

1 AN ACT relating to bus safety.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔ Section 1. KRS 156.153 is amended to read as follows:

4 (1) **As used in this section:**

5 (a) **"Danger zone" means the area within ten (10) feet of a school bus in any**
6 **direction; and**~~[All school buses for which bids are made or bid contracts~~
7 ~~awarded shall meet the standards and specifications of the Kentucky~~
8 ~~Department of Education. The term]~~

9 **(b)** "School bus" **means**~~[" as used in this section, shall mean]~~ any motor vehicle
10 which meets the standards and specifications for school buses as provided by
11 law or by the standards or specifications of the Kentucky Department of
12 Education authorized by law and used solely in transporting school children
13 and school employees to and from school under the supervision and control
14 and at the direction of school authorities, and shall further include school bus
15 accessory equipment and supplies and replacement equipment considered to
16 be reasonably adaptable for purchase from price contract agreements.

17 **(2) All school buses for which bids are made or a bid contract is awarded shall meet**
18 **the standards and specifications of the Kentucky Department of Education.**

19 ~~**(3)(b)**~~ The standards and specifications for accessory equipment and supplies and
20 replacement equipment under **subsection (2) of this section**~~[paragraph (a) of this~~
21 ~~subsection]~~ shall be based on federal safety standards and shall not discriminate
22 among manufacturers unless the Kentucky Department of Education finds evidence
23 that a specific manufacturer's product is defective or dangerous to use.

24 ~~**(4)(c)**~~ The Kentucky Department of Education shall provide the list of standards and
25 specifications for accessory equipment and supplies and replacement equipment to
26 the Finance and Administration Cabinet for the purposes of maintaining the price
27 contract list required under KRS 45A.489.

1 ~~(5)(2)~~ School buses shall be clearly marked as transporting students and shall
2 undergo a safety inspection no less than once every thirty (30) days.

3 ~~(6)(3)~~ (a) Districts may also use vehicles owned, leased, or contracted by the
4 district that were designed and built by the manufacturer for passenger
5 transportation of nine (9) or fewer passengers, including the driver, for
6 transporting students to and from school and approved school activities under
7 an alternative transportation plan approved by the Kentucky Department of
8 Education.

9 (b) Non-school bus passenger vehicles used under this subsection shall be clearly
10 marked as transporting students and undergo a safety inspection no less than
11 once every thirty (30) days.

12 (c) Non-school bus passenger vehicles used under this subsection shall be
13 operated by an employee or contractor of a local school district that has a
14 valid Class D operator's license. An individual that operates a non-school bus
15 passenger vehicle to transport a student or students without a current valid
16 license required by this paragraph shall be subject to the penalties set forth in
17 KRS 156.990(4).

18 (d) The Kentucky Board of Education shall promulgate administrative regulations
19 in accordance with KRS Chapter 13A to establish:

- 20 1. Minimum standards and specifications for non-school bus passenger
21 vehicles used under this subsection, including a standard for minimum
22 insurance coverage;
- 23 2. Minimum route safety standards and pick-up and drop-off protocols for
24 pupil transportation using non-school bus passenger vehicles that
25 prohibit non-school bus passenger vehicles from depositing a student at
26 a location that would require the student to cross a road or intersection
27 to reach the student's destination; and

1 3. Minimum qualifications, training, and drug testing requirements for an
2 individual to be authorized to transport any student to and from school
3 using a non-school bus passenger vehicle. The drug testing requirements
4 shall require an individual to submit to drug testing consistent with the
5 requirements of 49 C.F.R. pt. 40 to be authorized to transport students to
6 and from school using a non-school bus passenger vehicle.

7 ~~(7)(4)~~ As part of its regular procedure for establishing and updating standards and
8 specifications for school buses and non-school bus passenger vehicles, the
9 Kentucky Department of Education shall consider allowing school buses to operate
10 using clean transportation fuels, as defined in KRS 186.750. If the department
11 determines that school buses or non-school bus passenger vehicles may operate
12 using clean transportation fuels while maintaining the same or a higher degree of
13 safety as fuels currently allowed, it shall update its standards and specifications to
14 allow for such use.

