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SENATE BILL NO. 230—COMMITTEE ON FINANCE

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON  
EDUCATION (NRS 218.5352))

MARCH 3, 2003

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Referred to Committee on Finance

**SUMMARY**—Makes various changes regarding transportation of pupils. (BDR 34-641)

**FISCAL NOTE:** Effect on Local Government: Yes.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to the transportation of pupils; requiring charter schools that provide transportation to comply with statutes and regulations governing the transportation of pupils; requiring the State Board of Education to adopt regulations prescribing a safety program for the evacuation of a school bus by pupils with disabilities; requiring the boards of trustees of school districts and the governing bodies of charter schools to establish and provide safety programs for the safe evacuation of a school bus by pupils with disabilities; increasing the minimum education requirements for drivers of school buses and requiring drivers to be certified in the administration of cardiopulmonary resuscitation; requiring the State Board to prescribe qualifications for persons who provide training to drivers of school buses; providing that drivers of school buses who are required to be certified in cardiopulmonary resuscitation are not liable for civil damages resulting from the administration of cardiopulmonary resuscitation under certain circumstances; providing a penalty; and providing other matters properly relating thereto.



\* S B 2 3 0 \*

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** NRS 386.550 is hereby amended to read as follows:  
2     386.550 1. A charter school shall:  
3     (a) Comply with all laws and regulations relating to  
4     discrimination and civil rights.  
5     (b) Remain nonsectarian, including, without limitation, in its  
6     educational programs, policies for admission and employment  
7     practices.  
8     (c) Refrain from charging tuition or fees, levying taxes or  
9     issuing bonds.  
10    (d) Comply with any plan for desegregation ordered by a court  
11    that is in effect in the school district in which the charter school is  
12    located.  
13    (e) Comply with the provisions of chapter 241 of NRS.  
14    (f) Except as otherwise provided in this paragraph, schedule and  
15    provide annually at least as many days of instruction as are required  
16    of other public schools located in the same school district as the  
17    charter school is located. The governing body of a charter school  
18    may submit a written request to the Superintendent of Public  
19    Instruction for a waiver from providing the days of instruction  
20    required by this paragraph. The Superintendent of Public Instruction  
21    may grant such a request if the governing body demonstrates to the  
22    satisfaction of the Superintendent that:  
23        (1) Extenuating circumstances exist to justify the waiver; and  
24        (2) The charter school will provide at least as many hours or  
25    minutes of instruction as would be provided under a program  
26    consisting of 180 days.  
27    (g) Cooperate with the board of trustees of the school district in  
28    the administration of the achievement and proficiency examinations  
29    administered pursuant to NRS 389.015 and the examinations  
30    required pursuant to NRS 389.550 to the pupils who are enrolled in  
31    the charter school.  
32    (h) Comply with applicable statutes and regulations governing  
33    the achievement and proficiency of pupils in this state.  
34    (i) Provide instruction in the core academic subjects set forth in  
35    subsection 1 of NRS 389.018, as applicable for the grade levels of  
36    pupils who are enrolled in the charter school, and provide at least  
37    the courses of study that are required of pupils by statute or  
38    regulation for promotion to the next grade or graduation from a  
39    public high school and require the pupils who are enrolled in the  
40    charter school to take those courses of study. This paragraph does  
41    not preclude a charter school from offering, or requiring the pupils



1 who are enrolled in the charter school to take, other courses of study  
2 that are required by statute or regulation.

3 (j) If the parent or legal guardian of a child submits an  
4 application to enroll in kindergarten, first grade or second grade at  
5 the charter school, comply with NRS 392.040 regarding the ages for  
6 enrollment in those grades.

7 (k) Refrain from using public money to purchase real property  
8 or buildings without the approval of the sponsor.

9 (l) Hold harmless, indemnify and defend the sponsor of the  
10 charter school against any claim or liability arising from an act or  
11 omission by the governing body of the charter school or an  
12 employee or officer of the charter school. An action at law may not  
13 be maintained against the sponsor of a charter school for any cause  
14 of action for which the charter school has obtained liability  
15 insurance.

