Division of Motor Carrier and Railroad Safety*] or the Federal Motor Carrier Safety Administration.

(B) There shall be a written contract between the district and individual or firm providing the vehicle.

(C) All contracts with authorized common carriers shall include:

1. Proof of liability insurance in the amount of five (5) million dollars per accident; and
2. Proof of safety inspection and compliance with applicable Federal Motor Carrier Safety Regulations.

(D) The driver of an authorized common carrier shall hold a valid Missouri commercial driver's license or a similar license valid in any other state and shall comply with all applicable driver qualifications of the Federal Motor Carrier Safety Regulations.

AUTHORITY: section 161.092, RSMo 2016 and section 304.060, RSMo [1994] Supp. 2018. This rule was previously filed as 5 CSR 40-261.045. Original rule filed Sept. 15, 1977, effective Jan. 16, 1978. Amended: Filed July 23, 1987, effective Oct. 25, 1987. Amended: Filed May 23, 1991, effective Dec. 9, 1991. Amended: Filed Aug. 31, 1992, effective April 8, 1993. Emergency rule filed June 26, 1996, effective July 6, 1996, expired Jan. 1, 1997. Amended: Filed July 9, 1996, effective Feb. 28, 1997. Rescinded and readopted: Filed March 22, 2000, effective Oct. 30, 2000. Amended: Filed March 20, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Elementary and Secondary Education, ATTN: Debra Clink, Student Transportation Manager, School Financial and Administrative Services, PO. Box 480, Jefferson City, MO 65102-0480 or by email to finadmgo@desse.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.