15 **(8) The Kentucky Department of Education shall:**

16 **(a) Consider requiring that any new school bus purchased on or after July 1,**
17 **2026, be equipped with:**

18 **1. Sensors to determine the presence of objects in the danger zone**
19 **around the bus;**

20 **2. Sensors warning the driver that the door is not completely closed; and**

21 **3. Interior cameras; and**

22 **(b) Promulgate administrative regulations in accordance with KRS Chapter**
23 **13A to establish:**

24 **1. The design and installation standards for the sensors; and**

25 **2. Retention periods for interior camera recordings;**

26 **which may be required under this subsection.**

27 **(9) By June 30, 2026, the Kentucky Department of Education shall submit a report to**

**the Legislative Research Commission for referral to the Interim Joint Committee
on Education regarding the availability and effectiveness of sensor technology.**

➔Section 2. KRS 156.990 is amended to read as follows:

- (1) Any witness who fails, without legal excuse, to attend or to testify, when required by the chief state school officer under these provisions, shall be fined not more than twenty-five dollars (\$25) for each offense.
- (2) Any person who violates any of the provisions of KRS 156.400 to 156.470 shall be fined not more than five hundred dollars (\$500) or imprisoned not more than three (3) months, or both.
- (3) A violation of subsection (1) of KRS 156.483 shall cause the Department of Education to be fined not less than five hundred dollars (\$500) or more than one thousand dollars (\$1,000).
- (4) Any person who operates a non-school bus passenger vehicle to transport a student or students within the Commonwealth without holding a current valid license as required pursuant to KRS 156.153~~(6)(3)~~(c) shall be guilty of a Class D felony.

➔Section 3. KRS 160.380 is amended to read as follows:

- (1) As used in this section:
 - (a) "Administrative finding of child abuse or neglect" means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:
 1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;
 2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
 3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B;
 - (b) "Alternative education program" means a program that exists to meet the

1 needs of students that cannot be addressed in a traditional classroom setting
2 but through the assignment of students to alternative classrooms, centers, or
3 campuses that are designed to remediate academic performance, improve
4 behavior, or provide an enhanced learning experience. Alternative education
5 programs do not include career or technical centers or departments;

6 (c) "Clear CA/N check" means a letter from the Cabinet for Health and Family
7 Services indicating that there are no administrative findings of child abuse or
8 neglect relating to a specific individual;

9 (d) "Relative" means father, mother, brother, sister, husband, wife, son and
10 daughter; and

11 (e) "Vacancy" means any certified position opening created by the resignation,
12 dismissal, nonrenewal of contract, transfer, or death of a certified staff
13 member of a local school district, or a new position created in a local school
14 district for which certification is required. However, if an employer-employee
15 bargained contract contains procedures for filling certified position openings
16 created by the resignation, dismissal, nonrenewal of contract, transfer, or
17 death of a certified staff member, or creation of a new position for which
18 certification is required, a vacancy shall not exist, unless certified positions
19 remain open after compliance with those procedures.

20 (2) Except as provided in KRS 160.346, the school district personnel actions identified
21 in this section shall be carried out as follows:

22 (a) All appointments, promotions, and transfers of principals, supervisors,
23 teachers, and other public school employees shall be made only by the
24 superintendent of schools, who shall notify the board of the action taken. All
25 employees of the local district shall have the qualifications prescribed by law
26 and by the administrative regulations of the Kentucky Board of Education and
27 of the employing board. Supervisors, principals, teachers, and other

1 employees may be appointed by the superintendent for any school year at any
2 time after February 1 preceding the beginning of the school year. No
3 superintendent of schools shall appoint or transfer himself or herself to
4 another position within the school district;

5 (b) When a vacancy occurs in a local school district, the superintendent shall
6 submit the job posting to the statewide job posting system described in KRS
7 160.152 fifteen (15) days before the position shall be filled. The local school
8 district shall post position openings in the local board office for public
9 viewing;

