

Amendment No. 104

Assembly Amendment to Assembly Bill No. 117	(BDR 34-510)
Proposed by: Assembly Committee on Education	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

KRO/RBL



Date: 4/1/2015

A.B. No. 117—Authorizes a school district to lease school buses or vehicles belonging to the school district in certain circumstances.  
(BDR 34-510)



## ASSEMBLY BILL NO. 117—COMMITTEE ON EDUCATION

FEBRUARY 5, 2015

Referred to Committee on Education

SUMMARY—Authorizes a school district to lease school buses or vehicles belonging to the school district in certain circumstances. (BDR 34-510)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; authorizing a school district to lease school buses or vehicles belonging to the school district in certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the board of trustees of a school district to allow school buses or vehicles belonging to the school district to be used for the transportation of public school pupils and children in certain circumstances. (NRS 392.360) This bill authorizes a board of trustees to enter into a written agreement to lease school buses or vehicles belonging to the school district for special events when a commercial bus is not reasonably available under certain circumstances. This bill further requires such an agreement to include certain provisions.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 392 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The board of trustees of a school district may authorize the school district to enter into a written agreement to lease school buses or vehicles belonging to the school district for special events so long as such an agreement will not interfere with or prevent the school district from providing transportation for pupils for the purposes described in NRS 392.300 and 392.360. ~~The board of trustees of a school district shall determine annually whether to authorize the school district to lease school buses or vehicles belonging to the school district.~~*

*2. If a school district enters into an agreement pursuant to this section, the agreement must include, without limitation, a provision:*

*(a) Requiring a fee in an amount which is not less than the total cost per mile for the use of a school bus or vehicle to the school district, as determined by the transportation department of the school district, if the school district has such a department, or by the board of trustees, if the school district does not have such*

1 a department, and any additional costs or expenses related to the use of the  
2 school bus or vehicle ~~that~~, including, without limitation, fuel, wear and tear,  
3 maintenance, appropriate staffing, administrative costs and an additional rental  
4 service fee;

5 (b) Indemnifying and holding the school district harmless against any claim,  
6 demand, judgment or legal action, whatsoever, including, without limitation, any  
7 losses, damages, legal costs or expenses incident thereto;

8 (c) Indemnifying and holding the driver of a school bus or vehicle harmless  
9 against any claim, demand, judgment or legal action, whatsoever, including,  
10 without limitation, any losses, damages, legal costs or expenses incident thereto  
11 incurred when acting in the scope of his or her employment;

12 (d) Requiring the lessee to accept responsibility for any damage to the school  
13 bus or vehicle while leased as determined by the transportation department of the  
14 school district, if the school district has such a department, or by the board of  
15 trustees, if the school district does not have such a department;

16 (e) Requiring the ~~lessor~~ lessee to provide proof that the school bus or  
17 vehicle leased will be operated by a person licensed under the laws of this State to  
18 operate the particular type of bus or vehicle leased; ~~and~~

19 ~~(d)~~ (f) Requiring the ~~lessor~~ lessee to provide proof of insurance which  
20 covers the school bus or vehicle while operated by the ~~lessor~~ lessee up to an  
21 amount determined by the transportation department of the school district, if the  
22 school district has such a department, or by the board of trustees, if the school  
23 district does not have such a department; and

24 (g) Requiring the lessee to give preference to a driver of a school bus or  
25 vehicle who is employed by the school district before hiring a driver of a school  
26 bus or vehicle who is not employed by the school district.

27 3. ~~Whenever~~ Except as otherwise provided in this subsection, whenever  
28 any school bus or vehicle belonging to a school district is leased, any lettering on  
29 the school bus or vehicle designating the vehicle as a school bus or vehicle must  
30 be covered and concealed, no signs or wording may be affixed to the school bus  
31 or vehicle and any system of flashing red lights or a mechanical device attached  
32 to the front of the school bus or vehicle must not be used in the operation of the  
33 school bus or vehicle by the lessor ~~that~~ except in the case of an emergency. A  
34 system of flashing red lights or a mechanical device attached to the front of the  
35 school bus or vehicle may be used in the operation of a school bus during an  
36 emergency.

37 4. A school district shall place any money collected as a result of an  
38 agreement to lease a school bus or vehicle which exceeds the actual cost to the  
39 school district in a fund maintained for the replacement of school buses and  
40 vehicles belonging to the school district.

41 5. A school district may not enter into an agreement pursuant to this section  
42 if it determines that transportation by a commercial bus is reasonably available.

43 6. For the purposes of this section, "special event" means an event or series  
44 of events that does not take place during the regular school day and is not an  
45 interscholastic contest, school festival or other activity properly a part of a school  
46 program.

47 Sec. 2. NRS 392.360 is hereby amended to read as follows:

48 392.360 1. A board of trustees of a school district may permit school buses  
49 or vehicles belonging to the school district to be used for the transportation of  
50 public school pupils to and from:

- 51 (a) Interscholastic contests;  
52 (b) School festivals; or  
53 (c) Other activities properly a part of a school program.

2. In addition to the use of school buses and vehicles authorized pursuant to subsection 1, the board of trustees of a school district may permit school buses and vehicles belonging to the school district to be used for the transportation of children to and from:

- (a) Programs for the supervision of children before and after school; and
- (b) Other programs or activities that the board of trustees deems appropriate, regardless of whether such programs or activities are part of a school program.

3. The use of school buses or vehicles belonging to the school district for the purposes enumerated in subsections 1 and 2 is governed by regulations made by the board of trustees, which must not conflict with regulations of the State Board. Proper supervision for each vehicle so used must be furnished by school authorities, and each school bus must be operated by a driver qualified under the provisions of NRS 392.300 to 392.410, inclusive ~~††~~, *and section 1 of this act.*

4. A driver shall not operate a vehicle for the purposes enumerated in subsections 1 and 2 for more than 10 hours in a 15-hour period. The time spent operating, inspecting, loading, unloading, repairing and servicing the vehicle and waiting for passengers must be included in determining the 15-hour period. After 10 hours of operating a vehicle, the driver must rest for 10 hours before he or she again operates a vehicle for such purposes.

5. Before January 1, 1984, the State Board shall adopt regulations to carry out the provisions of subsection 4.

**Sec. 3.** This act becomes effective ~~on July 1, 2015,~~ upon passage and approval.