

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0764.01 Jacob Baus x2173

**SENATE BILL 23-094**

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**SENATE SPONSORSHIP**

**Lundeen and Zenzinger,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF A TASK FORCE TO REPORT ON**  
102                    **MEASURES TO IMPROVE SCHOOL TRANSPORTATION, AND, IN**  
103                    **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill creates a Colorado school transportation modernization task force (task force) to create a report containing findings and recommendations to improve public school transportation services for students.

The task force specifies task force membership, including the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

commissioner of education or the commissioner's designee, and members appointed by the commissioner.

The task force must prepare, publish, and share the findings of its the report by January 31, 2024, with the education committees of the general assembly, the state board of education, and the governor.

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*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** article 106 to title 22 as follows:

**ARTICLE 106**

**School Transportation Modernization Task Force**

**22-106-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) THE COVID-19 PANDEMIC SEVERELY EXACERBATED AN EXISTING PUBLIC SCHOOL TRANSPORTATION WORKFORCE SHORTAGE, LIMITING THE NUMBER OF BUSES AVAILABLE TO TRANSPORT STUDENTS TO AND FROM SCHOOL IN COLORADO. BUS DRIVER SHORTAGES ARE CAUSED BY SEVERAL FACTORS, INCLUDING FEDERAL REGULATIONS AROUND HEALTH REQUIREMENTS, LACK OF COMPETITIVE WAGES, AND ODD WORKING HOURS.

(b) TO ADJUST TO THE PUBLIC SCHOOL TRANSPORTATION SHORTAGE, SCHOOL DISTRICTS AND PUBLIC SCHOOLS ARE CONSOLIDATING ROUTES OR ALTERING ELIGIBILITY CRITERIA, RESULTING IN FEWER STOPS AND LONGER ROUTES. STUDENTS OF COLOR AND STUDENTS FROM UNDER-RESOURCED COMMUNITIES ARE DISPROPORTIONATELY IMPACTED BY THE TRANSPORTATION SHORTAGE AND STRUGGLE TO ACCESS SCHOOL DISTRICTS OF THEIR CHOICE AND CAREER PATHWAY PROGRAMS BECAUSE OF THEIR LIMITED ACCESS TO TRANSPORTATION.

(c) THERE IS A GROWING NEED FOR TRANSPORTATION TO OFFSITE

1 CAREER PATHWAY PROGRAMS AND OTHER CAREER-CONNECTED LEARNING  
2 OPPORTUNITIES AS THESE PROGRAMS CONTINUE TO EXPAND. DUE TO  
3 TRANSPORTATION CHALLENGES, STUDENTS LACK EQUITABLE ACCESS TO  
4 THESE PROGRAMS, EVEN THOUGH THE STATE HAS RECOGNIZED THE  
5 IMPORTANCE OF THESE PROGRAMS.

6 (d) TO INCREASE EDUCATIONAL EQUITY, SCHOOL DISTRICTS AND  
7 PUBLIC SCHOOLS MUST PROVIDE STUDENTS OF COLOR AND STUDENTS FROM  
8 UNDER-RESOURCED COMMUNITIES WITH ACCESS TO THE SAME  
9 EDUCATIONAL AND ENRICHMENT OPPORTUNITIES THAT ARE AVAILABLE TO  
10 STUDENTS WHO HAVE MORE RESOURCES;

11 (e) CURRENT POST-PANDEMIC CONDITIONS REQUIRE NEW AND  
12 INNOVATIVE IDEAS TO SUPPORT SCHOOL DISTRICTS AND PUBLIC SCHOOLS  
13 IN EMPLOYING SUFFICIENT TRANSPORTATION STAFF, PROCURING AND  
14 UTILIZING EQUIPMENT MORE EFFICIENTLY, AND SUPPLEMENTING THE  
15 CURRENT TRANSPORTATION MODEL WITH A VARIETY OF ALTERNATIVE  
16 TRANSPORTATION OPTIONS;

