

As Introduced

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H. B. No. 674

Representative Miller, K.

To amend sections 3319.316 and 4511.76 and to enact
sections 3327.103, 4925.11, 4925.12, 4925.13,
and 4925.14 of the Revised Code to authorize a
public or private school to transport students
using a transportation network company.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3319.316 and 4511.76 be amended
and sections 3327.103, 4925.11, 4925.12, 4925.13, and 4925.14 of
the Revised Code be enacted to read as follows:

Sec. 3319.316. The state board of education shall be a
participating public office for purposes of the retained
applicant fingerprint database established under section
109.5721 of the Revised Code and shall receive notification from
the bureau of criminal identification and investigation of the
arrest or conviction of the following persons:

(A) Persons to whom the state board has issued a license,
as defined in section 3319.31 of the Revised Code;

(B) On behalf of employers described in section 3319.391
or 3327.10 of the Revised Code or a transportation network
company under section 3327.103 of the Revised Code, persons who
are not required to hold a license issued by the state board and

are employed in or contracted for a position that the district, 21
service center, or school reasonably determines may involve 22
routine interaction with a child or regular responsibility for 23
the care, custody, or control of a child, including persons who 24
operate a school bus or motor van. Notwithstanding anything to 25
the contrary in division (E) of section 109.5721 of the Revised 26
Code, the state board is authorized to and promptly shall 27
transmit any notification received regarding a person under this 28
division to the person's employer or the transportation network 29
company, as applicable. 30

Sec. 3327.103. (A) In addition to any other applicable 31
requirement specified in Chapter 4925. of the Revised Code, a 32
transportation network company providing services under a 33
contract entered into under section 4925.12 of the Revised Code 34
shall do all of the following: 35

(1) Request a criminal records check prior to authorizing 36
the transportation network company driver to provide pupil 37
transportation services under the contract in accordance with 38
the procedures specified under divisions (J) (2), (3), and (4) of 39
section 3327.10 of the Revised Code, in addition to the 40
background checks required by section 4925.04 of the Revised 41
Code; 42

(2) Obtain the complete driving record for each 43
transportation network company driver who is providing pupil 44
transportation under the contract. A transportation network 45
company shall obtain the transportation network company driver's 46
record prior to authorizing that driver to provide pupil 47
transportation services. Thereafter, the transportation network 48
company shall obtain the transportation network company driver's 49
driving record not less than semiannually while the driver is 50

authorized to provide pupil transportation services under the 51
contract. 52

(3) Ensure that all of the following apply to the 53
operation and condition of a motor vehicle that is used by an 54
authorized transportation network company driver for pupil 55
transportation under the contract: 56

(a) A qualified mechanic inspects the motor vehicle not 57
less than once annually to determine that it is safe for pupil 58
transportation. 59

(b) If a motor vehicle is determined to be unsafe for 60
pupil transportation, the motor vehicle is not operated for such 61
use until it is repaired and determined safe for pupil 62
transportation. 63

(c) The driver of the motor vehicle does not stop on the 64
roadway to load or unload passengers. 65

(d) The driver of the motor vehicle is accustomed to 66
operating that particular make and model of motor vehicle. 67

(e) The motor vehicle transports not more than ten 68
individuals at one time, including the driver. 69

(f) The driver and all passengers occupying the motor 70
vehicle comply with the requirements of sections 4511.81 and 71
4513.263 of the Revised Code, as applicable. 72

(B) No transportation network company providing services 73
under a contract entered into under section 4925.12 of the 74
Revised Code shall authorize any transportation network company 75
driver to provide pupil transportation services under the 76
contract if that driver has been convicted of or pleaded guilty 77
to a violation of section 4511.19 of the Revised Code, or a 78

substantially equivalent municipal ordinance, within the prior 79
ten years. 80

Sec. 4511.76. (A) The department of public safety, by and 81
with the advice of the department of education and workforce, 82
shall adopt and enforce rules relating to the construction, 83
design, and equipment, including lighting equipment required by 84
section 4511.771 of the Revised Code, of all school buses both 85
publicly and privately owned and operated in this state. 86

