
Chapter 81 School Transportation Safety

05 Department of Education
071 Commissioner of Education
Chapter 81 School Transportation Safety

Summary: These regulations establish uniform safety requirements that include: student riding safety practices training, transportation employee in-service safety training, entry-level school bus driver training, prohibitions, school bus daily inspections, contracts, year-end transportation reports, and records retention.

SECTION 1. PURPOSE

1. The purpose of this rule is to provide minimum transportation safety regulations.

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. § 2303.

SECTION 3. MINIMUM TRAINING REQUIREMENTS FOR STUDENT RIDING SAFETY PRACTICES

1. Student riding safety practices instruction shall be provided at least once during each school semester, totaling two times per year. Each student transported to or from home and school and related events in a school bus must be instructed in riding safety practices, proper loading and unloading techniques, and proper street crossing to and from school bus stops.
 - A. SAUs shall keep records of student riding safety instruction training.
 - B. Student riding safety instruction records certify that students meet training requirements to safely ride a school bus.

2. At least once during each school semester, totaling two times per year, each student transported to or from home and school and related events in a school bus shall participate in supervised school bus emergency evacuation drills.
 - A. SAUs shall keep records of emergency evacuation drills.
 - B. School bus emergency evacuation drill records certify that students meet requirements to safely evacuate a school bus.

SECTION 4. MINIMUM TRAINING REQUIREMENTS FOR TRANSPORTATION EMPLOYEE IN-SERVICE SAFETY PRACTICES

1. School bus drivers shall successfully complete a minimum of sixteen hours of in-service training annually. The annual in-service training shall include both behind the wheel and classroom training.
2. School bus drivers and transportation employees shall annually provide transportation safety training documentation to their employer. The school bus driver training records certify that the school bus driver meets minimum training requirements to operate a school bus.

SECTION 5. MINIMUM TRAINING REQUIREMENTS FOR ENTRY-LEVEL SCHOOL BUS DRIVERS

1. New candidates for school bus driver shall complete a minimum of forty hours of initial school bus driver training. The training shall include both classroom and behind the wheel training.
2. An entry-level school bus driver training certificate that includes training date, training class name, training hours, attendee name, attendee signature, instructor name, instructor signature, and copy of curriculum certifies to the Secretary of State that a school bus driver meets new school bus driver training requirements. The Department, in consultation with transportation partners, shall develop an entry-level school bus driver training certificate template that shall be used by training providers.

SECTION 6. PROHIBITIONS FOR SCHOOL TRANSPORTATION

1. Alcohol use and possession are prohibited in school buses.
2. Marijuana use and possession are prohibited in school buses.

3. Tobacco use and possession are prohibited in school buses.
4. Weapons use and possession are prohibited in school buses.
 - A. There is an exception for on duty law enforcement and military officials.

SECTION 7. DAILY INSPECTIONS FOR SCHOOL BUS SAFETY

1. Pre- and post-trip inspections
 - A. School bus drivers shall perform daily pre-trip and post-trip vehicle inspections.
 - B. Drivers shall promptly report defects or deficiencies that have potential to affect the safety of vehicle operation or result in mechanical breakdown. The pre-trip and post-trip vehicle inspection reports shall be completed and submitted daily, in writing or by electronic submission, to the district transportation department.
 - C. Pre-trip and post-trip inspection records certify that SAUs are daily checking and reporting potential school bus defects and deficiencies.
2. Bus Clear Inspections
 - A. School bus drivers shall perform bus clear inspections at the end of each bus run to confirm that all students have exited the school bus.
 - B. Drivers shall immediately report names of children who do not exit a bus to the SAU.
 - C. Bus clear inspection records certify that bus drivers have checked each bus seat area to confirm that all students are off the bus.

SECTION 8. CONTRACTS FOR SCHOOL TRANSPORTATION SERVICES

1. Local SAUs contracting for school transportation services or leasing of school buses shall present the contract proposal to the Department for review, upon request, along with a statement of compliance with the provisions of 20-A M.R.S. §5402.