10 (c) When a vacancy needs to be filled in less than fifteen (15) days' time to
11 prevent disruption of necessary instructional or support services of the school
12 district, the superintendent may seek a waiver from the chief state school
13 officer. If the waiver is approved, the appointment shall not be made until the
14 person recommended for the position has been approved by the chief state
15 school officer. The chief state school officer shall respond to a district's
16 request for waiver or for approval of an appointment within two (2) working
17 days; and

18 (d) When a vacancy occurs in a local district, the superintendent shall conduct a
19 search to locate minority teachers to be considered for the position. The
20 superintendent shall, pursuant to administrative regulations of the Kentucky
21 Board of Education, report annually the district's recruitment process and the
22 activities used to increase the percentage of minority teachers in the district.

23 (3) Restrictions on employment of relatives shall be as follows:

24 (a) No relative of a superintendent of schools shall be an employee of the school
25 district. However, this shall not apply to a relative who is a classified or
26 certified employee of the school district for at least thirty-six (36) months
27 prior to the superintendent assuming office and who is qualified for the

- 1 position the employee holds. A superintendent's spouse who has previously
2 been employed in a school system may be an employee of the school district.
3 A superintendent's spouse who is employed under this provision shall not hold
4 a position in which the spouse supervises certified or classified employees. A
5 superintendent's spouse may supervise teacher aides and student teachers.
6 However, the superintendent shall not promote a relative who continues
7 employment under an exception of this subsection;
- 8 (b) No superintendent shall employ a relative of a school board member of the
9 district;
- 10 (c) No principal's relative shall be employed in the principal's school; and
- 11 (d) A relative that is ineligible for employment under paragraph (a), (b), or (c) of
12 this subsection may be employed as a substitute for a certified or classified
13 employee if the relative is not:
- 14 1. A regular full-time or part-time employee of the district;
 - 15 2. Accruing continuing contract status or any other right to continuous
16 employment;
 - 17 3. Receiving fringe benefits other than those provided other substitutes; or
 - 18 4. Receiving preference in employment or assignment over other
19 substitutes.
- 20 (4) No superintendent shall assign a certified or classified staff person to an alternative
21 education program as part of any disciplinary action taken pursuant to KRS 161.011
22 or 161.790 as part of a corrective action plan established pursuant to the local
23 district evaluation plan.
- 24 (5) No superintendent shall employ in any position in the district any person who:
- 25 (a) Has been convicted of an offense that would classify a person as a violent
26 offender under KRS 439.3401;
 - 27 (b) Has been convicted of a sex crime as defined by KRS 17.500 or a

1 misdemeanor offense under KRS Chapter 510;

2 (c) Is required to register as a sex offender under KRS 17.500 to 17.580; or

3 (d) Has an administrative finding of child abuse or neglect in records maintained
4 by the Cabinet for Health and Family Services.

5 (6) Requirements for background checks shall be as follows:

6 (a) A superintendent shall require the following individuals to submit to a
7 national and state criminal background check by the Department of Kentucky
8 State Police and the Federal Bureau of Investigation and have a clear CA/N
9 check, provided by the individual:

- 10 1. Each new certified or classified hire;
- 11 2. A nonfaculty coach or nonfaculty assistant as defined under KRS
12 161.185;
- 13 3. A student teacher;
- 14 4. A school-based decision making council parent member; and
- 15 5. Any adult who is permitted access to school grounds on a regularly
16 scheduled and continuing basis pursuant to a written agreement for the
17 purpose of providing services directly to a student or students as part of
18 a school-sponsored program or activity;

19 (b) 1. The requirements of paragraph (a) of this subsection shall not apply to:

- 20 a. Classified and certified individuals employed by the school district
21 prior to June 27, 2019;
- 22 b. Certified individuals who were employed in another certified
23 position in a Kentucky school district within six (6) months of the
24 date of hire and who had previously submitted to a national and
25 state criminal background check and who have a clear CA/N check
26 for the previous employment; or
- 27 c. Student teachers who have submitted to and provide a copy of a

1 national and state criminal background check by the Department
2 of Kentucky State Police and the Federal Bureau of Investigation
3 through an accredited teacher education institution in which the
4 student teacher is enrolled and who have a clear CA/N check.