(B) The department of education and workforce, by and with 87
the advice of the director of public safety, shall adopt and 88
enforce rules relating to the operation of all vehicles used for 89
pupil transportation. 90

~~(C) No~~ (C) (1) Except as provided in division (C) (2) of 91
this section, no person shall operate a vehicle used for pupil 92
transportation within this state in violation of the rules of 93
the department of education and workforce or the department of 94
public safety. No person, being the owner thereof or having the 95
supervisory responsibility therefor, shall permit the operation 96
of a vehicle used for pupil transportation within this state in 97
violation of the rules of the department of education and 98
workforce or the department of public safety. 99

(2) Division (C) (1) of this section does not apply to a 100
transportation network company driver providing services under a 101
contract between a transportation network company and a board of 102
education of a school district or governing authority of a 103
chartered nonpublic school or other public school in accordance 104
with sections 4925.11 to 4925.14 of the Revised Code. 105

(D) The department of public safety shall adopt and 106
enforce rules relating to the issuance of a license under 107

section 4511.763 of the Revised Code. The rules may relate to 108
the condition of the equipment to be operated; the liability and 109
property damage insurance carried by the applicant; the posting 110
of satisfactory and sufficient bond; and such other rules as the 111
director of public safety determines reasonably necessary for 112
the safety of the pupils to be transported. 113

(E) A chartered nonpublic school or a community school may 114
own and operate, or contract with a vendor that supplies, 115
alternative vehicles to transport students to and from regularly 116
scheduled school sessions, school-related activities, and 117
school-sanctioned events when one of the following applies: 118

(1) A student's school district of residence has declared 119
the transportation of the student impractical pursuant to 120
section 3327.02 of the Revised Code; 121

(2) A student does not live within thirty minutes of the 122
chartered nonpublic school or the community school, as 123
applicable, and the student's school district is not required to 124
transport the student under section 3327.01 of the Revised Code; 125

(3) The governing authority of the chartered nonpublic 126
school or the community school has offered to provide the 127
transportation for its students in lieu of the students being 128
transported by their school district of residence. 129

(F) A school district may own and operate, or contract 130
with a vendor that supplies, alternative vehicles to transport 131
students to and from regularly scheduled school sessions, 132
school-related activities, and school-sanctioned events. 133

(G) A school district or the governing authority of a 134
chartered nonpublic school or community school that uses an 135
alternative vehicle in accordance with division (E) or (F) of 136

this section, shall ensure that all of the following apply to 137
the operation of that vehicle: 138

(1) A qualified mechanic inspects the vehicle not fewer 139
than two times each year and determines that it is safe for 140
pupil transportation; 141

(2) The driver of the vehicle does not stop on the roadway 142
to load or unload passengers; 143

(3) The driver of the vehicle meets the requirements 144
specified for a driver of a school bus or motor van under 145
section 3327.10 of the Revised Code and any corresponding rules 146
adopted by the department of education and workforce. 147
Notwithstanding that section or any department rules to the 148
contrary, the driver is not required to have a commercial 149
driver's license but shall have a current, valid driver's 150
license, and shall be accustomed to operating the vehicle used 151
to transport the students. 152

(4) The driver and all passengers in the vehicle comply 153
with the requirements of sections 4511.81 and 4513.263 of the 154
Revised Code, as applicable. 155

(H) (1) A school district, a chartered nonpublic school, or 156
a community school may own and operate, or contract with a 157
vendor that supplies, a multifunction school activity bus to 158
transport students between school and school functions or 159
activities. 160

(2) A multifunction school activity bus shall not be used 161
to transport students between school and home or between school 162
and designated school bus stops. 163

(I) As used in this section: 164

(1) "Alternative vehicle" means a motor vehicle originally
manufactured and designed for not more than twelve passengers,
not including the driver.