16 (m) Provide written notice to the parents or legal guardians of  
17 pupils in grades 9 to 12, inclusive, who are enrolled in the charter  
18 school of whether the charter school is accredited by the  
19 Commission on Schools of the Northwest Association of Schools  
20 and Colleges.

21 (n) Adopt a final budget in accordance with the regulations  
22 adopted by the Department. A charter school is not required to adopt  
23 a final budget pursuant to NRS 354.598 or otherwise comply with  
24 the provisions of chapter 354 of NRS.

25 (o) If the charter school provides a program of distance  
26 education pursuant to NRS 388.820 to 388.874, inclusive, comply  
27 with all statutes and regulations that are applicable to a program of  
28 distance education for purposes of the operation of the program.

29 *(p) If the charter school provides transportation for pupils,  
30 comply with the applicable provisions of NRS 392.300 to 392.410,  
31 inclusive, and the regulations adopted pursuant thereto.*

32 2. A charter school shall not provide instruction through a  
33 program of distance education to children who are exempt from  
34 compulsory attendance authorized by the State Board pursuant to  
35 subsection 1 of NRS 392.070. As used in this subsection, "distance  
36 education" has the meaning ascribed to it in NRS 388.826.

37 **Sec. 2.** NRS 392.300 is hereby amended to read as follows:

38 392.300 1. As provided in this title, the board of trustees of  
39 any school district may furnish transportation for all resident  
40 children of school age in the school district attending a public  
41 school, including pupils assigned to special schools or programs  
42 pursuant to NRS 388.440 to 388.520, inclusive:

43 (a) Who are not excused from school attendance by the  
44 provisions of this title; and



1 (b) Who reside within the school district at such a distance from  
2 the school as to make transportation necessary and desirable.

3 2. When the board of trustees of a school district whose  
4 population is less than 100,000 furnishes transportation for pupils  
5 attending public schools pursuant to subsection 1, the board may  
6 also provide transportation for all resident children of school age in  
7 the school district attending private schools not operated for profit,  
8 over bus routes established for pupils attending public schools. If  
9 such transportation is provided, the pupils attending such private  
10 schools must be transported, if space is available, to and from the  
11 points on the established routes nearest to the schools which they  
12 attend.

13 3. The board of trustees of any school district may:

14 (a) Establish bus routes.

15 (b) Make regulations governing the conduct of pupils while  
16 being transported.

17 (c) For the safety of pupils being transported, govern the  
18 conduct of drivers by making and enforcing regulations not  
19 inconsistent with regulations of the State Board ~~[of Education]~~ or  
20 with law.

21 *4. The governing body of a charter school may furnish*  
22 *transportation for the pupils enrolled in the charter school if the*  
23 *charter school complies with the applicable provisions of NRS*  
24 *392.300 to 392.410, inclusive, and the regulations adopted*  
25 *pursuant thereto.*

26 **Sec. 3.** NRS 392.340 is hereby amended to read as follows:

27 392.340 Nothing in this chapter admits or assumes any tort  
28 liability to any pupil or the parent or guardian thereof for injury or  
29 death resulting from transportation furnished such pupil by the  
30 board of trustees of a school district ~~[ ]~~ *or the governing body of a*  
31 *charter school* unless such liability is specifically assumed by law.

32 **Sec. 4.** NRS 392.375 is hereby amended to read as follows:

33 392.375 1. ~~[At]~~ *Except as otherwise provided in subsection*  
34 *5, at least twice each school year, a school district and the*  
35 *governing body of a charter school that provides transportation*  
36 *for the pupils enrolled in the charter school shall require all the*  
37 *pupils in the school district or the charter school, as applicable,*  
38 *who ride a school bus to practice the evacuation of a school bus for*  
39 *a purpose other than a crisis governed by NRS 392.600 to 392.656,*  
40 *inclusive, and to receive instruction in the responsibility of a*  
41 *passenger of a school bus to use the emergency exit doors on the bus*  
42 *during such an evacuation.*

43 2. ~~[Each]~~ *Except as otherwise provided in subsection 5, each*  
44 *school district and each governing body of a charter school that*  
45 *provides transportation for the pupils enrolled in the charter*



