



# Senate

General Assembly

**File No. 249**

January Session, 2023

Substitute Senate Bill No. 1081

*Senate, March 28, 2023*

The Committee on Transportation reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING THE USE OF A GLOBAL POSITIONING SYSTEM ON A SCHOOL BUS AND THE SHORTAGE OF SCHOOL BUS DRIVERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 14-296aa of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2023*):

4 (c) No person shall use a hand-held mobile telephone or other  
5 electronic device, including those with hands-free accessories, or a  
6 mobile electronic device, while operating a school bus that is carrying  
7 passengers, except that this subsection shall not apply when such  
8 person: (1) [places] Places an emergency call to school officials; [,] (2)  
9 uses a hand-held mobile telephone as provided in subparagraph (A) of  
10 subdivision (4) of subsection (b) of this section; [, or] (3) uses a hand-  
11 held mobile telephone or mobile electronic device in a manner similar  
12 to a two-way radio to allow real-time communication with a school  
13 official, an emergency response operator, a hospital, physician's office

14 or health clinic, an ambulance company, a fire department or a police  
15 department; or (4) uses a mobile electronic device that has a video  
16 display area of not more than thirteen inches nor less than nine inches  
17 measured diagonally, provided such device (A) is used as a global  
18 positioning system or to provide navigation, (B) is securely attached to  
19 the dashboard of such school bus, and (C) cannot be removed from such  
20 dashboard or used to engage in a call or type, read or send text or a text  
21 message while such school bus is in operation.

22 Sec. 2. Subsection (b) of section 14-276a of the general statutes is  
23 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
24 *2023*):

25 (b) No person shall operate a school bus, as defined in section 14-275,  
26 as amended by this act, or a student transportation vehicle, as defined  
27 in section 14-212, for the purpose of transporting school children unless  
28 such person has, prior to the issuance or renewal of such person's license  
29 endorsement: (1) Furnished evidence to the satisfaction of the  
30 commissioner that such person meets the physical qualification  
31 standards established in 49 CFR 391, as amended from time to time; and  
32 (2) successfully completed a course in safety training and, in the case of  
33 school bus operators, passed an examination in proficiency in school bus  
34 operation given by the commissioner. Such proficiency examination  
35 shall include a road test administered in either a type I school bus  
36 having a gross vehicle weight exceeding ten thousand pounds or a type  
37 II school bus having a gross vehicle weight of ten thousand pounds or  
38 less. The commissioner shall prioritize scheduling a road test for  
39 persons seeking or renewing a public passenger endorsement to operate  
40 a school bus. Any operator administered a road test in a type II school  
41 bus shall not be eligible for a license to operate a type I school bus. Any  
42 person who violates any provision of this subsection shall be deemed to  
43 have committed an infraction.

44 Sec. 3. (*Effective from passage*) On and after July 1, 2023, and until  
45 November 27, 2024, the Commissioner of Motor Vehicles shall waive the  
46 engine compartment component of the commercial driver's license test,

47 as set forth in 49 CFR 383.113(a)(1)(i), as amended from time to time, and  
48 as permitted by the Federal Motor Carrier Safety Administration and  
49 published in the Federal Register of October 27, 2022, upon the request  
50 of an applicant seeking or renewing a public passenger endorsement to  
51 operate a school bus. Any applicant who receives such a waiver and is  
52 granted a public passenger endorsement to operate a school bus  
53 pursuant to subsection (a) of section 14-44 of the general statutes shall  
54 only operate a school bus within the state to transport students from  
55 home to school, from school to home, or to and from school-sponsored  
56 events.

57       Sec. 4. (*Effective from passage*) The Commissioner of Motor Vehicles  
58 shall study and make recommendations regarding policies or initiatives  
59 to respond to the nation-wide shortage of school bus drivers. Such study  
60 shall consider, at a minimum, increasing the period of validity for a  
61 commercial driver's license from a four-year period to a five-year period  
62 and streamlining the licensing and renewal processes for a public  
63 passenger endorsement to operate a school bus. On or before February  
64 1, 2024, the commissioner shall submit the results of such study and  
65 recommendations to the joint standing committee of the General  
66 Assembly having cognizance of matters relating to transportation, in  
67 accordance with section 11-4a of the general statutes.

