SENATE COMMITTEE OF REFERENCE REPORT

_______________________________ February 20, 2020
Chair of Committee Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB20-052 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Strike the Education Committee Report, dated January 29, 2020, and substitute:

"Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, add part 25 to article 33.5 of title 24 as follows:

PART 25
SMART SCHOOL BUS SAFETY PILOT PROGRAM

24-33.5-2501. Short title. The short title of this part 25 is the "SMART SCHOOL BUS SAFETY PILOT PROGRAM ACT".

24-33.5-2502. Definitions. As used in this part 25, unless the context otherwise requires:

(1) "Charitable purpose" has the same meaning as set forth in section 6-16-103 (2).

(2) "Consultant" means the organization selected by the department pursuant to section 24-33.5-2505 to consult with and support grant recipients.

(3) "Grant program" means the program to award grants pursuant to section 24-33.5-2504.

(4) "Pilot program" means the smart school bus safety pilot program created in section 24-33.5-2503.

(5) "Rural school district" means a school district in
COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL
BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE
DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE,
URBANIZED AREA.

(6) "SCHOOL DISTRICT" MEANS ANY SCHOOL DISTRICT ORGANIZED
AND EXISTING PURSUANT TO LAW. "SCHOOL DISTRICT" INCLUDES A
CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
1 OF ARTICLE 30.5 OF TITLE 22 OR A CHARTER SCHOOL AUTHORIZED BY
THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
30.5 OF TITLE 22 THAT IS RESPONSIBLE FOR THE TRANSPORTATION OF
STUDENTS ENROLLED IN THE CHARTER SCHOOL.

(7) "SILENT DURESS ALARM" MEANS A SILENT ALARM THAT SENDS
A DISTRESS CALL AND THE LAST-KNOWN GLOBAL POSITIONING SYSTEM
COORDINATES OF THE SCHOOL BUS TO SCHOOL OFFICIALS AND EMERGENCY
RESPONSE PERSONNEL.

24-33.5-2503. Smart school bus safety pilot program - creation
- department duties - rules. (1) THERE IS CREATED IN THE DEPARTMENT
THE SMART SCHOOL BUS SAFETY PILOT PROGRAM TO:

(a) INCREASE THE SAFETY OF STUDENTS AND THE SECURITY OF
SCHOOL BUSES;
(b) PROVIDE SCHOOL DISTRICTS WITH GRANTS PURSUANT TO
SECTION 24-33.5-2504 TO EQUIP THEIR SCHOOL BUSES WITH HARDWARE
AND SOFTWARE THAT ENABLE THE BUSES TO COMMUNICATE DIRECTLY
WITH FIRST RESPONDERS BY CELLULAR, SATELLITE, OR ANY OTHER
AVAILABLE MEANS OF VOICE COMMUNICATION AND BY USING A SILENT
DURESS ALARM;
(c) PROVIDE NOTIFICATIONS TO PARENTS ABOUT SCHOOL BUS
STATUS AND STUDENT SAFETY;
(d) INFORM AND EDUCATE THE PUBLIC ABOUT SCHOOL
TRANSPORTATION SAFETY; AND
(e) IMPROVE SCHOOL BUS DRIVER TRAINING, INCLUDING TRAINING
RELATED TO TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS.

(2) THE DEPARTMENT SHALL:
(a) AWARD PILOT PROGRAM GRANTS, AS DESCRIBED IN SECTION
24-33.5-2504; AND
(b) SELECT AN ORGANIZATION TO SERVE AS A CONSULTANT, AS
DESCRIBED IN SECTION 24-33.5-2505.

(3) PURSUANT TO ARTICLE 4 OF THIS TITLE 24, THE EXECUTIVE
DIRECTOR SHALL PROMULGATE RULES NECESSARY FOR THE
ADMINISTRATION OF THIS PART 25. AT A MINIMUM, THE RULES MUST
INCLUDE:
PROCEDURES TO IMPLEMENT THE GRANT PROGRAM, INCLUDING:

(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
(II) THE CRITERIA FOR AWARDING A GRANT TO A SCHOOL DISTRICT AND DETERMINING THE AMOUNT OF THE AWARD; AND
(III) A PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF GRANT MONEY TO RURAL, URBAN, AND SUBURBAN SCHOOL DISTRICTS;

(b) PROCEDURES FOR SELECTING A CONSULTANT, INCLUDING:

(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
(II) A PROCESS FOR DISTRIBUTING PILOT PROGRAM MONEY TO THE CONSULTANT; AND
(III) PROCEDURES FOR VERIFYING THE CONSULTANT’S CONTINUED ELIGIBILITY TO SERVE AS THE CONSULTANT.

(4) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 25.