17 (f) THE DEPARTMENT OF EDUCATION COLLECTS DATA CONCERNING  
18 SCHOOL TRANSPORTATION FOR THE PURPOSE OF CALCULATING  
19 REIMBURSEMENTS TO SCHOOL DISTRICTS, INCLUDING THE NUMBER OF  
20 ROUTE MILES SCHEDULED ON A SPECIFIC PUPIL COUNT DAY IN OCTOBER  
21 AND THE NUMBER OF DAYS DURING THE SCHOOL YEAR THAT  
22 TRANSPORTATION WAS PROVIDED TO PUBLIC SCHOOL STUDENTS;

23 (g) ADDITIONAL DATA SUCH AS ACTUAL UTILIZATION RATES,  
24 ELIGIBILITY STANDARDS, SERVICE GAPS, AND USE OF ALTERNATIVE  
25 TRANSPORTATION MODELS ARE NOT COLLECTED AT THE STATE LEVEL,  
26 ALTHOUGH DISTRICTS TRACK SUCH DATA ON THEIR OWN;

27 (h) GIVEN THE SEVERE BUS DRIVER SHORTAGE AND THE LACK OF

1 TRANSPORTATION TO SCHOOL THAT MANY PUBLIC SCHOOL STUDENTS ARE  
2 EXPERIENCING, THE STATE HAS A VESTED INTEREST IN BETTER  
3 UNDERSTANDING PUBLIC SCHOOL TRANSPORTATION DATA; AND

4 (i) COLLECTING AND DISSEMINATING SUCH TRANSPORTATION  
5 DATA WOULD ALLOW POLICYMAKERS TO FACILITATE IMPROVEMENTS TO  
6 PUBLIC ELEMENTARY AND SECONDARY SCHOOL TRANSPORTATION, BETTER  
7 SERVE STUDENTS, AND ALLEVIATE BURDENS ON SCHOOL DISTRICTS.

8 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS IN  
9 THE BEST INTERESTS OF THE STATE TO DIRECT THE COMMISSIONER OF  
10 EDUCATION TO CONVENE THE COLORADO SCHOOL TRANSPORTATION  
11 MODERNIZATION TASK FORCE TO STUDY THE ISSUES FACING SCHOOL  
12 TRANSPORTATION SYSTEMS AND USE THE STUDY'S FINDINGS TO DEVELOP  
13 AND RECOMMEND POLICIES, LAWS, AND RULES TO IMPROVE PUBLIC  
14 SCHOOL TRANSPORTATION ACROSS THE STATE IN ORDER TO BETTER MEET  
15 STUDENT NEEDS AND ALLEVIATE BURDENS ON SCHOOL DISTRICTS.

16 **22-106-102. Definitions.** AS USED IN THIS ARTICLE 106, UNLESS  
17 THE CONTEXT OTHERWISE REQUIRES:

18 (1) "CAREER PATHWAY PROGRAMS" MEANS LEARNING THAT  
19 OCCURS, IN WHOLE OR IN PART, IN THE WORKPLACE AND PROVIDES  
20 STUDENTS WITH EXPERIENCE AND TRAINING FOR SKILLS DEVELOPMENT.

21 "CAREER PATHWAY PROGRAMS" INCLUDES EXTENDED HIGH SCHOOL  
22 PROGRAMS, JOB SHADOWING, INTERNSHIPS, EXTERNSHIPS,  
23 PREAPPRENTICESHIPS, AND APPRENTICESHIPS.

24 (2) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT THAT  
25 THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL BASED ON THE  
26 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE  
27 SCHOOL DISTRICT FROM THE NEAREST LARGE AND URBANIZED AREA, WITH

1 A TOTAL PUPIL ENROLLMENT OF SIX THOUSAND FIVE HUNDRED STUDENTS  
2 OR FEWER.

3 **22-106-103. Colorado school transportation modernization**  
4 **task force.** (1) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION  
5 THE COLORADO SCHOOL TRANSPORTATION MODERNIZATION TASK FORCE,  
6 REFERRED TO IN THIS ARTICLE 106 AS THE "TASK FORCE".

