

COUNTY OF ERIE
LOCAL LAW NO. ____-2016
LOCAL LAW INTRO NO. ~~18-1~~-2016

Erie County School Bus Safety Law

Submitted by Legislator Patrick B. Burke

Section 1: LEGISLATIVE INTENT

The purpose of this law is to improve student safety on school buses across Erie County by increasing supervision on k-8 elementary school buses. It is the belief of this Legislature that instances of bullying, violence and injury can be reduced with proper adult supervision. It is not possible for school bus drivers to appropriately monitor adolescent behavior while focused on driving. It is equally difficult for bus drivers to safely oversee young children disembark the school bus while they control traffic, and continue oversight of children on the bus from the vantage point of the driver's seat.

Section 2: DEFINITIONS

- A. A school bus shall mean every vehicle owned, leased or contracted for by a public school, board of cooperative educational services or a nonpublic school and operated for the transportation of elementary students in grade k-8 to or from school or school activities.
- B. A school bus monitor shall mean any person, who is not the school bus driver, designated for the purpose of assisting children to safely embark and disembark from a school bus which is owned, leased or contracted for by a public school district or board of cooperative educational services, and for the purpose of assisting the school bus driver with maintaining proper student behavior on such school bus.
- C. A nonpublic school shall mean a private or parochial school offering instruction in any or all grades, kindergarten through 8.

Section 3: SCHOOL BUS MONITORING REQUIREMENTS

- A. School buses, as defined in section 2 of this law, shall to the best of their ability, have a bus monitor on board during the transportation of students grades k-8.
- B. All public schools, boards of cooperative educational services or nonpublic schools shall provide a yearly public report to the Erie County Health Department as well as the Erie County Legislature, outlining their efforts to provide bus monitors on school buses transporting children grades k-8.

Section 4: ENFORCEMENT

The Erie County Department of Health will have the power to enforce this law

Section 5: PENALTIES

Public schools, boards of cooperative educational services and nonpublic schools who do not comply to section 3 of this law may be subject to a fine of up to \$1000 for each offense.

Section 6: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such judgment or order shall be rendered.

Section 7: EFFECTIVE DATE

This law shall be in effect for the beginning of the first day of the new school year after the filing with the Secretary of State.