24-33.5-2504. Pilot program grants - report. (1) (a) SUBJECT TO AVAILABLE MONEY, THE DEPARTMENT SHALL AWARD GRANTS TO SCHOOL DISTRICTS TO ACHIEVE THE GOALS OF THE PILOT PROGRAM BY PROVIDING THOSE DISTRICTS WITH FUNDING NECESSARY TO EQUIP SCHOOL BUSES WITH HARDWARE AND SOFTWARE, FOR EQUIPMENT MAINTENANCE, AND FOR ANY RELEVANT TRAINING TO INCREASE THE SAFETY OF STUDENTS AND THE SECURITY OF SCHOOL BUSES.

(b) THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS OF THE PILOT PROGRAM AND ANY GRANT PROGRAM APPLICATION DEADLINES. THE DEPARTMENT MAY COORDINATE WITH THE DEPARTMENT OF EDUCATION CONCERNING SCHOOL DISTRICT NOTIFICATION.

(2) IN ORDER TO BE ELIGIBLE FOR A GRANT PURSUANT TO THIS SECTION, A SCHOOL DISTRICT MUST SUBMIT AN APPLICATION TO THE DEPARTMENT. THE APPLICATION MUST INCLUDE THE FOLLOWING INFORMATION:

(a) A SUMMARY OF THE SCHOOL BUS TRANSPORTATION PROVIDED BY THE SCHOOL DISTRICT TO ITS STUDENTS;
(b) A DESCRIPTION OF ANY SCHOOL BUS SAFETY AND SECURITY CHALLENGES FACED BY THE SCHOOL DISTRICT;
(c) HOW THE SCHOOL DISTRICT WILL USE A GRANT AWARD IN FURTHERANCE OF THE GOALS OF THE PILOT PROGRAM;
(d) ANY MEASURABLE GOALS THAT THE SCHOOL DISTRICT EXPECTS TO ACHIEVE WITH GRANT MONEY; AND
(e) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.
(3) (a) On or before November 1, 2020, the department shall award grants to school districts selected from those submitting applications pursuant to this section.

(b) Grants awarded pursuant to this section are three-year grants that cover the 2020-21 academic year through the 2022-23 academic year. Subject to available appropriations, the department shall annually distribute grant money to grant recipients.

(4) A school district that receives a grant award shall receive support and recommendations from the consultant and shall use a grant award for the following:

(a) The acquisition of equipment necessary for each school bus to communicate directly with first responders by cellular, satellite, or any other available means of voice communication and by using a silent duress alarm;

(b) Training, installation, maintenance, telecommunication, and data-related costs related to any equipment acquired with grant money;

(c) The operation and use of an internet website, online service, online application, or mobile application, or a combination thereof, that includes data privacy and integrity and device identity and integrity protections, to provide secure and verifiable parental notification, at no cost to parents, relating to school bus and student status;

(d) School bus driver training and the provision of background checks when necessary for school bus drivers to operate equipment acquired with grant money;

(e) Advanced school bus driver training, including training related to transportation for students with special needs;

(f) The training necessary to use any equipment acquired with grant money; and

(g) Obtaining credentials or other permissions, including digital identities, necessary for bus drivers or other personnel to properly operate equipment acquired with grant money.

(5) On or before June 30, 2021, and on or before each June 30 thereafter, a school district that receives a grant pursuant to this section shall submit a report to the department. At a minimum, the report must include the following:

(a) The number of buses equipped with equipment necessary to communicate directly with first responders, including by
USING A SILENT DURESS ALARM;

(b) WHETHER ANY SUCH EQUIPMENT WAS USED IN AN EMERGENCY SITUATION, INCLUDING A SITUATION THAT REQUIRED ASSISTANCE FROM EMERGENCY RESPONSE PERSONNEL;

(c) ANY SCHOOL BUS MAINTENANCE OR OPERATION DECISIONS MADE BASED ON INFORMATION LEARNED FROM EQUIPMENT ACQUIRED WITH GRANT MONEY;

(d) WHETHER THE SCHOOL DISTRICT ACHIEVED ANY OF THE GOALS DESCRIBED IN ITS GRANT APPLICATION; AND

(e) ANY OTHER USE OF GRANT MONEY.

24-33.5-2505. Pilot program consultant - report. (1) ON OR BEFORE NOVEMBER 1, 2020, THE DEPARTMENT SHALL SELECT AN ORGANIZATION TO SERVE AS A CONSULTANT THAT SUPPORTS SCHOOL DISTRICTS AWARDED GRANTS PURSUANT TO THIS PART 25.

(2) THE CONSULTANT MAY BE A NONPROFIT OR FOR-PROFIT ORGANIZATION THAT OPERATES WITH A CHARITABLE PURPOSE AND MUST HAVE EXPERIENCE IN EVIDENCE-BASED SCHOOL BUS SAFETY AND SURFACE TRANSPORTATION SECURITY, CHILD SAFETY CAMPAIGN MANAGEMENT, AND CONDUCTING FUNDRAISING CAMPAIGNS THAT SUPPORT SAFETY-RELATED INITIATIVES.

