

**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**

---

**SENATE SPONSORSHIP**

**Lundeen and Zenzinger**, Bridges, Buckner, Coleman, Cutter, Exum, Ginal, Kirkmeyer, Pelton B., Priola, Simpson, Sullivan, Will, Winter F.

**HOUSE SPONSORSHIP**

**Wilson and Lukens**,

---

**Senate Committees**

Education  
Appropriations

**House Committees**

Education  
Appropriations

---

**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.**

---

**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.*

SENATE  
3rd Reading Unamended  
March 15, 2023

SENATE  
Amended 2nd Reading  
March 14, 2023

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.

---

*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, STUDENTS FROM UNDER-RESOURCED COMMUNITIES, AND STUDENTS WITH A DISABILITY 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.

1 (c) THERE IS A GROWING NEED FOR TRANSPORTATION TO OFFSITE  
2 CAREER PATHWAY PROGRAMS AND OTHER CAREER-CONNECTED LEARNING  
3 OPPORTUNITIES AS THESE PROGRAMS CONTINUE TO EXPAND. DUE TO  
4 TRANSPORTATION CHALLENGES, STUDENTS LACK EQUITABLE ACCESS TO  
5 THESE PROGRAMS, EVEN THOUGH THE STATE HAS RECOGNIZED THE  
6 IMPORTANCE OF THESE PROGRAMS.

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

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

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

25 (g) ADDITIONAL DATA SUCH AS ACTUAL UTILIZATION RATES,  
26 ELIGIBILITY STANDARDS, SERVICE GAPS, AND USE OF ALTERNATIVE  
27 TRANSPORTATION MODELS ARE NOT COLLECTED AT THE STATE LEVEL,

1       ALTHOUGH DISTRICTS TRACK SUCH DATA ON THEIR OWN;

2               (h) GIVEN THE SEVERE BUS DRIVER SHORTAGE AND THE LACK OF  
3       TRANSPORTATION TO SCHOOL THAT MANY PUBLIC SCHOOL STUDENTS ARE  
4       EXPERIENCING, THE STATE HAS A VESTED INTEREST IN BETTER  
5       UNDERSTANDING PUBLIC SCHOOL TRANSPORTATION DATA; AND

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

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

18              **22-106-102. Definitions.** AS USED IN THIS ARTICLE 106, UNLESS  
19       THE CONTEXT OTHERWISE REQUIRES:

20              (1) "CAREER PATHWAY PROGRAMS" MEANS LEARNING THAT  
21       OCCURS, IN WHOLE OR IN PART, IN THE WORKPLACE AND PROVIDES  
22       STUDENTS WITH EXPERIENCE AND TRAINING FOR SKILLS DEVELOPMENT.  
23       "CAREER PATHWAY PROGRAMS" INCLUDES EXTENDED HIGH SCHOOL  
24       PROGRAMS, JOB SHADOWING, INTERNSHIPS, EXTERNSHIPS,  
25       PREAPPRENTICESHIPS, AND APPRENTICESHIPS.

26              (2) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT THAT  
27       THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL BASED ON THE

1 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE  
2 SCHOOL DISTRICT FROM THE NEAREST LARGE AND URBANIZED AREA, WITH  
3 A TOTAL PUPIL ENROLLMENT OF SIX THOUSAND FIVE HUNDRED STUDENTS  
4 OR FEWER.

5 (3) "TASK FORCE" MEANS THE COLORADO SCHOOL  
6 TRANSPORTATION MODERNIZATION TASK FORCE CREATED IN SECTION  
7 22-106-103.

8 **22-106-103. Colorado school transportation modernization**  
9 **task force.** (1) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION  
10 THE COLORADO SCHOOL TRANSPORTATION MODERNIZATION TASK FORCE.

11 ==

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

13 (a) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S  
14 DESIGNEE;

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

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

23 (II) THREE MEMBERS WHO ARE SCHOOL TRANSPORTATION  
24 DIRECTORS FOR SCHOOL DISTRICTS. AT A MINIMUM, ONE DIRECTOR MUST  
25 BE FROM A RURAL SCHOOL DISTRICT, ONE DIRECTOR MUST BE FROM A  
26 SUBURBAN SCHOOL DISTRICT, AND ONE MEMBER MUST BE FROM AN URBAN  
27 SCHOOL DISTRICT.

1           (III) ONE MEMBER WHO IS A SPECIAL EDUCATION DIRECTOR FOR A  
2 SCHOOL DISTRICT;

3           (IV) ONE MEMBER WHO REPRESENTS AN ADVOCACY  
4 ORGANIZATION THAT REPRESENTS STUDENTS WITH A DISABILITY;

5           (V) TWO MEMBERS WHO REPRESENT CHARTER SCHOOLS. AT A  
6 MINIMUM, ONE CHARTER SCHOOL REPRESENTATIVE MUST REPRESENT AN  
7 INSTITUTE CHARTER SCHOOL.

