

05 DEPARTMENT OF EDUCATION

071 COMMISSIONER OF EDUCATION

Chapter 86: MAINE UNIFORM SCHOOL BUS SPECIFICATIONS

Summary: This regulation establishes minimum uniform school bus specifications for the State of Maine.

SECTION 1. PURPOSE

1. The purpose of this rule is to establish minimum uniform state school bus specifications to aid school administrative units (SAUs) in obtaining safe, cost effective transportation.

SECTION 2. DEFINITIONS

1. School bus is defined by 29-A M.R.S. §2301(5).
2. School bus operator, also known as school bus driver, is defined by 29-A M.R.S. §2301.

SECTION 3. MINIMUM SPECIFICATIONS FOR SCHOOL BUSES

1. The Department adopts the *National School Transportation Specifications and Procedures 2015* as enacted by the 16th National Congress on School Transportation and with some exceptions specific to Maine. The following exceptions apply:
 - A. Bus body and chassis specifications, color, section C of the *National School Transportation Specifications and Procedures 2015*.
 - (1) Roof color exception: a white roof on a school bus is not a state school bus specification.
 - B. Bus body and chassis specifications, heating and air conditioning systems, section B of the *National School Transportation Specifications and Procedures 2015*.
 - (1) Air conditioning exception: air conditioning on a school bus is not a state school bus specification.
 - C. Operational procedures, local school districts, in-use capacity of a school bus, section C.1, paragraph 4 of the *National School Transportation Specifications and Procedures 2015*.
 - (1) Overloading exception: overloading a school bus is prohibited.

- D. Operational procedures, selection and training of bus drivers, section C.6 of the *National School Transportation Specifications and Procedures 2015*.
 - (1) Crossing exception: procedures for escorted crossing are not a state school bus specification.
 - E. Activity Bus Operations, Transportation Other Than To and From School or Head Start, section A.1.c.VI of the *National School Transportation Specifications and Procedures 2015*.
 - (1) Activity bus operation exception: replace with 49 *Code of Federal Regulations* (CFR) 395.5.
 - F. Appendix B, School Bus Body and Chassis Specifications of the *National School Transportation Specifications and Procedures 2015*.
 - (1) School bus body and chassis exception: a white roof on a school bus is not a state school bus specification.
 - G. Appendix D, Recommended Procedures for Escorted Crossing, all sections of the *National School Transportation Specifications and Procedures 2015*.
 - (1) Escorted crossing exception: procedures for escorted crossing are not a state school bus specification.
2. The following regulations are in addition to the *National School Transportation Specifications and Procedures 2015*:
- A. Onboard video systems (also known as surveillance cameras) with a minimum of four cameras and continuous recording shall be installed on the inside of all new school buses.
 - B. School bus seat restraint (also known as seat belts) installation shall be a local decision except when federal mandated seat restraint installation is required on specific school bus types. If a SAU chooses to install seat restraints, the Department recommends three-point lap-shoulder belts.

SECTION 4. SCHOOL BUS PURCHASE REQUIREMENTS

1. The vehicle manufacturer is responsible for certifying school bus compliance with applicable federal standards and installing a certification plate or label in the driver's area on each vehicle.
2. School buses purchased shall, **at a minimum**, conform to the *Maine Uniform School Bus Specifications*.
3. SAUs may purchase a school bus without using the State School Bus Purchase Program.
 - A. Competitive bidding shall be accomplished for all school bus purchases according to 20-A M.R.S. §5402.

- B. School bus bid specifications may not be written to exclude any manufacturer of school bus body or chassis.
 - 4. The lowest acceptable state school bus bid that meets school bus bid specifications for product and warranty service shall be used to determine maximum state school bus subsidy for the School Bus Purchase Program. The Commissioner shall determine the maximum state subsidy for school bus purchases.
 - 5. SAUs may purchase vehicles that exceed minimum federal regulations and State specification requirements. If so, SAUs shall present justification to the Department for review, upon request, along with a statement of compliance with the provisions of 20-A M.R.S. §5402.
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STATUTORY AUTHORITY: 29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

EFFECTIVE DATE:

September 16, 2017 – filing 2017-144