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SENATE BILL 138

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO SCHOOL BUS SAFETY; REQUIRING SAFETY BELTS ON
SCHOOL BUS TRANSPORTATION EQUIPMENT PURCHASED OR RENTED AFTER
JANUARY 1, 2002.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-8-27 NMSA 1978 (being Laws 1967,
Chapter 16, Section 77, as amended) is amended to read:

"22-8-27. TRANSPORTATION EQUIPMENT.--

A. The state superintendent shall establish a
systematic program for the purchase of necessary school bus
transportation equipment.

B. In establishing a system for the replacement of
school-district-owned buses, the state superintendent shall
provide for the replacement of school buses on a twelve-year
cycle. School districts requiring additional buses to
accommodate growth in the district or to meet other special

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1 needs may petition the state superintendent for additional
2 buses. Under exceptional circumstances, districts may also
3 petition the state superintendent for permission to replace
4 buses prior to the completion of a twelve-year cycle or to
5 utilize buses in excess of twelve years contingent upon
6 satisfactory annual safety inspections.

7 C. In establishing a system for the utilization of
8 contractor-owned buses by school districts, the state
9 superintendent shall establish a schedule for the payment of
10 rental fees for the use of contractor-owned buses. As with
11 school district-owned operations, the state superintendent
12 shall establish procedures to ensure the systematic
13 replacement of buses on a twelve-year replacement cycle.
14 School districts requiring additional buses to accommodate
15 growth in the district or to meet other special needs may
16 petition the state superintendent for additional buses.
17 Under exceptional circumstances, districts may also petition
18 the state superintendent for permission to replace buses
19 prior to the completion of a twelve-year cycle or to utilize
20 buses in excess of twelve years contingent upon satisfactory
21 annual safety inspections. Effective with the 1995-96 school
22 year, no school district shall pay rental fees for any one
23 bus for a period in excess of five years. In the event a
24 school bus service contract is terminated, the state
25 superintendent shall calculate the remaining number of years
that a bus could be used based on a twelve-year replacement
cycle and calculate a value reflecting that use. The local

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1 school district shall deduct an amount equal to that value
2 from any remaining amount due on the contract or, if no
3 balance remains on the contract, the contractor shall
4 reimburse the school district an amount equal to the value
5 calculated.

6 D. Effective January 1, 2002, the purchase of
7 school bus transportation equipment or rental of contractor-
8 owned buses by school districts shall not be approved by the
9 state superintendent unless the school buses are equipped
10 with a safety belt for each permanent seat."

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