68       Sec. 5. Subsection (b) of section 14-275 of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
70 *2023*):

71       (b) Each school bus shall be painted a uniform yellow color known as  
72 "National School Bus Glossy Yellow", except for the fenders and trim  
73 which may be painted black and the roof which may be painted white,  
74 and shall have conspicuously painted on the rear and on the front of  
75 such vehicle, in black lettering of a size to be determined by the  
76 Commissioner of Motor Vehicles, the words "School Bus-Stop on  
77 Signal", except that each school bus equipped with an eight-light  
78 warning system shall have the words "School Bus" painted on the rear  
79 and on the front of such vehicle in such lettering. The sides of such

80 vehicles may be inscribed with the words "School Bus", the school name  
 81 or such other legend or device as may be necessary for purposes of  
 82 identification or safety. Each school bus, and any student transportation  
 83 vehicle, as defined in section 14-212, regularly used by any town,  
 84 regional school district, private school or entity contracting with such  
 85 town, regional school district or private school to transport school  
 86 children to and from school or school activities, shall have  
 87 conspicuously painted on the rear and sides of such bus or student  
 88 transportation vehicle, in black lettering of a size to be determined by  
 89 the commissioner, the name of the school bus company, the school bus  
 90 company's telephone number and the school bus number or the name  
 91 of the owner or operator of such student transportation vehicle, the  
 92 telephone number of such owner or operator and the fleet number of  
 93 such student transportation vehicle. The sides and rear of such school  
 94 bus may display decals, posters or stickers for the purpose of  
 95 advertising employment opportunities for school bus drivers.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	14-296aa(c)
Sec. 2	July 1, 2023	14-276a(b)
Sec. 3	from passage	New section
Sec. 4	from passage	New section
Sec. 5	July 1, 2023	14-275(b)

**TRA**      *Joint Favorable Subst.*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill, which has no fiscal impact, makes several changes to the laws governing school bus drivers. Among other things, it requires the Department of Motor Vehicles to prioritize public passenger endorsement applications (to operate a school bus), waive certain portions of the commercial driver's license test upon request, and to study and make recommendations to improve the school bus driver shortage. The department has existing expertise to implement these requirements.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sSB 1081*****AN ACT CONCERNING THE USE OF A GLOBAL POSITIONING SYSTEM ON A SCHOOL BUS AND THE SHORTAGE OF SCHOOL BUS DRIVERS.*****SUMMARY**

This bill makes several changes to the laws governing Connecticut school bus drivers. It provides an exception to the distracted driving law for drivers using certain mobile devices for navigation. Under current law, school bus drivers generally are prohibited from using any mobile electronic device, including hands-free devices, except in an emergency. Under the bill, drivers may use a mobile electronic device that has a video display area between nine and 13 inches, measured diagonally, if it is:

1. used as a global positioning system (GPS) or for navigation, and
2. securely attached to the school bus dashboard and cannot be removed or used to engage in a call or to type, read, or send text (e.g., e-mail) or text messages while operating the bus.

The bill requires the Department of Motor Vehicles (DMV) commissioner to study and make recommendations on policies or initiatives to respond to the nationwide school bus driver shortage. The study must consider, at a minimum, increasing commercial driver's license (CDL) validity from four to five years and streamlining the licensing and renewal processes for a public passenger endorsement (PPE) to operate a school bus. By February 1, 2024, the commissioner must submit the study's results and recommendations to the Transportation Committee.

The bill also requires the DMV commissioner to (1) prioritize PPE

applications and renewals to operate a school bus when scheduling road tests and (2) between July 1, 2023, and until November 27, 2024, temporarily waive the engine (i.e., under-the-hood) component of the CDL test, as permitted by the Federal Motor Carrier Safety Administration (FMCSA), upon the request of an applicant seeking or renewing this endorsement. Under the bill and the federal exemption (see BACKGROUND), applicants who receive a waiver and are granted an endorsement may only operate a school bus within the state to transport students to and from home, school, and school-sponsored events.

Lastly, the bill allows for the display of decals, posters, and stickers to advertise school bus driver employment opportunities on the sides and rear of school buses.

EFFECTIVE DATE: July 1, 2023, except the under-the-hood waiver (§ 3) and study (§ 4) are effective upon passage.

**BACKGROUND**

***Under-the-Hood Test Exemption***

In the Federal Register of October 27, 2022, FMCSA announced its decision to grant an exemption for CDL applicants seeking a school bus endorsement from the engine compartment portion of the pre-trip vehicle inspection skills testing requirement. FMCSA also granted a corresponding exemption from the requirement that states administer this part of the test according to its pre-approved examiner information manual. Drivers issued a CDL under this exemption are restricted to in-state school bus operation.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute  
Yea 36 Nay 0 (03/10/2023)