7 (2) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

8 (a) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S  
9 DESIGNEE;

10 (b) AT A MINIMUM, THE FOLLOWING MEMBERS APPOINTED BY THE  
11 COMMISSIONER OF EDUCATION:

12 (I) THREE MEMBERS WHO ARE PARENTS OR LEGAL GUARDIANS OF  
13 STUDENTS ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL  
14 WHO USE SCHOOL TRANSPORTATION OR WOULD USE SCHOOL  
15 TRANSPORTATION IF IT WERE AVAILABLE. AT A MINIMUM, ONE PARENT OR  
16 LEGAL GUARDIAN MEMBER MUST HAVE THEIR STUDENT ENROLLED IN A  
17 RURAL SCHOOL DISTRICT.

18 (II) THREE MEMBERS WHO ARE SCHOOL TRANSPORTATION  
19 DIRECTORS FOR SCHOOL DISTRICTS. AT A MINIMUM, ONE DIRECTOR MUST  
20 BE FROM A RURAL SCHOOL DISTRICT, ONE DIRECTOR MUST BE FROM A  
21 SUBURBAN SCHOOL DISTRICT, AND ONE MEMBER MUST BE FROM AN URBAN  
22 SCHOOL DISTRICT.

23 (III) TWO MEMBERS WHO REPRESENT CHARTER SCHOOLS. AT A  
24 MINIMUM, ONE CHARTER SCHOOL REPRESENTATIVE MUST REPRESENT AN  
25 INSTITUTE CHARTER SCHOOL.

26 (IV) TWO MEMBERS WHO REPRESENT LABOR UNIONS FOR SCHOOL  
27 BUS DRIVERS;

1 (V) TWO MEMBERS WHO REPRESENT BUSINESSES OR INDUSTRIES  
2 THAT PARTNER WITH SCHOOLS TO PROVIDE CAREER PATHWAY PROGRAMS;

3 (VI) TWO MEMBERS WHO REPRESENT EDUCATION ADVOCACY  
4 ORGANIZATIONS WITH EXPERIENCE ADVOCATING FOR SCHOOL  
5 TRANSPORTATION MODERNIZATION;

6 (VII) TWO MEMBERS WHO REPRESENT PUBLIC TRANSPORTATION  
7 PROVIDERS;

8 (VIII) TWO MEMBERS WHO REPRESENT RIDE SHARE  
9 TRANSPORTATION PROVIDERS;

10 (IX) TWO MEMBERS WHO ARE AFTER-SCHOOL PROGRAM  
11 PROVIDERS;

12 (X) ONE MEMBER WHO REPRESENTS A RECIPIENT OF A  
13 TRANSPORTATION ASSISTANCE GRANT FROM THE DEPARTMENT OF  
14 EDUCATION;

15 (XI) TWO MEMBERS WHO ARE SUPERINTENDENTS. AT A MINIMUM,  
16 ONE SUPERINTENDENT MUST BE FROM A RURAL SCHOOL DISTRICT.

17 (XII) TWO MEMBERS WHO ARE SCHOOL DISTRICT CHIEF FINANCIAL  
18 OFFICERS. AT A MINIMUM, ONE CHIEF FINANCIAL OFFICER MUST BE FROM  
19 A RURAL SCHOOL DISTRICT.

20 (3) ON OR BEFORE JUNE 30, 2023, THE COMMISSIONER OF  
21 EDUCATION SHALL MAKE TASK FORCE APPOINTMENTS.

22 (4) THE COMMISSIONER OF EDUCATION, OR THE COMMISSIONER'S  
23 DESIGNEE, SHALL CHAIR THE TASK FORCE.

24 (5) THE TASK FORCE SHALL MEET AT THE CALL OF THE CHAIR AT  
25 LEAST FOUR TIMES FROM JULY 2023 TO DECEMBER 2023.

