

Driver's Education and Transportation Network Companies; SB 215

SB 215 authorizes school district boards of education to contract with transportation network companies for the purpose of transporting eight or fewer people to and from school or school-related activities and transfer authority for certain postsecondary driver's education and driver training schools to the Kansas Department of Revenue (KDOR).

Transportation Network Companies

The bill authorizes a school district board of education to establish requirements in the contract that are in addition to requirements in the Kansas Transportation Network Company (TNC) Services Act (Act). It also authorizes the State Department of Education to issue guidance to school districts on this topic.

The bill requires TNC drivers providing services under these contracts to undergo a criminal history record check like those required of employees or volunteers at a business or organization that provides care to children, people who are elderly, or individuals with disabilities and review a driving history research report for each TNC driver.

The bill requires a TNC providing these services to provide an annual safety report to the State Board of Education for any safety incidents occurring within the previous calendar year and to name the school district as an additional insured party on the TNC's automobile insurance policy.

The bill specifies the Act and the contract between a TNC and a school district board of education would govern the services provided, and rules and regulations of the State Board of Education concerning the transportation of students would not apply.

The bill requires a board of education that contracts with a TNC to provide school transportation services to:

- Provide notice to a student's parent or guardian that the student will be riding with a TNC;
- Provide an annual disclaimer to the parent or guardian of a student who may be transported by a TNC, that the school district uses TNC services, and that the relationship between the school district and the TNC is governed by a contract and not the rules and regulations of the State Board of Education;
- Permit the parent or guardian to not allow such student to ride with a TNC; and
- Maintain insurance coverage or endorsement for students transported by a TNC that covers students as though the students were in the care, custody, and control of the school district even when being transported by a TNC.

Driver's Education Courses and Authority

The bill transfers responsibility for motorcycle education and truck driver training programs operated by postsecondary institutions from the State Board of Regents to KDOR and for driver training schools from the State Board of Education to KDOR.

The bill also authorizes a student aged 19 years or younger attending an approved community college driver training course to participate in the State Safety Fund.

The term "vocational education school" within the bill is changed to "institution" and is defined as a "technical school affiliated with a public university in this state, a technical college, or community college."

The bill requires all courses in truck driver training taught for an interstate commercial class license to comply with the Kansas Uniform Commercial Driver's License Act.

A requirement for becoming a licensed teacher at a driver training school is amended from requiring the applicant to provide a certificate of health from a medical doctor declaring such person "free from contagious disease" to one declaring such person "physically and mentally able to safely operate a motor vehicle."

The bill states that all rules and regulations, orders, and directives from the State Department of Education regarding driver's training school licensure will remain in effect until revised, amended, or nullified by the Director of Vehicles, KDOR. The bill authorizes KDOR to establish standards for motorcycle safety courses and truck driver training by public declaration of the Director of Vehicles, as well as by rules and regulations.

The bill establishes the Commercial Driver Education Fund within the State Treasury under the administration of KDOR. All expenditures from the Fund are subject to appropriations. Moneys collected under the Drivers' Training School License Act will be deposited into this fund rather than into the State Safety Fund.

The bill makes various technical amendments and date changes. The bill makes a conforming amendment to KSA 8-267 to permit moneys in the State Safety Fund to provide funds for driver training courses in community colleges in Kansas.