

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 956

Short Title: School Bus Driver Pay/Liability.

(Public)

Sponsors: Representatives Michaux; Flaherty, Mitchell, and Oldham.

Referred to: Judiciary I.

April 15, 1993

A BILL TO BE ENTITLED

AN ACT TO ENHANCE THE PAY OF SCHOOL BUS DRIVERS AND GRANT THEM ADDITIONAL PROTECTION UNDER THE TORT CLAIMS ACT.

The General Assembly of North Carolina enacts:

Section 1. The minimum pay of school bus drivers paid with State funds shall be eight dollars (\$8.00) an hour for the 1993-94 school year, eight dollars and fifty cents (\$8.50) an hour for the 1994-95 school year, nine dollars (\$9.00) an hour for the 1995-96 school year, nine dollars and fifty cents an hour (\$9.50) for the 1996-97 school year, and ten dollars (\$10.00) an hour for the 1997-98 school year.

Sec. 2. All State-paid school bus drivers shall receive 10 paid holidays during each school year beginning with the 1993-94 school year.

Sec. 3. G.S. 143-300.1(d) reads as rewritten:

"(d) The Attorney General may defend any civil action which may be brought against the driver of a public school bus or school transportation service vehicle or school bus maintenance mechanic when such driver or mechanic is paid or authorized to be paid from the State Public School Fund or when the driver is an unpaid school bus driver trainee under the supervision of an authorized employee of the Department of Transportation, Division of Motor Vehicles, or an authorized employee of a county or city board of education or administrative unit thereof. The Attorney General may afford this defense through the use of a member of ~~his~~ the Attorney General's staff or, in ~~his discretion,~~ the discretion of the Attorney General, employ private counsel. The Attorney General is authorized to pay any judgment rendered in such civil action not to exceed ~~the limit provided under the Tort Claims Act.~~ two hundred fifty thousand dollars (\$250,000). The Attorney General may compromise and settle any claim covered by this

1 ~~section~~ subsection to the extent that ~~he~~ the Attorney General finds the same to be valid,
2 up to ~~the limit provided in the Tort Claims Act,~~ two hundred fifty thousand dollars
3 (\$250,000), provided that (i) the authority granted in this subsection shall be limited to
4 only those claims which would be within the jurisdiction of the Industrial Commission
5 under the Tort Claims ~~Act.~~ Act, and (ii) the settlement agreement shall provide that the
6 driver is released from liability, unless that driver tests positive for drugs or is found
7 guilty of driving while impaired."

8 Sec. 4. This act becomes effective July 1, 1993.