

SENATE BILL No. 979

February 12, 2004, Introduced by Senators PATTERSON, KUIPERS, GOSCHKA,
LELAND, SCHAUER and HARDIMAN and referred to the Committee on Health Policy.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending section 53 (MCL 257.1853), as amended by 2002 PA
647.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 53. (1) All regular drivers and substitute drivers of
2 school buses transporting passengers and pupil transportation
3 vehicles used for the regularly scheduled transportation of
4 passengers to and from home shall, at a minimum, meet the
5 following qualifications:

6 (a) The requirements of sections 49 and 51.

7 (b) For a school bus or pupil transportation vehicle
8 operating in intrastate transportation, the annual physical
9 requirements for school bus and pupil transportation vehicle
10 drivers as authorized by the superintendent of public

1 instruction. In meeting these physical requirements, the driver
2 shall be examined by a licensed physician, ~~or~~ physicians'
3 assistant, **or certified nurse practitioner** and shall present the
4 ~~physician's~~ **medical** certificate to the employer.

5 (c) An employer who has reason to believe that a driver is
6 not physically qualified to drive may require a physical
7 examination for that driver in accordance with subdivision (b) at
8 more frequent intervals. If an employer requests a physical
9 examination under this subdivision, the employer shall indicate
10 in writing what physical impairment covered under the
11 requirements of subdivision (b) the driver is to be examined for
12 and shall only be entitled to that portion of the examination
13 results ~~which~~ **that** pertain to that impairment. An examination
14 requested by the employer under this subdivision shall be paid
15 for by the employer.

16 (d) A copy of the ~~physician's~~ **medical** certificate for a
17 driver shall be carried by that driver while he or she is
18 operating a school bus or pupil transportation vehicle.

19 (2) A record of each employed school bus or pupil
20 transportation vehicle driver, including a copy of his or her
21 ~~physician's~~ **medical** certificate, department of education
22 certification, driver license, certificate of road test
23 application for employment, and any other information that
24 relates to driver qualification or ability to safely drive a
25 school bus or pupil transportation vehicle, shall be maintained
26 in the employer's administrative office.

27 (3) A school shall submit transportation safety related

1 documents, such as driver qualification records, and vehicle
2 maintenance records upon request for inspection and copying to
3 motor carrier officers or vehicle inspectors of the department of
4 state police.

5 (4) Upon receipt of an application from a person for the
6 position of school bus driver or pupil transportation vehicle
7 driver, a school shall request from the department of state
8 police a background check to determine whether the person was
9 convicted of any of the following offenses:

10 (a) Criminal sexual conduct in any degree.

11 (b) Assault with intent to commit criminal sexual conduct.

12 (c) An attempt to commit criminal sexual conduct in any
13 degree.

14 (d) Felonious assault on a child, child abuse, or cruelty,
15 torture, or indecent exposure involving a child.

16 (e) A violation of section 145c of the Michigan penal code,
17 1931 PA 328, MCL 750.145c.

18 (5) A person shall not smoke on a school bus or pupil
19 transportation vehicle.

20 (6) A person shall not possess or consume alcoholic liquor or
21 a controlled substance on a school bus or pupil transportation
22 vehicle.