(3) IN ORDER TO BE SELECTED AS THE CONSULTANT, AN ORGANIZATION MUST SUBMIT AN APPLICATION TO THE DEPARTMENT. AN APPLICATION MUST:

(a) DEMONSTRATE THAT THE APPLICANT HAS THE EXPERIENCE REQUIRED OF THE CONSULTANT, AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION;

(b) DESCRIBE ANY PUBLIC SERVICE CAMPAIGNS CONDUCTED BY THE APPLICANT WITH THE SUPPORT OF GOVERNMENT ENTITIES OR MEDIA ORGANIZATIONS;

(c) DEMONSTRATE THE APPLICANT'S ABILITY TO OBTAIN CORPORATE SPONSORSHIPS AND OTHER FUNDING THROUGH GIFTS, GRANTS, AND DONATIONS THAT WOULD ALLOW THE APPLICANT TO PROVIDE SCHOOL DISTRICTS WITH SERVICES DESCRIBED IN THIS PART 25 IN ADDITION TO SUCH SERVICES FUNDED WITH STATE MONEY; AND

(d) INCLUDE ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

(4) (a) THE DEPARTMENT SHALL SELECT ONE ORGANIZATION THAT MEETS THE ELIGIBILITY REQUIREMENTS DESCRIBED IN THIS SECTION TO SERVE AS THE CONSULTANT.

(b) THE ORGANIZATION SELECTED BY THE DEPARTMENT SHALL CONTINUE TO SERVE AS THE CONSULTANT AS LONG AS THE ORGANIZATION
MEETS THE CRITERIA DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION
AND DOES NOT VIOLATE ANY PROVISION OF THIS SECTION.
(c) THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE ONE MILLION
DOLLARS OF THE PILOT PROGRAM MONEY APPROPRIATED TO THE
DEPARTMENT PURSUANT TO SECTION 24-33.5-2506 TO THE CONSULTANT.
(5) THE CONSULTANT SHALL USE PILOT PROGRAM MONEY FOR THE
FOLLOWING:
   (I) SUPPORTING SCHOOL DISTRICTS AWARDED GRANTS PURSUANT
TO SECTION 24-33.5-2504;
   (II) DEVELOPING AND MAINTAINING AN INTERNET WEBSITE,
ONLINE APPLICATION, AND MOBILE APPLICATION, THAT INCLUDES DATA
PRIVACY AND INTEGRITY AND DEVICE IDENTITY AND INTEGRITY
PROTECTIONS, TO PROVIDE SECURE AND VERIFIABLE PARENTAL
NOTIFICATION, AT NO COST TO PARENTS, RELATING TO SCHOOL BUS AND
STUDENT STATUS;
   (III) RECRUITING SCHOOL BUS DRIVERS;
   (IV) DEVELOPING, AND MAKING PUBLICLY AVAILABLE, SCHOOL
BUS TRANSPORTATION SAFETY INFORMATION AND EDUCATIONAL
MATERIALS; AND
   (V) DEVELOPING PRIVATE-PUBLIC PARTNERSHIP FUNDING AND
STUDYING THE AVAILABILITY OF NEW FUNDING SOURCES, INCLUDING
SEEKING GIFTS, GRANTS, AND DONATIONS ON BEHALF OF THE PILOT
PROGRAM FROM THE FEDERAL GOVERNMENT, CORPORATIONS, OR OTHER
NONGOVERNMENTAL ENTITIES.
(6) ON OR BEFORE JUNE 30, 2021, AND ON OR BEFORE EACH JUNE
30 THEREAFTER, THE CONSULTANT SHALL SUBMIT A REPORT TO THE
DEPARTMENT CONCERNING THE OPERATION OF THE PILOT PROGRAM. THE
REPORT MUST INCLUDE, BUT IS NOT LIMITED TO, DOCUMENTATION OF THE
CONSULTANT’S USE OF PILOT PROGRAM MONEY AND A DESCRIPTION OF THE
CONSULTANT’S DUTIES PERFORMED AS REQUIRED PURSUANT TO
SUBSECTION (5) OF THIS SECTION.
24-33.5-2506. Pilot program funding. In state fiscal years
2020-21, 2021-22, and 2022-23, the general assembly shall
appropriate two million dollars to the department for the
purposes of this part 25.
24-33.5-2507. Department report. Notwithstanding section
24-1-136 (11)(a)(I), the department shall include information
about the pilot program in its annual presentation to its
legislative committee of reference pursuant to section 2-7-203.
24-33.5-2508. Repeal of part. This part 25 is repealed,
effective July 31, 2024.
SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.".".

*** *** *** *** ***