Georgia Department of Education

SYNOPSIS OF PROPOSED NEW RULE
RULE 160-5-3-.02
CONTRACTED TRANSPORTATION SERVICES

The proposed new Rule 160-5-3-.02 will replace the current Rule 160-5-3-.02 Contracted Transportation Services. It will have the same title and include changes required by Senate Bill 159 from the 2021 Legislative Session, which amended O.C.G.A. §§ 20-2-188 and 40-1-1 and created a new code section, O.C.G.A. § 20-2-1076.

The proposed new rule broadens the requirements for Contracted Transportation Services to include vehicles that can be used to transport students under certain conditions. Students who either (1) have transportation needs documented in their Individualized Education Program (IEP) or (2) may currently lack, or during the previous academic year lacked, a fixed, regular, and adequate nighttime residence as described under the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Section 11301, et seq., can be transported to and from school and school related activities using a vehicle designed by the manufacturer to transport a maximum of eight students and not less than five students.

Additionally, this proposed new rule allows local educational agencies (LEAs) the opportunity to contract with transportation carriers who may use alternative vehicles for the transport of specified student groups and outlines the obligations of LEAs and their Governing Bodies prior to entering into an agreement with a motor carrier or contract carrier for the purpose of transporting students.