26 (6) THE TASK FORCE IS A STATE PUBLIC BODY FOR PURPOSES OF  
27 SECTION 24-6-402, AND MEETINGS OF THE TASK FORCE ARE SUBJECT TO

1 THE REQUIREMENTS OF THAT SECTION. THE TASK FORCE IS SUBJECT TO THE  
2 PROVISIONS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE  
3 72 OF TITLE 24.

4 (7) TASK FORCE MEMBERS SERVE WITHOUT COMPENSATION BUT  
5 MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR  
6 SERVICE ON THE TASK FORCE.

7 (8) UPON THE REQUEST OF THE CHAIR OF THE TASK FORCE, THE  
8 DEPARTMENT OF EDUCATION SHALL PROVIDE STAFF ASSISTANCE, MEETING  
9 SPACE, OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY RESOURCES TO  
10 THE TASK FORCE AS NECESSARY FOR THE PERFORMANCE OF ITS DUTIES.

11 **22-106-104. Task force duties - report.** (1) TO INFORM THE  
12 WORK OF THE TASK FORCE, THE DEPARTMENT OF EDUCATION SHALL  
13 COLLECT, STUDY, AND PUBLICLY REPORT THE SCHOOL TRANSPORTATION  
14 DATA DESCRIBED IN THIS SUBSECTION (1). THE DEPARTMENT OF  
15 EDUCATION SHALL PRESENT THE FOLLOWING DATA TO THE TASK FORCE AS  
16 IT BECOMES AVAILABLE:

17 (a) STUDENT ELIGIBILITY, INCLUDING FACTORS USED BY SCHOOL  
18 DISTRICTS AND CHARTER SCHOOLS TO DETERMINE ELIGIBILITY FOR  
19 TRANSPORTATION AND WHETHER THE FACTORS USED CREATE BARRIERS  
20 FOR STUDENTS TO ATTEND THEIR SCHOOL OF CHOICE;

21 (b) STUDENT UTILIZATION, INCLUDING HOW MANY ELIGIBLE  
22 STUDENTS UTILIZE SCHOOL TRANSPORTATION, WHETHER ROUTES ARE AT  
23 CAPACITY, AND METHODOLOGIES USED BY SCHOOL DISTRICTS AND  
24 CHARTER SCHOOLS TO IDENTIFY UTILIZATION PATTERNS AND ADJUST  
25 OPERATIONS ACCORDINGLY;

26 (c) DRIVER STAFFING LEVELS, INCLUDING STAFFING REQUIRED TO  
27 COVER ROUTES, AND WHETHER AND HOW SCHOOL DISTRICTS AND CHARTER

1 SCHOOLS CONTRACT WITH PUBLIC TRANSPORTATION PROVIDERS OR  
2 ALTERNATIVE TRANSPORTATION PROVIDERS TO SATISFY SCHOOL  
3 TRANSPORTATION NEEDS;

4 (d) FLEET DIVERSIFICATION, INCLUDING THE TYPES OF BUSES OR  
5 VEHICLES USED TO SATISFY SCHOOL TRANSPORTATION NEEDS AND COSTS  
6 ASSOCIATED WITH THE BUS OR VEHICLES USED; AND

7 (e) SERVICE GAPS, INCLUDING IDENTIFYING DISCREPANCIES  
8 BETWEEN ELIGIBLE STUDENTS AND UTILIZATION, AND CAUSES OF THOSE  
9 DISCREPANCIES.