5 2. The Education Professional Standards Board may promulgate
6 administrative regulations to impose additional qualifications to meet
7 the requirements of Pub. L. No. 92-544;

8 (c) A parent member may serve prior to the receipt of the criminal history
9 background check and CA/N letter required by paragraph (a) of this
10 subsection but shall be removed from the council on receipt by the school
11 district of a report documenting a record of abuse or neglect, or a sex crime or
12 criminal offense against a victim who is a minor as defined in KRS 17.500, or
13 as a violent offender as defined in KRS 17.165, and no further procedures
14 shall be required;

15 (d) A superintendent may require a volunteer or a visitor to submit to a national
16 and state criminal history background check by the Department of Kentucky
17 State Police and the Federal Bureau of Investigation and have a clear CA/N
18 check, provided by the individual; and

19 (e) The superintendent of a school district operating under an alternative
20 transportation plan approved by the Kentucky Department of Education in
21 accordance with KRS 156.153~~(6)(3)~~ shall require the driver of any non-
22 school bus passenger vehicle authorized to transport students to and from
23 school pursuant to the alternative transportation plan who does not have a
24 valid commercial driver's license issued in accordance with KRS Chapter
25 281A with an "S" endorsement to:

26 1. Submit to a national and state criminal background check by the
27 Department of Kentucky State Police and the Federal Bureau of

- 1 Investigation at least once every three (3) years and a criminal records
2 check conducted in accordance with KRS 27A.090 in all other years;
- 3 2. Submit to drug testing consistent with the requirements of 49 C.F.R. pt.
4 40;
- 5 3. Provide a biannual driving history record check performed by the
6 Transportation Cabinet;
- 7 4. Provide an annual clear CA/N check;
- 8 5. Immediately notify the superintendent of any conviction for a violation
9 under KRS Chapter 189 for which penalty points are assessed; and
- 10 6. Immediately notify the superintendent of any citation or arrest for a
11 violation of any provision of KRS Chapter 189A. The superintendent
12 shall inform the Kentucky Department of Education of the notification.
- 13 (7) (a) If a certified or classified position remains unfilled after July 31 or if a
14 vacancy occurs during a school term, a superintendent may employ an
15 individual, who will have supervisory or disciplinary authority over minors,
16 on probationary status pending receipt of the criminal history background
17 check and a clear CA/N check, provided by the individual. Application for the
18 criminal record and a request for a clear CA/N check of a probationary
19 employee shall be made no later than the date probationary employment
20 begins.
- 21 (b) Employment shall be contingent on the receipt of the criminal history
22 background check documenting that the probationary employee has no record
23 of a sex crime nor as a violent offender as defined in KRS 17.165 and receipt
24 of a letter, provided by the individual, from the Cabinet for Health and Family
25 Services stating the employee is clear to hire based on no administrative
26 findings of child abuse or neglect found through a background check of child
27 abuse and neglect records maintained by the Cabinet for Health and Family

1 Services.

2 (c) Notwithstanding KRS 161.720 to 161.800 or any other statute to the contrary,
3 probationary employment under this section shall terminate on receipt by the
4 school district of a criminal history background check documenting a record
5 of a sex crime or as a violent offender as defined in KRS 17.165 and no
6 further procedures shall be required.

7 (8) The provisions of KRS 161.790 shall apply to terminate employment of a certified
8 employee on the basis of a criminal record other than a record of a sex crime or as a
9 violent offender as defined in KRS 17.165, or on the basis of a CA/N check
10 showing an administrative finding of child abuse or neglect.

