

Assembly Bill No. 417–Committee on Education

CHAPTER.....

AN ACT relating to school buses; requiring written notice to correct defects or inspection issues to be submitted to the superintendent of schools of a school district; authorizing recommendations to correct defects or inspection issues to be submitted to the superintendent of schools of a school district or his or her designee; requiring the Department of Public Safety to submit certain reports; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the Department of Public Safety conducts inspections of school buses semiannually to ensure that vehicles are mechanically safe and meet the minimum specifications established by the State Board of Education. (NRS 386.830) The Department of Public Safety must submit a recommendation to the superintendent of schools for the correction of any defects discovered during the inspection. (NRS 386.830) **Section 1** of this bill requires written notice of defects or inspection issues to be submitted to the superintendent of schools or his or her designee after an inspection issue or defect is found during an inspection. **Section 1** requires the Department of Public Safety to reinspect vehicles that were found to have a defect or inspection issue. **Section 1** also requires the Department of Public Safety to submit an annual report to the superintendent of schools of a school district that contains certain information.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 386.830 is hereby amended to read as follows:
386.830 1. All vehicles used in the transportation of pupils must be:

(a) In good condition and state of repair.

(b) Well equipped, and must contain sufficient room and seats so that the driver and each pupil being transported have a seat inside the vehicle. Each pupil shall remain seated when the vehicle is in motion.

2. Each school bus must be inspected ~~semiannually~~ *annually* by the Department of Public Safety to ensure that the vehicles are mechanically safe and meet the minimum specifications established by the State Board. The Department of Public Safety shall ~~make~~ *provide* written ~~recommendations~~ *notice of defects or inspection issues* to the superintendent of schools of the school district wherein any such vehicle is operating *and to any person designated by the*



superintendent of schools of the school district to receive such a notice, for the correction of any defects or inspection issues discovered thereby.

3. If the superintendent of schools fails or refuses to take appropriate action to have the defects *or inspection issues* corrected within ~~[40]~~ *20 calendar* days after receiving notice of them from the Department of Public Safety, the superintendent is guilty of a misdemeanor, and upon conviction thereof may be removed from office.

4. *The Department of Public Safety shall reinspect any vehicle which was found to have defects or inspection issues pursuant to subsection 2 and, if the Department of Public Safety finds the defect or inspection issue has been corrected, approve the vehicle for use.*

5. Except as otherwise provided in subsection ~~[5-]~~ 6, all vehicles used for transporting pupils must meet the specifications established by regulation of the State Board.

~~[5-]~~ 6. Except as otherwise provided in subsection ~~[6-]~~ 7, any bus which is purchased and used by a school district to transport pupils to and from extracurricular activities is exempt from the specifications adopted by the State Board if the bus meets the federal safety standards for motor vehicles which were applicable at the time the bus was manufactured and delivered for introduction in interstate commerce.

~~[6-]~~ 7. Any new school bus which is purchased by a school district to transport pupils must meet the standards set forth in:

(a) Subsection 1 of NRS 386.835 if the school bus is purchased on or after January 1, 2016;

(b) Subsection 2 or 3 of NRS 386.835 if the school bus is purchased on or after July 1, 2016; and

(c) NRS 386.837 if the school bus is purchased on or after July 1, 2019.

~~[7-]~~ 8. *Each year, the Department of Public Safety shall submit a report to each superintendent of schools, which must include, without limitation, for the school district:*

(a) *The number of vehicles inspected during the immediately preceding year;*

(b) *The number of defects or inspection issues found pursuant to subsection 2 during the immediately preceding year;*

(c) *Any actions required by the superintendent, including, without limitation, establishing a timeline to resolve any defects or inspection issues, to ensure the safety of vehicles used in the transportation of pupils; and*



(d) Any other information the Department of Public Safety deems necessary to ensure the safety of vehicles used in the transportation of pupils.

9. Any person violating any of the requirements of this section is guilty of a misdemeanor.

10. As used in this section, "defect" or "inspection issue" means a failure to meet the minimum specifications established by the State Board.

Sec. 1.5. NRS 386.840 is hereby amended to read as follows:

386.840 1. Except as otherwise provided in this subsection, every school bus operated for the transportation of pupils to or from school must be equipped with:

(a) A system of flashing red lights of a type approved by the State Board and installed at the expense of the school district or operator. Except as otherwise provided in subsection 2, the driver shall operate this signal:

(1) When the bus is stopped to unload pupils.

(2) When the bus is stopped to load pupils.

(3) In times of emergency, accident or motor vehicle crash, when appropriate.

(b) A mechanical device, attached to the front of the bus which, when extended, causes persons to walk around the device. The device must be approved by the State Board and installed at the expense of the school district or operator. The driver shall operate the device when the bus is stopped to load or unload pupils. The installation of such a mechanical device is not required for a school bus which is used solely to transport pupils with special needs who are individually loaded and unloaded in a manner which does not require them to walk in front of the bus. The provisions of this paragraph do not prohibit a school district from upgrading or replacing such a mechanical device with a more efficient and effective device that is approved by the State Board.

2. A driver may stop to load and unload pupils in a designated area without operating the system of flashing red lights required by subsection 1 if the designated area:

(a) Has been designated by a school district and approved by the Department;

(b) Is of sufficient depth and length to provide space for the bus to park at least 8 feet off the traveled portion of the roadway;

(c) Is not within an intersection of roadways;

(d) Contains ample space between the exit door of the bus and the parking area to allow safe exit from the bus;



(e) Is located so as to allow the bus to reenter the traffic from its parked position without creating a traffic hazard; and

(f) Is located so as to allow pupils to enter and exit the bus without crossing the roadway.

3. In addition to the equipment required by subsection 1 and except as otherwise provided in subsection ~~5~~ 6 of NRS 386.830, each school bus must:

(a) Be equipped and identified as required by the regulations of the State Board; and

(b) If the bus is a new bus purchased by a school district to transport pupils, meet the standards set forth in:

(1) Subsection 1 of NRS 386.835 if the bus is purchased on or after January 1, 2016;

(2) Subsection 2 or 3 of NRS 386.835 if the bus is purchased on or after July 1, 2016; and

(3) NRS 386.837 if the bus is purchased on or after July 1, 2019.

4. The Department of Public Safety shall inspect school buses to determine whether the provisions of this section concerning equipment and identification of the school buses have been complied with, and shall report any violations discovered to the superintendent of schools of the school district wherein the vehicles are operating.

5. If the superintendent of schools fails or refuses to take appropriate action to correct any such violation within ~~10~~ 20 *calendar* days after receiving notice of it from the Department of Public Safety, the superintendent is guilty of a misdemeanor, and upon conviction must be removed from office.

6. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Sec. 2. This act becomes effective on January 1, 2022.

