

HOUSE BILL 265

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Jack Chatfield and William "Bill" R. Rehm
and Christine Trujillo and Susan K. Herrera

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING THAT ALL SCHOOL BUSES
PURCHASED ON OR AFTER JANUARY 1, 2020 HAVE SEAT BELTS,
STABILITY CONTROL AND COLLISION AVOIDANCE SYSTEMS.

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

SECTION 1. Section 22-16-11 NMSA 1978 (being Laws 1978,
Chapter 35, Section 469, as amended) is amended to read:

"22-16-11. REGULATIONS RELATIVE TO SCHOOL BUSES.--

A. The state transportation director [~~appointed as~~
~~provided in Section 22-16-1 NMSA 1978~~] shall adopt and enforce
[~~regulations~~] rules adopted by the [~~state board~~] department not

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inconsistent with the Motor Vehicle Code to govern the design and operation of all school buses used for the transportation of school children ~~when~~; provided that the rules shall require all HEC purchases of model year 2020 or subsequent model year HEC school buses purchased on or after January 1, 2020 to be equipped with seat belts for all passengers, stability control and collision avoidance systems.

B. The rules adopted under Subsection A of this section shall apply to school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state HEC, HEC HEC; provided that no rule shall place a duty on a school bus driver greater than a good faith effort standard to ensure that school children use seat belts. HEC HEC and the HEC HEC The HEC [regulations] rules shall by reference be made a part of any such contract with a school district. Every school district, its officers and employees and every person employed under contract by a school district shall be subject to the [regulations] rules.

~~[B.]~~ C. Any officer or employee of any school district who violates any of the [regulations] rules or fails to include obligation to comply with the [regulations] rules in any contract executed by [him] the officer or employee on behalf of a school district is guilty of misconduct and subject

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to removal from office or employment. Any HEC→~~person~~←HEC
HEC→~~contractor~~←HEC operating a school bus, under contract with
a school district, who fails to comply with any of the
[~~regulations~~] rules is guilty of breach of contract, and the
contract may be canceled after notice and hearing by the state
transportation director acting in conjunction with the
responsible officers of the school district.

[~~G.~~] D. Any driver of a school bus who fails to
comply with any of the [~~regulations~~] rules is guilty of a
misdemeanor."

SECTION 2. EFFECTIVE DATE.--The effective date of the
provisions of this act is January 1, 2020.

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