11 (9) (a) All fingerprints requested under this section shall be on an applicant
12 fingerprint card provided by the Department of Kentucky State Police. The
13 fingerprint cards shall be forwarded to the Federal Bureau of Investigation
14 from the Department of Kentucky State Police after a state criminal
15 background check is conducted. The results of the state and federal criminal
16 background check shall be sent to the hiring superintendent. Any fee charged
17 by the Department of Kentucky State Police, the Federal Bureau of
18 Investigation, and the Cabinet for Health and Family Services shall be an
19 amount no greater than the actual cost of processing the request and
20 conducting the search.

21 (b) Each application form, provided by the employer to an applicant for a
22 certified or classified position, shall conspicuously state the following: "FOR
23 THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL
24 AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A
25 LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET
26 FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT
27 HAS NO ADMINISTRATIVE FINDINGS OF CHILD ABUSE OR

1 NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD
2 ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET
3 FOR HEALTH AND FAMILY SERVICES."

4 (c) Each application form for a district position shall require the applicant to:

5 1. Identify the states in which he or she has maintained residency,
6 including the dates of residency; and

7 2. Provide picture identification.

8 (10) Notwithstanding any provision of the Kentucky Revised Statutes to the contrary,
9 when an employee of the school district is charged with any offense which is
10 classified as a felony, the superintendent may transfer the employee to a second
11 position until such time as the employee is found not guilty, the charges are
12 dismissed, the employee is terminated, or the superintendent determines that further
13 personnel action is not required. The employee shall continue to be paid at the same
14 rate of pay he or she received prior to the transfer. If an employee is charged with
15 an offense outside of the Commonwealth, this provision may also be applied if the
16 charge would have been treated as a felony if committed within the
17 Commonwealth. Transfers shall be made to prevent disruption of the educational
18 process and district operations and in the interest of students and staff and shall not
19 be construed as evidence of misconduct.

20 (11) Notwithstanding any law to the contrary, each certified and classified employee of
21 the school district shall notify the superintendent if he or she has been found by the
22 Cabinet for Health and Family Services to have abused or neglected a child, and if
23 he or she has waived the right to appeal a substantiated finding of child abuse or
24 neglect or if the substantiated incident was upheld upon appeal. Any failure to
25 report this finding shall result in the certified or classified employee being subject
26 to dismissal or termination.

27 (12) The form for requesting a CA/N check shall be made available on the Cabinet for

1 Health and Family Services website.

2 ➔Section 4. KRS 189.540 is amended to read as follows:

3 (1) The Kentucky Board of Education shall promulgate administrative regulations to
4 govern the design and operation of all Kentucky school buses and to govern the
5 operation of district-owned passenger vehicles transporting students under KRS
6 156.153~~(6)(2)~~. The board shall, with the advice and aid of the Department of
7 Kentucky State Police and the Transportation Cabinet, enforce the administrative
8 regulations governing the operation of all school buses whether owned by a school
9 district or privately contracted and all district-owned passenger vehicles
10 transporting students under KRS 156.153~~(6)(2)~~. The regulations covering the
11 operation shall by reference be made a part of any contract with a school district.
12 Every school district and private contractor referred to under this subsection shall
13 be subject to those regulations.

14 (2) Any employee of any school district who violates any of the administrative
15 regulations in any contract executed on behalf of a school district shall be subject to
16 removal from office. Any person operating a school bus under contract with a
17 school district who fails to comply with any of the administrative regulations shall
18 be guilty of breach of contract and the contract shall be canceled after proper notice
19 and a hearing by the responsible officers of such school district.

20 (3) Any person who operates a school bus shall be required to possess a commercial
21 driver's license issued pursuant to KRS 281A.170 with a school bus endorsement as
22 described in KRS 281A.175.

