

1 SENATE BILL 321

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Jeff Steinborn and Joanne J. Ferrary

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10 AN ACT

11 RELATING TO EDUCATION; REQUIRING THAT SCHOOL BUSES PURCHASED ON  
12 OR AFTER JULY 1, 2019 HAVE AIR CONDITIONING; PROVIDING FOR THE  
13 CALCULATION OF SCHOOL BUS SEATING CAPACITY.

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

16 SECTION 1. A new section of the Public School Code is  
17 enacted to read:

18 "[NEW MATERIAL] SCHOOL BUS STANDARDS--RULES.--

19 A. All school buses used for the transportation of  
20 school children when the buses are owned and operated by any  
21 school district or privately owned and operated under contract  
22 with any school district in this state shall be equipped with  
23 air conditioning.

24 B. In determining the seating capacity of school  
25 buses used for the transportation of school children when the

.211952.4

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[bracketed material] = delete

1 buses are owned and operated by any school district or  
2 privately owned and operated under contract with any school  
3 district in this state, seating shall not exceed:

4 (1) three students when the combined seated  
5 width of those students is no more than the actual width of the  
6 seat; and

7 (2) two students when the combined seated  
8 width of those students is no more than the actual width of the  
9 seat.

10 C. The state transportation director shall  
11 promulgate and enforce rules implementing the provisions of  
12 Subsections A and B of this section and shall ensure that  
13 training for new drivers includes standardized training in the  
14 determination of the legal capacity when loading children and  
15 the procedure for reporting an overload condition."

16 SECTION 2. APPLICABILITY.--The provisions of this act  
17 apply to school buses purchased on or after July 1, 2019.