(2) "Vehicle used for pupil transportation" means any
vehicle that is identified as such by the department of
education and workforce by rule and that is subject to Chapter
3301-83 of the Administrative Code.-

(J) Except as otherwise provided in this division, whoever
violates this section is guilty of a minor misdemeanor. If the
offender previously has been convicted of or pleaded guilty to
one or more violations of this section or section 4511.63,
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised
Code or a municipal ordinance that is substantially similar to
any of those sections, whoever violates this section is guilty
of a misdemeanor of the fourth degree.

Sec. 4925.11. As used in sections 4925.11 to 4925.14 of
the Revised Code:

(A) "Other public school" means a community school
established under Chapter 3314., a STEM school established under
Chapter 3326., or a college-preparatory boarding school
established under Chapter 3328. of the Revised Code.

(B) "Parent" or "legal guardian" means a natural parent,
adoptive parent, or legal guardian of a student.

(C) "School district" means a city, local, exempted
village, or joint vocational school district or an educational
service center.

(D) "School-related activities" means any activities
sponsored by a school district, chartered nonpublic school, or
other public school including extracurricular activities, field

trips, or athletic events. 194

(E) "Pupil" means any child enrolled in kindergarten 195
through twelfth grade at a school district, chartered nonpublic 196
school, or other public school. 197

Sec. 4925.12. (A) Notwithstanding any other provision of 198
the Revised Code concerning pupil transportation, a board of 199
education of a school district or governing authority of a 200
chartered nonpublic school or other public school may contract 201
with a transportation network company to provide pupil 202
transportation to and from school or school-related activities. 203

(B) A contract between a transportation network company 204
and a board of education of a school district or governing 205
authority of a chartered nonpublic school or other public 206
school, along with provisions in this chapter, shall govern the 207
services provided pursuant to this section. 208

(C) Except as otherwise provided in this chapter and in 209
section 3327.103 of the Revised Code, all rules and regulations 210
of the department of education and workforce or any other state 211
agency concerning the transportation of pupils, including 212
Chapter 3327. of the Revised Code, shall not apply to a 213
transportation network company and a transportation network 214
company driver providing services under a contract authorized by 215
this section. 216

Sec. 4925.13. (A) A transportation network company 217
providing services under a contract entered into under section 218
4925.12 of the Revised Code shall do all of the following: 219

(1) Require the transportation network company drivers 220
providing pupil transportation services under the contract to 221
comply with the transportation network company driver 222

requirements of this chapter; 223

(2) Require the transportation network company drivers 224
providing pupil transportation services under the contract to 225
comply with any additional safety-related driver qualifications 226
or criminal records checks imposed under the contract; 227

(3) Comply with all other requirements of this chapter and 228
section 3327.103 of the Revised Code. 229

(B) Nothing in this chapter shall be construed to limit 230
the authority of a transportation network company, at its 231
discretion, to impose any additional safety-related driver 232
qualifications or vehicle standards that exceed the 233
qualifications and standards set forth in this chapter or set 234
forth in any contract entered into under section 4925.12 of the 235
Revised Code. Furthermore, nothing in this chapter shall be 236
construed to limit the authority of a transportation network 237
company, at its discretion, to conduct criminal records checks 238
and to deny, suspend, or terminate the authorization of any 239
driver performing services under a contract entered into under 240
section 4925.12 of the Revised Code, to the extent such actions 241
exceed what is required by this chapter or by any contract 242
entered into under that section. 243

Sec. 4925.14. A transportation network company providing 244
services pursuant to a contract entered into under section 245
4925.12 of the Revised Code shall, for each trip, provide the 246
parent or legal guardian of a student with access to all of the 247
following: 248

(A) Real-time status updates of the trip, including 249
confirmation of driver arrival, student pickup, and student 250
drop-off; 251

<u>(B) Real-time global positioning system tracking</u>	252
<u>throughout the duration of the trip;</u>	253
<u>(C) The ability to directly contact the assigned driver</u>	254
<u>during the trip, through an anonymized in-app communication</u>	255
<u>feature or call forwarding system;</u>	256
<u>(D) A picture of the driver and the make, model, and</u>	257
<u>license plate number of the vehicle used by the driver.</u>	258
Section 2. That existing sections 3319.316 and 4511.76 of	259
the Revised Code are hereby repealed.	260