8           (VI) TWO MEMBERS WHO REPRESENT LABOR UNIONS FOR SCHOOL  
9 BUS DRIVERS;

10          (VII) TWO MEMBERS WHO REPRESENT BUSINESSES OR INDUSTRIES  
11 THAT PARTNER WITH SCHOOLS TO PROVIDE CAREER PATHWAY PROGRAMS;

12          (VIII) TWO MEMBERS WHO REPRESENT EDUCATION ADVOCACY  
13 ORGANIZATIONS WITH EXPERIENCE ADVOCATING FOR SCHOOL  
14 TRANSPORTATION MODERNIZATION;

15          (IX) TWO MEMBERS WHO REPRESENT PUBLIC TRANSPORTATION  
16 PROVIDERS;

17          (X) TWO MEMBERS WHO REPRESENT RIDE SHARE TRANSPORTATION  
18 PROVIDERS. ONE MEMBER MUST REPRESENT A BUSINESS THAT  
19 TRANSPORTS STUDENTS AS DESCRIBED PURSUANT TO SECTION 40-10.1-105  
20 (1)(b) AND IS REGULATED BY THE DEPARTMENT OF EDUCATION, AND ONE  
21 MEMBER MUST BE REGULATED BY THE PUBLIC UTILITIES COMMISSION.

22          (XI) TWO MEMBERS WHO ARE AFTER-SCHOOL PROGRAM  
23 PROVIDERS;

24          (XII) ONE MEMBER WHO REPRESENTS A RECIPIENT OF A  
25 TRANSPORTATION ASSISTANCE GRANT FROM THE DEPARTMENT OF  
26 EDUCATION;

27          (XIII) TWO MEMBERS WHO ARE SUPERINTENDENTS. AT A

1 MINIMUM, ONE SUPERINTENDENT MUST BE FROM A RURAL SCHOOL  
2 DISTRICT.

3 (XIV) TWOMEMBERS WHO ARE SCHOOL DISTRICT CHIEF FINANCIAL  
4 OFFICERS. AT A MINIMUM, ONE CHIEF FINANCIAL OFFICER MUST BE FROM  
5 A RURAL SCHOOL DISTRICT.

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

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

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

12 (6) THE TASK FORCE IS A STATE PUBLIC BODY FOR PURPOSES OF  
13 SECTION 24-6-402, AND MEETINGS OF THE TASK FORCE ARE SUBJECT TO  
14 THE REQUIREMENTS OF THAT SECTION. THE TASK FORCE IS SUBJECT TO THE  
15 PROVISIONS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE  
16 72 OF TITLE 24.

17 (7) TASK FORCE MEMBERS SERVE WITHOUT COMPENSATION BUT  
18 MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR  
19 SERVICE ON THE TASK FORCE.

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

24 **22-106-104. Task force duties - report.** (1) TO INFORM THE  
25 WORK OF THE TASK FORCE, THE DEPARTMENT OF EDUCATION SHALL  
26 COLLECT, STUDY, AND PUBLICLY REPORT THE SCHOOL TRANSPORTATION  
27 DATA DESCRIBED IN THIS SUBSECTION (1). THE DEPARTMENT OF

1 EDUCATION SHALL PRESENT, AT A MINIMUM, THE FOLLOWING DATA TO THE  
2 TASK FORCE AS IT BECOMES AVAILABLE:

3 (a) STUDENT ELIGIBILITY, INCLUDING FACTORS USED BY SCHOOL  
4 DISTRICTS AND CHARTER SCHOOLS TO DETERMINE ELIGIBILITY FOR  
5 TRANSPORTATION AND WHETHER THE FACTORS USED CREATE BARRIERS  
6 FOR STUDENTS TO ATTEND THEIR SCHOOL DISTRICT-ASSIGNED  
7 NEIGHBORHOOD PUBLIC SCHOOL, PUBLIC SCHOOL OF CHOICE, OR CAREER  
8 PATHWAYS PROGRAM;

9 (b) STUDENT UTILIZATION, INCLUDING HOW MANY ELIGIBLE  
10 STUDENTS UTILIZE SCHOOL TRANSPORTATION, WHETHER ROUTES ARE AT  
11 CAPACITY, AND METHODOLOGIES USED BY SCHOOL DISTRICTS AND  
12 CHARTER SCHOOLS TO IDENTIFY UTILIZATION PATTERNS AND ADJUST  
13 OPERATIONS ACCORDINGLY;

14 (c) DRIVER STAFFING LEVELS, INCLUDING STAFFING REQUIRED TO  
15 COVER ROUTES, DRIVER PAY RATES, HOURS OF OPERATION, VACANCIES,  
16 AND WHETHER AND HOW SCHOOL DISTRICTS AND CHARTER SCHOOLS  
17 CONTRACT WITH PUBLIC TRANSPORTATION PROVIDERS OR ALTERNATIVE  
18 TRANSPORTATION PROVIDERS TO SATISFY SCHOOL TRANSPORTATION  
19 NEEDS;