SECTION 9. YEAR-END TRANSPORTATION REPORT REQUIREMENTS

1. SAUs shall annually submit a Transportation Safety and Training Report to the Department between July 1 and October 15. The report shall be submitted annually in the Department data system.
2. SAUs shall annually submit a Transportation Vehicle Inventory Report to the Department between July 1 and October 15. The report shall be submitted annually in the Department data system.
3. SAUs shall annually submit a Transportation Data Out-Of-District Special Education Students, Homeless Students and Career and Technical Education Students Report to the Department between July 1 and October 15. The report must be submitted in the Department data system.
4. If a SAU fails to file transportation reports with the Department in the format and within the time periods specified, State subsidy may be withheld until the reports are received.

SECTION 10. RECORDS RETENTION REQUIREMENTS

1. SAUs shall retain safety records and present these documents to the Department for review, upon request, along with a statement of compliance for each.

STATUTORY AUTHORITY: 29-A M.R.S. § 2311 and 20-A M.R.S. §5401(17)

Chapter 82 School Bus Driver Fitness Determination

05 Department of Education

071 Commissioner of Education

Chapter 82 School Bus Driver Fitness Determination

Summary: These regulations provide the criteria for the Commissioner of Education to certify to the Secretary of State that school bus drivers have met the medical requirements to operate a school bus.

SECTION 1. PURPOSE

1. The purpose of this rule is to certify bus driver fitness and provide a process to determine that school bus drivers are healthy enough to safely perform the demanding job of a school bus driver and keep our State's roads safe.

SECTION 2. DEFINITIONS

1. Commercial motor vehicle is defined by 29-A M.R.S. § 101(17).
2. School bus is defined by 29-A M.R.S. § 2301(5).
3. School bus operator, also known as school bus driver, is defined by 29-A M.R.S. § 2303.

SECTION 3. MINIMUM SCHOOL BUS DRIVER REQUIREMENTS

1. Employed licensed school bus drivers shall pass an annual school bus medical examination and submit a current and complete copy of their annual physical exam report to their employer.
2. School bus drivers shall be examined by a licensed medical examiner registered with the U.S. Department of Transportation (DOT) Federal Motor Carrier Safety Administration (FMCSA) National Registry of Certified Medical Examiners. A list of local Certified

Medical Examiners is available on the U.S. DOT FMCSA National Registry of Certified Medical Examiners website.

3. School bus driver medical examinations shall be conducted using the most current U.S. DOT FMCSA Medical Examination Report Form (also known as the "U.S. DOT physical exam"). The most current form and instructions are located on the U.S. DOT FMCSA website.
 - A. Maine school bus driver medical examination reports are valid for one year from the date of completion even though the federal exam report form states that the exam is valid for two years.
 - B. School bus driver physical examination reports shall be completed within three months of submittal to an employer or the Bureau of Motor Vehicles.
4. School bus drivers shall provide evidence that they passed a criminal history record check.
 - A. School bus drivers shall provide a copy of their criminal history record check (CHRC) approval card to their employer when employed and to the Maine Bureau of Motor Vehicles when applying for a new commercial motor vehicle license.

SECTION 4. COST OF SCHOOL BUS DRIVER MEDICAL EXAMINATIONS

1. The employer shall pay the cost of annual school bus driver medical examinations.

SECTION 5. MINIMUM MEDICAL EXAMINER REQUIREMENTS

1. Medical examiners shall be registered with the U.S. DOT FMCSA National Registry of Certified Medical Examiners to conduct school bus driver medical examinations. A list of local Certified Medical Examiners is available on the U.S. DOT FMCSA National Registry of Certified Medical Examiners website.
2. Medical examiners shall record school bus driver medical examination results and answer all questions on the most current U.S. DOT FMCSA Medical Examination Report Form (also known as the "U.S. DOT physical exam"). The most current form and instructions are located on the U.S. DOT FMCSA website.
3. When medical examiners require direction on driver medical qualifications they shall refer to the current U.S. DOT FMCSA regulations for Commercial Motor Vehicle driver

physical qualifications. Qualifications for different medical conditions are available on the U.S. DOT FMCSA website.