1 *school* shall adopt a safety program which does not concern a crisis  
2 governed by NRS 392.600 to 392.656, inclusive, and which  
3 includes, without limitation:

4 (a) The procedure for pupils to safely enter and exit a school  
5 bus, including entering and exiting with a driver of a school bus as  
6 an escort;

7 (b) Proper behavior and conduct of pupils while in areas around  
8 a school bus where a high risk of danger to pupils exists, including  
9 the area that is used to load and unload school buses;

10 (c) Behavior and conduct of pupils while on a school bus that  
11 will enhance the safety of the pupils;

12 (d) Evacuation of pupils from a school bus; and

13 (e) The location of emergency equipment on a school  
14 bus.

15 ~~[A+]~~ *Except as otherwise provided in subsection 5, at* least  
16 annually, a school district *and the governing body of a charter*  
17 *school that provides transportation for pupils enrolled in the*  
18 *charter school* shall require all pupils who are enrolled in preschool,  
19 kindergarten and in grades 1 to 4, inclusive, in the school district *or*  
20 *the charter school, as applicable, and* who ride a school bus to  
21 participate in the safety program created pursuant to this section.

22 3. If a parent or legal guardian enrolls his child in preschool,  
23 kindergarten or grades 1 to 6, inclusive, and the child will be riding  
24 a school bus for the first time, the school shall provide the parent or  
25 legal guardian, upon enrollment, with written information  
26 concerning the safety of pupils on a school bus. The information  
27 must include, without limitation:

28 (a) A description of each location that is designated to load and  
29 unload a school bus which is in geographical proximity to the  
30 pupil's residence;

31 (b) Rules of conduct for pupils on a school bus and at an area  
32 that is designated for pupils to enter and exit a school bus;

33 (c) Instructions for the operation of a motor vehicle:

34 (1) At school crossing zones and in areas that are designated  
35 to load and unload a school bus; and

36 (2) When a driver of a school bus operates a system of  
37 flashing red lights;

38 (d) A description of the area around a school bus that poses a  
39 high risk of danger to pupils and other pedestrians; and

40 (e) Behavior and conduct for pupils who walk to and from an  
41 area that is designated for pupils to enter and exit a school bus that  
42 will enhance the safety of the pupils.

43 4. The board of trustees of each school district shall adopt  
44 regulations *and the governing body of a charter school that*  
45 *provides transportation for pupils enrolled in the charter school*



1 *shall adopt policies* regarding practices conducted pursuant to  
2 subsection 1 and participation in safety programs required by  
3 subsection 2, including the requirement of such practices and  
4 participation in such programs at the beginning of any field trip by  
5 school bus.

6 **5. Neither the board of trustees of a school district nor the**  
7 **governing body of a charter school shall require a pupil with a**  
8 **disability who rides a school bus to practice the evacuation**  
9 **required by subsection 1 or participate in the safety program**  
10 **pursuant to subsection 2. The State Board shall, by regulation,**  
11 **prescribe the minimum standards for a safety program for the safe**  
12 **evacuation of a school bus by pupils with disabilities for a purpose**  
13 **other than a crisis governed by NRS 392.600 to 392.656, inclusive.**  
14 **The board of trustees of each school district and the governing**  
15 **body of each charter school that provides transportation for pupils**  
16 **enrolled in the charter school shall:**

17 (a) **Establish and provide a safety program which does not**  
18 **concern a crisis governed by NRS 392.600 to 392.656, inclusive,**  
19 **for the safe evacuation of a school bus by pupils with disabilities**  
20 **which meets the minimum standards prescribed by the State**  
21 **Board.**

22 (b) **Require pupils with disabilities who ride a school bus to**  
23 **participate in the safety program established pursuant to**  
24 **paragraph (a).**

25 **Sec. 5.** NRS 392.380 is hereby amended to read as follows:

26 392.380 1. No person may be employed by a board of  
27 trustees of a school district **or the governing body of a charter**  
28 **school** as a driver of a school bus, station wagon, automobile or  
29 other motor vehicle, or mechanically or self-propelled vehicle of  
30 any kind which transports pupils to and from school or any other  
31 place in connection with school activities unless:

32 (a) He is of good, reputable and sober character.

