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HOUSE BILL 702

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Debbie A. Rodella

AN ACT

RELATING TO SCHOOL BUS SERVICE CONTRACTS; PROVIDING FOR STATUS
CHANGES FOR ONE-BUS CONTRACTORS; AMENDING A SECTION OF THE
NMSA 1978.

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

Section 1. Section 22-16-3 NMSA 1978 (being Laws 1967,
Chapter 16, Section 221, as amended) is amended to read:

"22-16-3. SCHOOL BUS SERVICE CONTRACTS. --

A. A school district may provide transportation
services to students through the use of school bus service
contracts. School districts may enter into school bus service
contracts with individual school bus owner-operators or with
school bus fleet owners or with both. A school district shall
not enter into any school bus fleet service contract with any
person who is simultaneously employed by that school district

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1 as an individual school bus owner-operator.

2 B. All contracts entered into by a school district
3 to provide school bus service to students attending public
4 school within the school district shall be approved by the
5 local school board. The contracts shall be in writing on
6 forms approved by the state board.

7 C. In addition to approving the form of the
8 contract, the state board shall, by regulation, establish the
9 parameters of school bus service contracts to include
10 recognition of fuel costs, operation and maintenance costs and
11 employee salary and benefits costs. In entering into school
12 bus service contracts, school districts shall give preference
13 to in-state service providers and the use of multiple
14 providers. Upon request, the department of education shall
15 provide assistance to local school districts in the
16 negotiation and award of school bus service contracts.

17 D. A school district may enter into a school bus
18 service contract for a term not to exceed five years. A
19 school bus service contract may provide, at the expiration of
20 the term of the contract, for annual renewal of the school bus
21 service contract on the same terms and conditions at the
22 option of the local school board.

23 E. In the event a contract with a school bus
24 operator is terminated, the buses owned by the operator that
25 are used pursuant to his school bus service contract shall be

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1 appraised by three qualified appraisers appointed by the local
2 school board and approved by the state transportation
3 director. The operator succeeding to the contract shall
4 purchase, with the approval of the operator whose contract was
5 terminated, all of the buses owned by the former operator at
6 their appraised value.

7 F. Notwithstanding any provisions in the
8 Procurement Code or any other provision of law to the
9 contrary, a person who has a service contract as an individual
10 school bus owner-operator may exercise an option to convert
11 his contract to a fleet operator contract without being
12 required to submit to a competitive bidding process. "

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 14, 1999

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8 Mr. President:

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10 Your EDUCATION COMMITTEE, to whom has been referred

11
12 HOUSE BILL 702

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14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 CORPORATIONS & TRANSPORTATION COMMITTEE.

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18 Respectfully submitted,
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24 _____
Cynthia Nava, Chairman
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1 Adopted _____ Not

2 Adopted _____

3 (Chief Clerk)

(Chief Clerk)

4

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6 Date _____

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9 The roll call vote was 6 For 0 Against

10 Yes: 6

11 No: 0

12 Excused: Garcia, Jennings, Lopez, Rodriguez

13 Absent: None

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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4
5
6 March 15, 1999

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8 Mr. President:

9
10 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to
11 whom has been referred

12
13 HOUSE BILL 702

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15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

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18
19 Respectfully submitted,

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24 _____
25 Roman M. Maes, Chairman

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1 Adopted _____ Not

2 Adopted _____

3 (Chief Clerk)

(Chief Clerk)

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7 Date _____

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10 The roll call vote was 7 For 0 Against

11 Yes: 7

12 No: 0

13 Excused: Aragon, Fidel, Robinson

14 Absent: None

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