20 (d) FLEET DIVERSIFICATION, INCLUDING THE TYPES OF BUSES OR  
21 VEHICLES USED TO SATISFY SCHOOL TRANSPORTATION NEEDS AND COSTS  
22 ASSOCIATED WITH EACH TYPE OF BUS AND VEHICLE USED AND INCLUDING,  
23 FOR EACH TYPE OF BUS AND VEHICLE USED, ELECTRIFICATION OPTIONS,  
24 FUEL COSTS, MAINTENANCE COSTS, PURCHASE PRICES, RESALE VALUES,  
25 AND SALVAGE VALUES; AND

26 (e) SERVICE GAPS, INCLUDING IDENTIFYING DISCREPANCIES  
27 BETWEEN ELIGIBLE STUDENTS AND UTILIZATION, AND CAUSES OF THOSE



1 DISCREPANCIES.

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

8 (a) IDENTIFICATION OF TRANSPORTATION CHALLENGES THAT  
9 CREATE BARRIERS TO STUDENTS ATTENDING A SCHOOL  
10 DISTRICT-ASSIGNED NEIGHBORHOOD PUBLIC SCHOOL, PUBLIC SCHOOL OF  
11 CHOICE, OR CAREER PATHWAY PROGRAMS;

12 (b) RECOMMENDATIONS FOR IMPLEMENTING A SIMPLIFIED  
13 REIMBURSEMENT PROCESS FOR SCHOOL DISTRICTS BASED ON THE FINDINGS  
14 OR RECOMMENDATIONS FROM THE TRANSPORTATION SUBCOMMITTEE OF  
15 THE FINANCIAL POLICIES AND PROCEDURES ADVISORY COMMITTEE OF THE  
16 DEPARTMENT OF EDUCATION;

17 (c) IDENTIFICATION OF EXISTING AND POTENTIAL FUNDING  
18 SOURCES FOR PROVIDING SCHOOL TRANSPORTATION;

19 (d) RECOMMENDATIONS FOR CREATING AND IMPLEMENTING  
20 SUSTAINABLE FUNDING MECHANISMS TO MEET SCHOOL TRANSPORTATION  
21 NEEDS;

22 (e) RECOMMENDATIONS FOR CREATING AND IMPLEMENTING A  
23 TRANSPORTATION INNOVATION FUND TO SUPPORT LOCAL EFFORTS TO  
24 CREATE NEW AND INNOVATIVE TRANSPORTATION SOLUTIONS THAT MAY  
25 SERVE AS A MODEL TO SCALE AND SUSTAIN IN OTHER SCHOOL DISTRICTS  
26 AND CHARTER SCHOOLS;

27 (f) RECOMMENDATIONS FOR FACILITATING PARTNERSHIPS AMONG

1 SCHOOL DISTRICTS, DISTRICT AND INSTITUTE CHARTER SCHOOLS, PUBLIC  
2 TRANSPORTATION PROVIDERS, PRIVATE TRANSPORTATION PROVIDERS, AND  
3 LOCAL NONPROFIT ORGANIZATIONS TO MEET TRANSPORTATION NEEDS AND  
4 CREATE COST EFFICIENCIES, WHILE MAINTAINING SAFETY STANDARDS;

5 (g) RECOMMENDATIONS FOR CREATING PATHWAYS AND TALENT  
6 PIPELINES FOR TRANSPORTATION PROVIDER AND LOGISTICS CAREERS;

7 (h) RECOMMENDATIONS FOR COMPETITIVE SALARIES AND  
8 BENEFITS PACKAGES NECESSARY TO RECRUIT AND RETAIN SCHOOL  
9 TRANSPORTATION DRIVERS;

10 (i) IDENTIFICATION OF OUTCOMES FROM TRANSPORTATION  
11 ASSISTANCE GRANTS FROM THE DEPARTMENT OF EDUCATION, AND  
12 RECOMMENDATIONS FOR REPLICATION OR EXPANSION;

13 (j) AN ANALYSIS OF THE COSTS AND BENEFITS ASSOCIATED WITH  
14 REQUIRING ROUTE SCHOOL BUSES THAT CAN CONTROL TRAFFIC WITH  
15 ALTERNATING FLASHING RED LIGHTS TO HAVE AUTOMATED VEHICLE  
16 INFORMATION SYSTEMS, AS DEFINED AT SECTION 42-4-110.5 (6), TO  
17 RECORD MOTOR VEHICLES THAT UNLAWFULLY PASS A STOPPED ROUTE  
18 SCHOOL BUS; AND

19 (k) RECOMMENDATIONS FOR LEGISLATION OR RULES THAT MAY  
20 IMPROVE SCHOOL TRANSPORTATION, WHILE PROTECTING PUBLIC FUNDS  
21 WITH CLEAR ACCOUNTABILITY AND TRANSPARENCY.

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.