33 (b) He is competent and qualified by experience and disposition  
34 to operate the particular type of vehicle in a safe and dependable  
35 manner.

36 (c) He is licensed under the laws of this state to operate the  
37 particular type of vehicle.

38 2. Each driver of a school bus or a bus used to transport pupils  
39 ~~{for extracurricular activities}~~ must complete a training course  
40 approved by the State Board ~~{of Education which includes}~~ **and**  
41 **provided by a person who satisfies the qualifications prescribed by**  
42 **the State Board pursuant to subsection 5. The training must**  
43 **include** at least ~~{10}~~ **20** hours of training while operating the vehicle  
44 ~~{, and 10}~~ **and at least 20** hours of training in:

45 (a) The responsibilities of drivers;



1 (b) The requirements for drivers of school vehicles;  
2 (c) *The appropriate management and discipline of disruptive*  
3 *pupils who threaten the safety of other pupils or the driver while*  
4 *riding in a school bus;*

5 (d) The laws affecting the operation of a school bus or a vehicle  
6 belonging to a school district;

7 ~~[(d)]~~ (e) Defensive driving;  
8 ~~[(e)]~~ (f) Emergency procedures; and  
9 ~~[(f)]~~ (g) First aid.

10 3. *In addition to the training required by subsection 2, each*  
11 *driver of a school bus or a bus used to transport pupils must*  
12 *establish and maintain current certification in the administration*  
13 *of cardiopulmonary resuscitation. Such training must comply with*  
14 *the guidelines established by the American National Red Cross*  
15 *or the American Heart Association for the certification of persons*  
16 *in the administration of cardiopulmonary resuscitation.*

17 4. Each driver must pass a written test each year approved by  
18 the Superintendent of Public Instruction and administered by the  
19 local school district.

20 ~~4.—A board of trustees may employ a pupil attending a school~~  
21 ~~under the supervision of the board as a driver when he possesses the~~  
22 ~~qualifications stated in subsection 1 and his guardian or parents first~~  
23 ~~consent to his employment. The board of trustees may arrange or~~  
24 ~~contract, in writing, with the pupil, and with his parents or guardian~~  
25 ~~if he is under the age of 18 years, for his services as a driver upon~~  
26 ~~such terms, conditions and provisions and for such compensation as~~  
27 ~~the board deems most economical and for the best interests of the~~  
28 ~~school district, pupils and other persons:~~

29 ~~—5.—Before January 1, 1984, the~~

30 5. The State Board ~~[of Education shall adopt]~~ *shall adopt*  
31 *regulations:*

32 (a) *Prescribing the qualifications required of persons who*  
33 *provide training to drivers of school buses and other buses used to*  
34 *transport pupils.*

35 (b) *Other regulations as it considers necessary* to carry out the  
36 provisions of this section.

37 **Sec. 6.** NRS 392.400 is hereby amended to read as follows:  
38 392.400 1. All vehicles used in the transportation of pupils  
39 must be:

40 (a) In good condition and state of repair.

41 (b) Well equipped, and must contain sufficient room and seats  
42 so that the driver and each pupil being transported have a seat inside  
43 the vehicle. Each pupil shall remain seated when the vehicle is in  
44 motion.



1 (c) Inspected semiannually by the Department of Public Safety  
2 to ensure that the vehicles are mechanically safe and meet the  
3 minimum specifications established by the State Board. The  
4 Department of Public Safety shall make written recommendations to  
5 the superintendent of schools of the school district *or the*  
6 *administrative head of the charter school, as applicable*, wherein  
7 any such vehicle is operating for the correction of any defects  
8 discovered thereby.

9 2. If the superintendent of schools *or the administrative head*  
10 *of the charter school, as applicable*, fails or refuses to take  
11 appropriate action to have the defects corrected within 10 days after  
12 receiving notice of them from the Department of Public Safety, he is  
13 guilty of a misdemeanor, and upon conviction thereof may be  
14 removed from office.