4. Medical examiners may issue a medical examiner's certificate for less than 12 months if they determine that it is necessary to monitor a medical condition.
5. Medical examiners shall furnish a copy of the medical exam results to the person who was examined.
6. In Maine a school bus driver medical examination is valid for one year even though the federal medical examination is valid for two years.
7. The medical examination shall have been conducted within three months of report to the Bureau of Motor Vehicles when a driver is a first time applicant for a school bus driver CMV license and to employers when a driver is employed as a school bus driver. The report shall be complete.

SECTION 6. RECORDS THAT CERTIFY BUS DRIVER FITNESS FOR DUTY

1. A complete written record of the FMCSA Medical Examination Report Form signed by a licensed medical examiner that is registered with the U.S. DOT FMCSA National Registry of Certified Medical Examiners certifies to the Secretary of State that the driver meets the medical requirements to operate a school bus.
2. A complete criminal history record check confirmed by the Maine Department of Education Certification Office certifies to the Secretary of State that a school bus driver applicant meets moral requirements to operate a school bus.
3. Employer annual school bus driver Medical Examination Reports certify that employed school bus drivers meet annual medical requirements for 29-A M.R.S. § 2303(1)(C).
4. Employer annual training records provide certification that employed school bus drivers meet minimum annual school bus driver training requirements for 29-A M.R.S. § 2303(1)(C) and Code of Maine Regulations (05-071 CMR Chapter 81).

SECTION 7. RECORDS RETENTION

1. School bus drivers shall file a complete and accurate copy of their Medical Examination Report with their employer annually and carry a valid copy of their medical card (also known as a "DOT medical card").

2. Employers of school bus drivers shall maintain confidential current and complete copies of annual school bus driver Medical Examination Reports and present these documents to the Department for review, upon request, along with a statement of compliance for each school bus driver.

STATUTORY AUTHORITY: 29-A M.R.S. § 2311 and 20-A M.R.S. § 5401(17)

Chapter 83 School Transportation Operations Program

05 Department of Education
071 Commissioner of Education
Chapter 83 School Transportation Operations Program

Summary: These regulations establish criteria for determining eligibility for, and procedures for access to, the School Transportation Operations Program software.

SECTION 1. PURPOSE

1. The purpose of this rule is to determine who is eligible for access to the School Transportation Operations Program and provide a process for eligible schools to access the software.

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. § 2303.

SECTION 3. ELIGIBILITY FOR USE OF THE SCHOOL TRANSPORTATION OPERATIONS PROGRAM SOFTWARE

1. The program is available to public schools, including public charter schools, and private schools approved for the receipt of public funds ("private schools").

SECTION 4. ACCESS TO THE SCHOOL TRANSPORTATION OPERATIONS PROGRAM SOFTWARE

1. Application and Approval
 - A. Program application requests occur throughout the year.

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- B. A program application is initiated when a SAU or a private school submits a request to the Department.
 - C. Annual state approval shall continue each year the SAU or private school uses the software system. Annual use shall be based on reports generated by the program system that confirm SAU or private school use.

2. Technical Start-up

- A. System technology start-up conducted at the district or private school level with guidance from the program technology representative must be completed before the program can be initiated.
- B. Information technology staff at the public or private school shall work with the program technology representative to complete technical start-up of the operations software system.

SECTION 5. STATE PAYMENT FOR APPROVED USERS

- 1. The School Transportation Operations Program software is provided at no cost to public schools and private schools that meet the minimum qualifications and procedures.

