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FISCAL IMPACT REPORT

SPONSOR Stewart DATE TYPED 2-2-04 HB 97

SHORT TITLE School Bus Air Conditioning Requirements SB _____

ANALYST Segura

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			Significant		
			See Narrative		

(Parenthesis () Indicate Expenditure Decreases) **** See Fiscal Impact

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Bill 97 would require all school buses equipped with wheel chair lifts be equipped with air-conditioning by the 2007-2008 school year, and at least 25 percent of all school buses used in a school district be equipped with air-conditioning by the 2007-2008 school year.

Significant Issues

House Bill 97 allows a school district to apply for a waiver of the requirement for buses other than wheel chair-equipped buses to the PED.

According to PED, the Individuals with Disabilities Education Act (IDEA) does not specifically require air-conditioning on all school buses used to transport disabled students who have been identified as needing “Transportation as a Related Service” on their Individual Education Plan (IEP). The IDEA leaves this determination up to a child’s IEP team.

FISCAL IMPLICATIONS

The PED indicates that as proposed, House Bill 97 would cost an estimated \$2.5 million to implement. The incremental cost to equip school buses with air-conditioning is \$10.0- \$12.0. Currently, there are 2,340 school buses operating daily, 236 of which are equipped with a wheel chair lift. House Bill 97 does not contain an appropriation.

ADMINISTRATIVE IMPLICATIONS

If the bill is enacted, PED would need to revise its regulations on New Mexico School Bus Construction Standards and School Bus Phase-Out.

OTHER SUBSTANTIVE ISSUES

The IDEA does not specially require air-conditioning on all school buses with wheel chair lifts. The only specialized equipment that is specifically mentioned in the IDEA are the following items: special or adapted buses, lifts and ramps. It is determined by the students IEP team which specific types of equipment are required to provide Free Appropriate Public Education (FAPE).

RS/lg:yr