15 3. ~~Except as otherwise provided in subsection 4, all~~ All  
16 vehicles used for transporting pupils must meet the specifications  
17 established by regulation of the State Board.

18 4. ~~Any bus which is purchased and used by a school district to~~  
19 ~~transport pupils to and from extracurricular activities is exempt from~~  
20 ~~the specifications adopted by the State Board if the bus meets the~~  
21 ~~federal safety standards for motor vehicles which were applicable at~~  
22 ~~the time the bus was manufactured and delivered for introduction in~~  
23 ~~interstate commerce.~~

24 ~~5.]~~ Any person violating any of the requirements of this section  
25 is guilty of a misdemeanor.

26 **Sec. 7.** NRS 392.410 is hereby amended to read as follows:

27 392.410 1. Except as otherwise provided in this subsection,  
28 every school bus operated for the transportation of pupils ~~to or from~~  
29 ~~school~~ must be equipped with:

30 (a) A system of flashing red lights of a type approved by the  
31 State Board and installed at the expense of the school district or  
32 operator. Except as otherwise provided in subsection 2, the driver  
33 shall operate this signal:

34 (1) When the bus is stopped to unload pupils.

35 (2) When the bus is stopped to load pupils.

36 (3) In times of emergency or accident, when appropriate.

37 (b) A mechanical device, attached to the front of the bus which,  
38 when extended, causes persons to walk around the device. The  
39 device must be approved by the State Board and installed at the  
40 expense of the school district or operator. The driver shall operate  
41 the device when the bus is stopped to load or unload pupils. The  
42 installation of such a mechanical device is not required for a school  
43 bus which is used solely to transport pupils with special needs who  
44 are individually loaded and unloaded in a manner which does not  
45 require them to walk in front of the bus. The provisions of this





1 paragraph do not prohibit a school district from upgrading or  
2 replacing such a mechanical device with a more efficient and  
3 effective device that is approved by the State Board.

4 2. A driver may stop to load and unload pupils in a designated  
5 area without operating the system of flashing red lights required by  
6 subsection 1 if ~~the~~:

7 (a) *The* designated area:

8 ~~(a)~~ (1) Has been designated by a school district and approved  
9 by the Department;

10 ~~(b)~~ (2) Is of sufficient depth and length to provide space for  
11 the bus to park at least 8 feet off the traveled portion of the roadway;

12 ~~(c)~~ (3) Is not within an intersection of roadways;

13 ~~(d)~~ (4) Contains ample space between the exit door of the bus  
14 and the parking area to allow safe exit from the bus;

15 ~~(e)~~ (5) Is located so as to allow the bus to reenter the traffic  
16 from its parked position without creating a traffic hazard; and

17 ~~(f)~~ (6) Is located so as to allow pupils to enter and exit the bus  
18 without crossing the roadway.

19 (b) *The driver is individually loading or unloading a pupil with  
20 special needs in a manner which does not require the pupil to walk  
21 in front of the bus and the driver has determined that the safety of  
22 the pupil will not be compromised if the system of flashing red  
23 lights is not used.*

24 3. In addition to the equipment required by subsection 1, ~~and  
25 except as otherwise provided in subsection 4 of NRS 392.400,~~ each  
26 school bus must be equipped and identified as required by the  
27 regulations of the State Board.

28 4. The agents and employees of the Department of Motor  
29 Vehicles shall inspect school buses to determine whether the  
30 provisions of this section concerning equipment and identification  
31 of the school buses have been complied with, and shall report any  
32 violations discovered to the superintendent of schools of the school  
33 district wherein the vehicles are operating ~~or to the~~  
34 *administrative head of the charter school, as applicable.*

35 5. If the superintendent of schools *or the administrative head  
36 of the charter school, as applicable,* fails or refuses to take  
37 appropriate action to correct any such violation within 10 days after  
38 receiving notice of it from the Department of Motor Vehicles, he is  
39 guilty of a misdemeanor, and upon conviction must be removed  
40 from office.

41 6. Any person who violates any of the provisions of this  
42 section is guilty of a misdemeanor.

