

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 40**

Introduced by Hilkemann, 4.

Read first time January 05, 2017

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to school transportation; to amend section
- 2 79-609, Reissue Revised Statutes of Nebraska; to prohibit use of an
- 3 interactive wireless communication device by a school bus operator
- 4 as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-609, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 79-609 (1) The school board or board of education, after  
4 consultation with a member of the Nebraska State Patrol, shall determine  
5 the number of passengers that may be safely transported in each bus.

6 (2)(a) Any company or agency that provides transportation of pupils  
7 by school bus and contracts directly with the pupils or their parents,  
8 (b) the school board or board of education of the public schools, and (c)  
9 the governing authority of any private, denominational, or parochial  
10 school in this state shall provide, at least twice during each school  
11 year to each pupil who is transported in a school bus, instruction in  
12 safe riding practice and participation in emergency evacuation drills.

13 (3) The operator of a school bus equipped with an occupant  
14 protection system as defined in section 60-6,265 shall wear such system  
15 whenever the vehicle is in motion.

16 (4) This subsection does not apply to an operator of a school bus if  
17 section 60-6,179.02 applies. The operator of a school bus, including any  
18 school bus which transports pupils by direct contract with the pupils or  
19 their parents and not owned by or under contract with a school district  
20 or nonpublic school, shall not, whenever the vehicle is in motion, use  
21 any type of interactive wireless communication device as defined in  
22 section 60-470.02. This subsection does not apply to any dispatch  
23 communication device.

24 Sec. 2. Original section 79-609, Reissue Revised Statutes of  
25 Nebraska, is repealed.