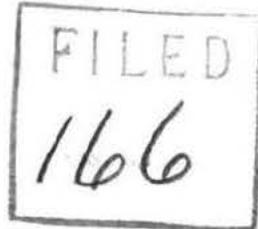


SCHOOL BUSES: Re: Licensing of school buses under Section
301.060 (9), RSMo

SCHOOLS:

Opinion No. 166
Answered by letter.

April 21, 1964



Honorable Charles A. Weber
Prosecuting Attorney
Ste. Genevieve, Missouri

Dear Mr. Weber:

This letter is in response to your request of April 13, 1964,
for an official opinion of this office. You inquire:

"The school buses in Ste. Genevieve County
are operated by an individual, under con-
tract with the various school districts and
he operates the same with school buses
licenses.

"The owner of the buses has been contacted
by the Junior College at Flat River, Missouri,
with a proposition of hauling students to the
Junior College from Ste. Genevieve. The
question involved is whether the owner of the
buses could transport the students to the
Junior College on the school bus license
under which the buses are licensed."

We understand the facts to be: The bus is privately owned
and licensed under Section 301.060 (9), RSMo 1963 Supp. The bus
is presently contracted to transport students to public schools.
The State Department of Education informs us that the Flat River
Junior College is a public school.

Since buses owned by school districts are licensed without
fee under Section 301.060, RSMo 1959, it is apparent that pri-
vately owned school buses are to be licensed under Section
301.060 (9), if otherwise qualified. Section 301.060 (9),
RSMo 1963 Supp., provides that the license fee for a school bus
shall be \$25.00, a fee substantially lower than that imposed on
other transportation vehicles. Section 301.010, RSMo 1959, de-
fines the terms used in Chapter 301. The term, "school bus",
is there defined in subsection (23).

April 21, 1964

"School bus', any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;"

Any bus within the above definition would be properly licensed at the school bus fee of Section 301.060 (9).

The term, "school bus", is also defined in Section 390.020 (13), RSMo 1959.

"The term 'school bus' means any motor vehicle while being used solely to transport students to or from school or to transport students to or from any place for educational purposes."

This office has previously interpreted the definition stated in Section 390.020 (13). In an opinion dated September 19, 1953, addressed to Honorable Jay White (copy enclosed herewith), this office held that a privately owned bus used solely for the purpose of transporting school children to or from schools, whether public or private is within the definition of Section 390.020 (13). The definitions of Sections 301.010 (23) and 390.020 (13) are substantially identical. We are of the opinion that the definition of "school bus" of Section 301.010 (23) contemplates buses used for students of either public or private schools or both.

In summary, a privately owned bus used solely to transport students to or from school, whether public or private, may be licensed as a school bus under Section 301.060 (9), RSMo 1963 Supp. Elementary schools, high schools, junior colleges, colleges and universities are schools under Section 301.060 (9). Therefore, buses used to transport students to Flat River Junior College and to other schools of the various school districts are to be licensed under Section 301.060 (9).

Very truly yours,

THOMAS F. EAGLETON
Attorney General

Enclosure 1

LCD/cg