10 (2) CONSIDERING DATA COLLECTED BY THE DEPARTMENT OF  
11 EDUCATION PURSUANT TO SUBSECTION (1) OF THIS SECTION, AND INPUT  
12 FROM TASK FORCE MEMBERS OR OTHER EXPERTS AS CONSULTED, THE TASK  
13 FORCE SHALL CREATE A REPORT CONTAINING FINDINGS AND  
14 RECOMMENDATIONS FOR THE PURPOSE OF IMPROVING SCHOOL  
15 TRANSPORTATION SERVICES FOR STUDENTS. THE REPORT MUST INCLUDE:

16 (a) IDENTIFICATION OF TRANSPORTATION CHALLENGES THAT  
17 CREATE BARRIERS TO STUDENTS ATTENDING A SCHOOL OF THEIR CHOICE  
18 OR CAREER PATHWAY PROGRAMS;

19 (b) RECOMMENDATIONS FOR IMPLEMENTING A SIMPLIFIED  
20 REIMBURSEMENT PROCESS FOR SCHOOL DISTRICTS BASED ON THE FINDINGS  
21 OR RECOMMENDATIONS FROM THE TRANSPORTATION SUBCOMMITTEE OF  
22 THE FINANCIAL POLICIES AND PROCEDURES ADVISORY COMMITTEE OF THE  
23 DEPARTMENT OF EDUCATION;

24 (c) IDENTIFICATION OF EXISTING AND POTENTIAL FUNDING  
25 SOURCES FOR PROVIDING SCHOOL TRANSPORTATION;

26 (d) RECOMMENDATIONS FOR CREATING AND IMPLEMENTING  
27 SUSTAINABLE FUNDING MECHANISMS TO MEET SCHOOL TRANSPORTATION



1 NEEDS;

2 (e) RECOMMENDATIONS FOR CREATING AND IMPLEMENTING A  
3 TRANSPORTATION INNOVATION FUND TO SUPPORT LOCAL EFFORTS TO  
4 CREATE NEW AND INNOVATIVE TRANSPORTATION SOLUTIONS THAT MAY  
5 SERVE AS A MODEL TO SCALE AND SUSTAIN IN OTHER SCHOOL DISTRICTS  
6 AND CHARTER SCHOOLS;

7 (f) RECOMMENDATIONS FOR FACILITATING PARTNERSHIPS AMONG  
8 SCHOOL DISTRICTS, DISTRICT AND INSTITUTE CHARTER SCHOOLS, PUBLIC  
9 TRANSPORTATION PROVIDERS, PRIVATE TRANSPORTATION PROVIDERS, AND  
10 LOCAL NONPROFIT ORGANIZATIONS TO MEET TRANSPORTATION NEEDS AND  
11 CREATE COST EFFICIENCIES;

12 (g) RECOMMENDATIONS FOR CREATING PATHWAYS AND TALENT  
13 PIPELINES FOR TRANSPORTATION PROVIDER AND LOGISTICS CAREERS;

14 (h) RECOMMENDATIONS FOR COMPETITIVE SALARIES AND  
15 BENEFITS PACKAGES NECESSARY TO RECRUIT AND RETAIN SCHOOL  
16 TRANSPORTATION DRIVERS;

17 (i) IDENTIFICATION OF OUTCOMES FROM TRANSPORTATION  
18 ASSISTANCE GRANTS FROM THE DEPARTMENT OF EDUCATION, AND  
19 RECOMMENDATIONS FOR REPLICATION OR EXPANSION; AND

20 (j) RECOMMENDATIONS FOR LEGISLATION OR RULES THAT MAY  
21 IMPROVE SCHOOL TRANSPORTATION.

22 (3) ON OR BEFORE JANUARY 31, 2024, THE TASK FORCE SHALL  
23 SUBMIT ITS REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND  
24 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, THE STATE  
25 BOARD OF EDUCATION, AND THE GOVERNOR AND SHALL PUBLISH THE  
26 REPORT ON ITS WEBSITE.

27 **22-106-105. Repeal of article.** THIS ARTICLE 106 IS REPEALED,

1 EFFECTIVE JULY 1, 2025.

2 **SECTION 2. Appropriation.** For the 2023-24 state fiscal year,  
3 \$95,313 is appropriated to the department of education. This  
4 appropriation is from the general fund and is based on an assumption that  
5 the department will require an additional 0.5 FTE. To implement this act,  
6 the department may use this appropriation for administration related to  
7 public school finance.

8 **SECTION 3. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, or safety.