

109TH CONGRESS  
1ST SESSION

# S. 1311

To provide grants for use by rural local educational agencies in purchasing new school buses.

---

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2005

Mr. REID (for himself, Mr. BINGAMAN, Mr. SALAZAR, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To provide grants for use by rural local educational agencies in purchasing new school buses.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bus Utility and Safety  
5 in School Transportation Opportunity and Purchasing Act  
6 of 2005”.

7 **SEC. 2. FINDINGS AND PURPOSE.**

8 (a) FINDINGS.—Congress finds that—

9 (1) school transportation issues remain a con-  
10 cern for parents, local educational agencies, law-

1 makers, the National Highway Traffic Safety Ad-  
 2 ministration, the National Transportation Safety  
 3 Board, and the Environmental Protection Agency;

4 (2) millions of children face potential future  
 5 health problems because of exposure to noxious  
 6 fumes emitted from older school buses;

7 (3) many rural local educational agencies are  
 8 operating outdated, unsafe school buses that are  
 9 failing inspection, resulting in a depletion of the  
 10 school bus fleets of the local educational agencies;  
 11 and

12 (4) many rural local educational agencies are  
 13 unable to afford newer and safer buses.

14 (b) PURPOSE.—The purpose of this Act is to estab-  
 15 lish within the Department of Education a Federal cost-  
 16 sharing program to assist rural local educational agencies  
 17 with older, unsafe school bus fleets in purchasing newer,  
 18 safer school buses.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) **RURAL LOCAL EDUCATIONAL AGENCY.**—  
 22 The term “rural local educational agency” means a  
 23 local educational agency, as defined in section 9101  
 24 of the Elementary and Secondary Education Act of  
 25 1965 (20 U.S.C. 7801), with respect to which—

1 (A) each county in which a school served  
 2 by the local educational agency is located has a  
 3 total population density of fewer than 10 per-  
 4 sons per square mile;

5 (B) all schools served by the local edu-  
 6 cational agency are designated with a school lo-  
 7 cale code of 7 or 8, as determined by the Sec-  
 8 retary of Education; or

9 (C) all schools served by the local edu-  
 10 cational agency have been designated, by official  
 11 action taken by the legislature of the State in  
 12 which the local educational agency is located, as  
 13 rural schools for purposes relating to the provi-  
 14 sion of educational services to students in the  
 15 State.

16 (2) SCHOOL BUS.—The term “school bus”  
 17 means a vehicle the primary purpose of which is to  
 18 transport students to and from school or school ac-  
 19 tivities.

20 (3) SECRETARY.—The term “Secretary” means  
 21 the Secretary of Education.

22 **SEC. 4. GRANT PROGRAM.**

23 (a) IN GENERAL.—From amounts made available  
 24 under subsection (e) for a fiscal year, the Secretary shall  
 25 provide grants, on a competitive basis, to rural local edu-

1 cational agencies to pay the Federal share of the cost of  
2 purchasing new school buses.

3 (b) APPLICATION.—

4 (1) IN GENERAL.—Each rural local educational  
5 agency that seeks to receive a grant under this Act  
6 shall submit to the Secretary for approval an appli-  
7 cation at such time, in such manner, and accom-  
8 panied by such information (in addition to informa-  
9 tion required under paragraph (2)) as the Secretary  
10 may require.

11 (2) CONTENTS.—Each application submitted  
12 under paragraph (1) shall include—

13 (A) documentation that, of the total num-  
14 ber of school buses operated by the rural local  
15 educational agency, not less than 50 percent of  
16 the school buses are in need of repair or re-  
17 placement;

18 (B) documentation of the number of miles  
19 that each school bus operated by the rural local  
20 educational agency traveled in the most recent  
21 9-month academic year;

22 (C) documentation that the rural local edu-  
23 cational agency is operating with a reduced  
24 fleet of school buses;

1 (D) a certification from the rural local  
2 educational agency that—

3 (i) authorizes the application of the  
4 rural local educational agency for a grant  
5 under this Act; and

6 (ii) describes the dedication of the  
7 rural local educational agency to school  
8 bus replacement programs and school  
9 transportation needs (including the num-  
10 ber of new school buses needed by the  
11 rural local educational agency); and

12 (E) an assurance that the rural local edu-  
13 cational agency will pay the non-Federal share  
14 of the cost of the purchase of new school buses  
15 under this Act from non-Federal sources.

16 (c) PRIORITY.—

17 (1) IN GENERAL.—In providing grants under  
18 this Act, the Secretary shall give priority to rural  
19 local educational agencies that, as determined by the  
20 Secretary—

21 (A) are transporting students in a bus  
22 manufactured before 1977;

23 (B) have a grossly depleted fleet of school  
24 buses; or

1 (C) serve a school that is required, under  
2 section 1116(b)(9) of the Elementary and Sec-  
3 ondary Education Act of 1965 (20 U.S.C.  
4 6316(b)(9)), to provide transportation to stu-  
5 dents to enable the students to transfer to an-  
6 other public school served by the rural local  
7 educational agency.

8 (d) PAYMENTS; FEDERAL SHARE.—

9 (1) PAYMENTS.—The Secretary shall pay to  
10 each rural local educational agency having an appli-  
11 cation approved under this section the Federal share  
12 described in paragraph (2) of the cost of purchasing  
13 such number of new school buses as is specified in  
14 the approved application.

15 (2) FEDERAL SHARE.—The Federal share of  
16 the cost of purchasing a new school bus under this  
17 Act shall be 75 percent.

18 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated to carry out this Act—

20 (1) \$50,000,000 for fiscal year 2006; and

21 (2) such sums as are necessary for each of fis-  
22 cal years 2007 through 2011.

○