



# NYAPT

NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

266 Hudson Avenue • Albany, NY 12210 • PH: 518-463-4937 FX: 518-463-8743 • WWW.NYAPT.ORG

*Our future is riding with us!*

## 2017-2018 SCHOOL TRANSPORTATION LEGISLATIVE PRIORITIES

***The Board of Directors of the New York Association for Pupil Transportation School Transportation has adopted the following Legislative Priorities for the 2017-2018 New York Legislative Session.***

### ILLEGAL PASSING/STOP ARM CAMERA ENFORCEMENT

With some 50,000 motorists passing stopped school buses each day in our State, NYAPT will continue our advocacy (1) to allow school buses to be equipped with state-of-the-art stop arm cameras (2) to allow for use of the photographic evidence from those cameras in ticketing illegal passers, (3) to establish fines and penalties related to tickets issued against those motorists; (4) to establish protocols in relation to the issuance of tickets by local and state law enforcement officials.

### CRIMINAL TRESPASS ON A SCHOOL BUS

In light of dozens of instances where individuals board school buses and verbally or physically accost the driver or the children, including a case in Alabama where the driver was murdered on the bus, NYAPT will continue in our efforts to enact legislation in New York State that will establish a crime of criminal trespass on a school bus to protect our drivers, our students and our property. We will also seek legislation that provides for advisory information at the entrance of the school bus related to access to and boarding of the bus by unauthorized individuals.

### DRUG & ALCOHOL TESTING IMPROVEMENT

In the wake of incidents of school bus drivers being compromised by alcohol intake, we will continue to advocate for passage of legislation to (1) expand random drug and alcohol testing to drivers who drive buses that are under 10,000 pounds and currently excluded from federal requirements; (2) expand the sample size for drug and alcohol testing to increase the number of drivers who will be randomly tested annually; (3) allow for stricter penalties to be imposed on drivers who test positively for drugs or alcohol; and other measures to enhance safety for our children.

### MANDATE RELIEF MEASURES

NYAPT will continue to argue for mandate relief that will help to alleviate administrative burdens and costs without unduly affecting school bus safety. In the coming year, we will focus on homeless student transportation, transportation-related CSE decisions, as well as school year calendars and bell-times.

### RELATED IMPORTANT SAFETY MEASURES

NYAPT will continue to advocate on a wide range of issues that affect the safe and efficient transportation of our school children in New York State. Numerous bills are introduced each year that affect many aspects of school bus safety and school transportation efficiency. We will offer our positions on such legislation in a constructive and informative manner.

***\*\* Please review the detailed statements on these Legislative Priorities which are attached. \*\****

*For more information on school transportation, school bus safety, or this agenda  
please contact NYAPT Executive Director, Peter Mannella, at 518-463-4937 or [peter@nyapt.org](mailto:peter@nyapt.org)*



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## ILLEGAL PASSING/STOP ARM CAMERA ENFORCEMENT

Illegal passing of school buses in violation of Section 1174 of the Vehicle and Traffic Law is a significant danger to our children in New York State. NYAPT estimates that motorists illegally pass stopped school buses over 50,000 times per day in New York State. Pilot projects and efforts in other states have demonstrated that the use of 'stop arm cameras' on school buses can and will enhance our ability to apprehend and successfully penalize these violators who place the safety of our children at risk.

Accordingly, NYAPT will continue and advance our advocacy:

- 1) to allow school buses to be equipped with state-of-the-art stop arm cameras (re-phrase)
- 2) to allow for the use of evidence from those cameras in prosecuting illegal passers
- 3) to establish fines and penalties related to tickets issued against those motorists
- 4) to establish protocols in relation to the issuance of tickets by local and state law enforcement officials



## CRIMINAL TRESPASS ON A SCHOOL BUS

NYAPT is concerned about the continuing problem of unauthorized boardings by individuals onto school buses and of incidents of violence or aggressive behavior toward school bus drivers and the children riding on the school bus. In 2013, the school bus industry witnessed the murder of a school bus driver in Alabama by an individual who had boarded the school bus in an attempt to kidnap one or more students. In New York State, we have experienced several instances in which school bus drivers or aides have been accosted physically and verbally by individuals who had no authority to be on the school bus.

NYAPT believes it is necessary to enact legislation that will establish a crime of criminal trespass on a school bus to protect our drivers, our students and our property. We further believe that school buses should be equipped with advisory signage indicating that it is against the law to board the bus without the permission of the school bus driver and that training should be provided to school bus drivers in this important security and safety area.



## DRUG & ALCOHOL TESTING IMPROVEMENT

NYAPT is focused first and foremost on the safety of our children and we recognize that the critical elements in their safe transportation lies in the integrity and effectiveness of their bus driver. Accordingly, NYAPT has been concerned over several instances in recent years in which school bus drivers have been charged with driving under the influence of alcohol. In

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response to those incidents, we have developed a legislative proposal that addresses this issue constructively to further ensure safety for our children. We will continue to advocate for passage of legislation that will:

- 1) expand random drug and alcohol testing programs to "Class C" school bus drivers who drive buses that are less than 10,000 pounds and who are currently excluded from federal requirements;
- 2) expand the sample size for alcohol testing to increase the number of drivers who will be tested annually under the random testing program;
- 3) allow for stricter penalties for school bus drivers who test positively for drugs or alcohol in random testing; and,
- 4) other measures that enhance safety for our children.



## MANDATE RELIEF MEASURES

NYAPT has long advocated for mandate relief measures in school transportation that will help to alleviate administrative and program burdens and allow for overall operating cost reduction in school transportation without unduly affecting school bus safety or the needs of the children we transport.

- ❖ NYAPT will support legislation to eliminate the mandate for backlit SCHOOL BUS signage on school buses in our state
- ❖ NYAPT will support legislation that will allow for "piggy-backing" on transportation contracts in certain circumstances as well as remove financial penalties for "shared services" among school districts for transportation efficiencies
- ❖ NYAPT will support legislation that advances the adoption of common annual calendars and flexible bell times to allow for increased efficiency in school transportation
- ❖ NYAPT will support legislation that would ensure the involvement of school transportation professionals in CSE deliberations that have implications for school transportation services and budgets
- ❖ NYAPT will support legislation and regulations related to transportation of homeless students that will consider their best interests, including consideration of the distance/duration of school bus travel and the impact of transportation on the social, emotional, developmental and learning objectives of the children involved. NYAPT also believes transportation professionals should be involved in determinations related to transportation for homeless students



## OTHER SCHOOL TRANSPORTATION POSITIONS

- Support creation of an education fund utilizing fines from 1174 convictions
- Support Transportation Aid reimbursement for Extracurricular and Athletic Activities
- Oppose legislation related to the mandatory use of Ignition Interlock Devices Mandate
- Oppose legislation related to the Mandatory Use of Seat Belts on School Buses
- Support legislation to establish a crime of vehicular assault for instances where an injury is caused to a child by a motorist while in the act of illegally passing a stopped school bus
- Support legislation to establish a crime of vehicular homicide for instances where the death of a child is caused by a motorist while in the act of illegally passing a stopped school bus
- Support legislation to increase the financial penalties on motorists convicted of violating Section 1174



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