43 **Sec. 8.** NRS 41.500 is hereby amended to read as follows:

44 41.500 1. Except as otherwise provided in NRS 41.505, any  
45 person in this state who renders emergency care or assistance in an



1 emergency, gratuitously and in good faith, is not liable for any civil  
2 damages as a result of any act or omission, not amounting to gross  
3 negligence, by him in rendering the emergency care or assistance or  
4 as a result of any act or failure to act, not amounting to gross  
5 negligence, to provide or arrange for further medical treatment for  
6 the injured person.

7 2. Any person in this state who acts as a driver of an  
8 ambulance or attendant on an ambulance operated by a volunteer  
9 service or as a volunteer driver or attendant on an ambulance  
10 operated by a political subdivision of this state, or owned by the  
11 Federal Government and operated by a contractor of the Federal  
12 Government, and who in good faith renders emergency care or  
13 assistance to any injured or ill person, whether at the scene of an  
14 emergency or while transporting an injured or ill person to or from  
15 any clinic, doctor's office or other medical facility, is not liable for  
16 any civil damages as a result of any act or omission, not amounting  
17 to gross negligence, by him in rendering the emergency care or  
18 assistance, or as a result of any act or failure to act, not amounting to  
19 gross negligence, to provide or arrange for further medical treatment  
20 for the injured or ill person.

21 3. Any appointed member of a volunteer service operating an  
22 ambulance or an appointed volunteer serving on an ambulance  
23 operated by a political subdivision of this state, other than a driver  
24 or attendant, of an ambulance, is not liable for any civil damages as  
25 a result of any act or omission, not amounting to gross negligence,  
26 by him whenever he is performing his duties in good faith.

27 4. Any person who is a member of a search and rescue  
28 organization in this state under the direct supervision of any county  
29 sheriff who in good faith renders care or assistance in an emergency  
30 to any injured or ill person, whether at the scene of an emergency or  
31 while transporting an injured or ill person to or from any clinic,  
32 doctor's office or other medical facility, is not liable for any civil  
33 damages as a result of any act or omission, not amounting to gross  
34 negligence, by him in rendering the emergency care or assistance, or  
35 as a result of any act or failure to act, not amounting to gross  
36 negligence, to provide or arrange for further medical treatment for  
37 the injured or ill person.

38 5. Any person who is employed by or serves as a volunteer for  
39 a public fire-fighting agency and who is authorized pursuant to  
40 chapter 450B of NRS to render emergency medical care at the scene  
41 of an emergency is not liable for any civil damages as a result of any  
42 act or omission, not amounting to gross negligence, by that person  
43 in rendering that care or as a result of any act or failure to act, not  
44 amounting to gross negligence, to provide or arrange for further  
45 medical treatment for the injured or ill person.



1 6. Any person who:

2 (a) Has successfully completed a course in cardiopulmonary  
3 resuscitation according to the guidelines of the American National  
4 Red Cross or American Heart Association;

5 (b) Has successfully completed the training requirements of a  
6 course in basic emergency care of a person in cardiac arrest  
7 conducted in accordance with the standards of the American Heart  
8 Association; or

9 (c) Is directed by the instructions of a dispatcher for an  
10 ambulance, air ambulance or other agency that provides emergency  
11 medical services before its arrival at the scene of the  
12 emergency,

13 and who in good faith renders cardiopulmonary resuscitation in  
14 accordance with his training or the direction, other than in the  
15 course of his regular employment or profession, is not liable for any  
16 civil damages as a result of any act or omission, not amounting to  
17 gross negligence, by that person in rendering that care.

18 7. For the purposes of subsection 6, a person who:

19 (a) Is required to be certified in the administration of  
20 cardiopulmonary resuscitation pursuant to NRS 391.092 ~~§~~ or  
21 **392.380**; and

22 (b) In good faith renders cardiopulmonary resuscitation on the  
23 property of a public school or in connection with a transportation of  
24 pupils to or from a public school or while on activities that are part  
25 of the program of a public school,  
26 shall be presumed to have acted other than in the course of his  
27 regular employment or profession.

