

## **BILL ANALYSIS**

Senate Research Center  
80R8092 JRJ-D

S.B. 1079  
By: Carona  
Transportation & Homeland Security  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law does not contain any guidelines regarding the prohibition of overcrowding on a school bus, nor does it authorize a police officer to investigate the possible overcrowding of a school bus. Recent events have shown that overcrowding is a potential reality in some school buses in this state, and that such overcrowding may pose several safety hazards.

As proposed, S.B. 1079 prohibits the number of people in a school bus from exceeding the manufacturer's design capacity for the vehicle. This bill additionally authorizes a school bus operator to prohibit a passenger from standing or sitting on the floor of a bus or anywhere that is not a seat.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 (Section 545.426, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter I, Chapter 545, Transportation Code, by adding Section 545.426, as follows:

Sec. 545.426. OPERATION OF SCHOOL BUS. (a) Prohibits a person from operating a school bus if the number of passengers on the bus is greater than the manufacturer's design capacity for that bus.

(b) Authorizes a school bus operator, while operating the school bus, to prohibit a passenger from standing in the bus, sitting on the floor of the bus, or sitting in any location on the bus that is not designed as a seat.

(c) Authorizes the Department of Public Safety to adopt rules as necessary to administer and enforce this section.

SECTION 2. Effective date: September 1, 2007.