

IN THE SENATE

SENATE BILL NO. 1319

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO TRANSPORTATION OF PUPILS; AMENDING SECTION 33-1510, IDAHO CODE,  
2 TO PROVIDE AN EXCEPTION REGARDING CONTRACTS THAT RECEIVE CERTAIN FED-  
3 ERAL FUNDING; AND DECLARING AN EMERGENCY.  
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 33-1510, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 33-1510. CONTRACTS FOR TRANSPORTATION SERVICE. (1) All contracts en-  
9 tered into by boards of trustees for the transportation of pupils shall be in  
10 writing using the current pupil transportation model contract developed by  
11 the state department of education. School districts may attach to the model  
12 contract addenda to meet local requirements. School districts shall submit  
13 to the state superintendent of public instruction a copy of the pupil trans-  
14 portation contract prior to both parties signing it, for a review of legal  
15 requirements and appropriate costs and for final approval. The state super-  
16 intendent of public instruction shall respond to the school district within  
17 twenty-one (21) calendar days of the postmarked receipt of the contract by  
18 notifying the school district of contract approval or of recommended or re-  
19 quired changes. A school district may appeal to the state board of education  
20 any changes the state superintendent requires, in which case the state board  
21 may, upon review, approve the contract without such changes.

22 (2) No contract shall be executed covering a period of time exceeding  
23 five (5) years. School districts shall advertise, bid and contract for all  
24 bus transportation service routes at a single time, and contract with the  
25 lowest responsible bidder or bidders meeting the specifications; provided  
26 that, one (1) time only, a school district may renew a contract with the cur-  
27 rent contractor if the board of trustees, after renegotiation with the con-  
28 tractor, determines that the terms are satisfactory to the district. The  
29 board of trustees may renew the contract for a term not to exceed five (5)  
30 years. Renewal of any contract pursuant to this section shall not be granted  
31 unless the provisions of this section were included, in a substantially con-  
32 forming summary, within the bidding notice, published pursuant to section  
33 33-601, Idaho Code, of the contract.

34 (3) Before entering into such contracts, the board of trustees shall  
35 invite bids by twice giving notice as provided in section 33-402(2), Idaho  
36 Code, and shall award the contract to the lowest responsible bidder.

37 (4) Notwithstanding the provisions of subsection (2) of this section  
38 and any provision of law or rule to the contrary, contracts that receive  
39 federal funding pursuant to the federal clean school bus program, 42 U.S.C.  
40 16091, may exceed five (5) years but may not exceed ten (10) years.

1           SECTION 2. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after its  
3 passage and approval.