28 8. Any person who:

29 (a) Has successfully completed a course in cardiopulmonary  
30 resuscitation and training in the operation and use of an automated  
31 external defibrillator that were conducted in accordance with the  
32 standards of the American Heart Association or the American  
33 National Red Cross; and

34 (b) Gratuitously and in good faith renders emergency medical  
35 care involving the use of an automated external defibrillator in  
36 accordance with his training,  
37 is not liable for any civil damages as a result of any act or omission,  
38 not amounting to gross negligence, by that person in rendering that  
39 care.

40 9. A person or governmental entity that provided the requisite  
41 training set forth in subsection 8 to a person who renders emergency  
42 care in accordance with subsection 8 is not liable for any civil  
43 damages as a result of any act or omission, not amounting to gross  
44 negligence, by the person rendering such care.



1 10. A business or organization that has placed an automated  
2 external defibrillator for use on its premises is not liable for any  
3 civil damages as a result of any act or omission, not amounting to  
4 gross negligence, by the person rendering such care or for providing  
5 the automated external defibrillator to the person for the purpose of  
6 rendering such care if the business or organization:

7 (a) Complies with all current federal and state regulations  
8 governing the use and placement of an automated external  
9 defibrillator;

10 (b) Ensures that only a person who has at least the qualifications  
11 set forth in subsection 8 uses the automated external defibrillator to  
12 provide care;

13 (c) Ensures that the automated external defibrillator is  
14 maintained and tested according to the operational guidelines  
15 established by the manufacturer; and

16 (d) Establishes and maintains a program to ensure compliance  
17 with current regulations, requirements for training, requirements for  
18 notification of emergency medical assistance and guidelines for the  
19 maintenance of the equipment.

20 11. As used in this section, "gratuitously" means that the  
21 person receiving care or assistance is not required or expected to pay  
22 any compensation or other remuneration for receiving the care or  
23 assistance.

24 **Sec. 9.** On or before September 1, 2003, the State Board of  
25 Education shall prescribe the qualifications required of persons to  
26 provide training to drivers of school buses and other buses used to  
27 transport pupils pursuant to section 5 of this act.

28 **Sec. 10.** 1. On or before April 1, 2004, the State Board of  
29 Education shall adopt regulations pursuant to subsection 5 of section  
30 4 of this act prescribing the minimum standards for a safety program  
31 required pursuant to section 4 of this act, and provide a copy of the  
32 minimum standards to the board of trustees of each school district  
33 and the governing body of each charter school.

34 2. Notwithstanding the provisions of section 4 of this act, to the  
35 contrary, the board of trustees of each school district and the  
36 governing body of each charter school shall, on or before July 1,  
37 2004, establish the safety programs required pursuant to section 4 of  
38 this act and ensure that the programs comply with the minimum  
39 standards prescribed by the State Board of Education.

40 **Sec. 11.** 1. Notwithstanding the provisions of section 5 of  
41 this act to the contrary, a person who is employed on or before  
42 June 30, 2003, by the board of trustees of a school district or the  
43 governing body of a charter school as a driver of a school bus or  
44 other bus used to transport pupils is not required, until July 1, 2004,  
45 to complete the additional training required by section 5 of this act



1 and be certified in the administration of cardiopulmonary  
2 resuscitation.

3 2. The board of trustees of each school district and the  
4 governing body of each charter school shall establish a plan to  
5 ensure that all drivers of school buses and other buses used to  
6 transport pupils who are employed by the board of trustees or the  
7 governing body complete, on or before July 1, 2004, the training  
8 required pursuant to section 5 of this act and are certified, on or  
9 before July 1, 2004, in the administration of cardiopulmonary  
10 resuscitation.

11 3. On or before September 1, 2003, the board of trustees of each  
12 school district and the governing body of each charter school shall  
13 submit the plan required by subsection 2 to the State Board of  
14 Education.

15 **Sec. 12.** The provisions of NRS 354.599 do not apply to any  
16 additional expenses of a local government that are related to the  
17 provisions of this act.

18 **Sec. 13.** This act becomes effective on July 1, 2003.