23 ➔Section 5. KRS 281.635 is amended to read as follows:

24 Notwithstanding anything contained in this chapter:

25 (1) All cities of the Commonwealth are vested with the power to grant authorization for
26 the operation of buses over their streets and highways. Upon acquiring
27 authorization, the holder of the authorization shall apply to the Department of

1 Vehicle Regulation for a bus certificate;~~[-]~~

2 (2) The governing body of any city in the Commonwealth in which city buses operate
3 shall have supervisory and regulatory power over such buses, while operating in the
4 city, and shall have authority to enforce all ordinances or regulations pertaining to
5 routes, services, time schedules, and operation of the buses and the drivers thereof,
6 but any interested party may appeal to the department from any action, finding, or
7 order of any city within thirty (30) days after the entry of the action, finding, or
8 order, and a hearing shall be held in accordance with KRS 281.640; however, any
9 action, finding, or order of any city shall be sustained if there is substantial evidence
10 or reason to support it; otherwise the department shall make the orders as it deems
11 necessary and proper. However, where a carrier's entire operation is confined to
12 intracity transportation within the corporate limits of a single city, there shall be no
13 appeal to the department from the actions, findings, or orders of the city. Provided
14 further, that where any city bus is subject to the regulatory powers of more than one
15 (1) city and the regulations are in conflict or such as to impede the transportation
16 facilities serving the cities, or the carrier is failing to furnish safe, adequate and
17 convenient service to the public, the department may, upon complaint or on its own
18 initiative, call a hearing and enter orders as are necessary and proper;~~[-]~~

19 (3) The governing body of any city of the first class, a city with a population equal to or
20 greater than twenty thousand (20,000) based upon the most recent federal decennial
21 census, and the city's suburban area, or the corporate limits of any city and its
22 suburban area located in a county which contains a city of the first class, a city with
23 a population equal to or greater than twenty thousand (20,000) based upon the most
24 recent federal decennial census, or an urban-county government, in the
25 Commonwealth in which taxicabs, limousines, or disabled persons vehicles operate
26 shall have concurrent supervisory and regulatory power over those certified carriers
27 operating from the city, and shall have authority to enforce all ordinances or

1 regulations pertaining to their operation, but any interested party may appeal to the
2 department from any action, finding, or order of any city within thirty (30) days
3 after the entry of the action, finding, or order, and a hearing shall be held in
4 accordance with KRS 281.640; however, any action, finding, or order of any city
5 shall be sustained if there is substantial evidence or reason to support it; otherwise,
6 the department shall make any orders that it deems necessary and proper. Where
7 any taxicab, limousine, or disabled persons vehicle carrier is subject to the
8 regulatory powers of more than one (1) city and the regulations of those cities are in
9 conflict or impede serving the transportation needs of the Commonwealth, the
10 department may, upon complaint or on its own initiative, call a hearing and enter
11 orders as are necessary and proper, including establishing or requiring the
12 establishment of uniform regulations;[.]

13 (4) The governing body of any city of the first class, a city with a population equal to or
14 greater than twenty thousand (20,000) based upon the most recent federal decennial
15 census, and the city's suburban area, or the corporate limits of any city and its
16 suburban area located in a county which contains a city of the first class, a city with
17 a population equal to or greater than twenty thousand (20,000) based upon the most
18 recent federal decennial census, or an urban-county government, in the
19 Commonwealth is hereby vested with the concurrent power to prescribe the
20 qualifications with respect to the health, vision, sobriety, intelligence, ability, moral
21 character, and experience of the drivers of taxicabs, limousines, or disabled persons
22 vehicles operating from the city, and while operating in the city, and may issue
23 permits for qualified drivers. However, any taxicab, limousine, disabled persons
24 vehicle, or TNC vehicle driver must also possess a valid operator's license from
25 Kentucky or another jurisdiction;[.]

26 (5) **The governing body of any city in the Commonwealth in which city buses operate**
27 **is encouraged to consider requiring any new bus purchased on or after July 1,**

1 2026, be equipped with sensor technology as set forth in subsection (8) of Section
2 1 of this Act; and

3 (6) The governing body of a city shall not have authority over a motor vehicle that is
4 being operated as a human service transportation delivery vehicle under a contract
5 with the Transportation Cabinet in accordance with KRS 96A.095(4).

6 ➔Section 6. Subsection (8) of Section 1 of this Act may be cited as Ally's Law.