

4/28/11

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Chapter No. 1331  
14/HR40/R439SG  
See 1331

**HOUSE BILL NO. 974**

Originated in House Anderson Clerk

HOUSE BILL NO. 974

AN ACT TO AMEND SECTION 37-41-27, MISSISSIPPI CODE OF 1972, TO INCLUDE EVENTS OF FUTURE FARMERS OF AMERICA OR 4-H CLUBS AMONG THE TYPES OF EVENTS FOR WHICH LOCAL SCHOOL BOARDS MAY PERMIT THE USE OF PUBLIC SCHOOL BUSES FOR THE TRANSPORTATION OF PARTICIPATING STUDENTS; TO AUTHORIZE SCHOOL BOARDS TO ALLOW THE USE OF MOTOR VEHICLES OTHER THAN SCHOOL BUSES WHEN THE TRANSPORTATION IS FOR TRIPS TO AND FROM SCHOOL SITES OR AGRICULTURAL EDUCATION SITES OR FOR TRIPS TO AND FROM AGRICULTURAL EDUCATION-RELATED EVENTS OR COMPETITIONS; TO PRESCRIBE CONDITIONS WHICH MUST BE ADHERED TO WHEN THE AUTHORIZED TRANSPORTATION OF STUDENTS IS PROVIDED IN A VEHICLE OTHER THAN A SCHOOL BUS THAT IS PROPERTY OF A SCHOOL DISTRICT OR CHARTER SCHOOL; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 37-41-27, Mississippi Code of 1972, is amended as follows:

37-41-27. (1) The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of participating students, teachers, coaches and sponsors in connection with athletic events, events of boys' and girls' clubs, events of Future Farmers of America or 4-H Clubs and special events in connection with the schools which the boards may

consider a part of the educational program. The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of citizens for grand jury and other jury functions upon order of the court or as considered necessary by the school board during natural or man-made emergencies, hurricanes, tornadoes, floods and other acts of God. The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of citizens attending an air show or historic commemorative event held on a military base or military park located in the school district; provided that such determination shall be made upon the minutes of the school board and shall include an agreement with the military base or military park that it will indemnify and hold the school district harmless in any action regarding such transportation.

(2) (a) Local school boards may regularly permit the use of motor vehicles other than school buses when the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, but is not for customary transportation between a student's residence and such sites.

(b) When the transportation of students is provided, as authorized in this subsection, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by a

school district or charter school, the following provisions shall apply:

(i) The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined in 49 C.F.R. Part 571, designed to transport fewer than ten (10) students. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.

(ii) An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.

(iii) The driver of an authorized vehicle transporting students must maintain a valid driver's license and must comply with the requirements of the school district's locally adopted safe driver plan, which includes review of driving records for disqualifying violations.

(iv) The local school board must adopt a policy that addresses procedures and liability for trips under this paragraph, including a provision that school buses are to be used whenever practical and specifying consequences for violation of the policy.

**SECTION 2.** This act shall take effect and be in force from  
and after July 1, 2014.

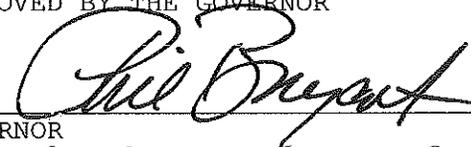
PASSED BY THE HOUSE OF REPRESENTATIVES  
April 1, 2014

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

~~PASSED BY THE SENATE~~  
April 1, 2014

  
PRESIDENT OF THE SENATE

~~APPROVED BY THE GOVERNOR~~

  
GOVERNOR  
4/24/14 9:40am