

109TH CONGRESS  
1ST SESSION

# S. 1311

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

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## 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

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## 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8 operating outdated, unsafe school buses that are  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—

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.

## 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 applica-  
7 tion 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.—

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

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

8 (d) PAYMENTS; FEDERAL SHARE.—

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

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