SECTION 6. RECORDS RETENTION

- 1. SAUs and private schools who access the School Transportation Operations Program software shall retain fleet operations records and present these documents to the Department for review, upon request, along with a statement of compliance for annual use.

STATUTORY AUTHORITY: 29-A M.R.S. § 2311 and 20-A M.R.S. § 5401(17)

Chapter 84 School Bus Refurbishment Program

05 Department of Education
071 Commissioner of Education
Chapter 84 School Bus Refurbishment Program

Summary: These regulations establish procedures for school administrative units (SAUs) to contract for school bus refurbishment services through the Maine School Bus Refurbishment Program.

This program provides subsidy to school administrative units (SAUs) in order to offset the partial cost of refurbishment for school buses that are used to transport students to and from home and school and school events. This program is a safety resource to help SAUs contract for refurbishment services in order to extend the safe useful life of school buses.

SECTION 1. PURPOSE

1. The purpose of this rule is to achieve the most equitable distribution of limited resources needed to extend the safe useful life of midlife school buses owned by SAUs.

SECTION 2. DEFINITIONS

1. School bus is defined by 29-A M.R.S. § 2301(5).
2. Midlife school bus. A typical midlife school bus is a school bus that is five to seven years old.

SECTION 3. MINIMUM PROGRAM QUALIFICATIONS FOR THE SCHOOL BUS REFURBISHMENT PROGRAM

1. The school bus shall have a current Maine vehicle inspection sticker.
2. Eligibility for school bus refurbishment services shall be determined by a pre-approval inspection. The Maine Military Authority shall perform the pre-approval inspection. The

inspection is called a field joint visual inspection (FJVI). Pre-approval inspections receive a pass or fail evaluation. Buses that pass the FJVI are qualified and eligible to be contracted for School Bus Refurbishment Program services.

3. The SAU bus refurbishment contract shall be signed by the superintendent.

SECTION 4. TYPES OF PROGRAM APPLICATIONS

1. Basic School Bus Refurbishment Service

- A. Maine Military Authority shall provide the scope of work for basic school bus refurbishment service to the SAU.

2. Additional School Bus Refurbishment Services

- A. SAUs may elect to have additional refurbishment service work performed. Payment of costs for additional refurbishment services that go beyond the basic school bus refurbishment contract are the responsibility of the SAU.

SECTION 5. MINIMUM PROGRAM PROCEDURES

1. SAU Application

- A. School bus refurbishment requests open annually on November 1 and remain open until the program budget is depleted for that fiscal year.
- B. Requests for school bus refurbishment services are initiated when a SAU submits a school bus refurbishment application to the Department. A contract is required to begin refurbishment services.

2. State Contract

- A. The SAU superintendent shall sign a Maine Military Authority School Bus Refurbishment Program service contract in order to initiate a refurbishment contract.

3. State Approval

- A. Approval for school bus refurbishment services shall be based on eligibility requirements established by the Commissioner, including, but not limited to, the age, mileage and expected useful life of the school bus.

B. A School Bus Refurbishment Program contract, submitted to the Department and signed by the Department transportation administrator, provides program approval to a SAU.

4. Refurbishment Services

A. Maine Military Authority shall complete school bus refurbishment service contract work, in order for a SAU to receive state subsidy.

B. Maine Military Authority shall work with the SAU to schedule refurbishment services and delivery.

C. School bus refurbishment repairs shall be equal to or greater than Federal Motor Vehicle Safety Standards for school buses.

5. State Subsidy for Approved School Bus Refurbishments

A. State subsidy occurs the fiscal year after the SAU pays Maine Military Authority for the school bus refurbishment service according to 20-A M.R.S. § 15689(13).

B. Subsidy amounts

(1) The minimum subsidy amount is thirty percent of the base school bus refurbishment price.

(a) If the state share percentage for a SAU is less than thirty percent, the SAU will receive the minimum amount of thirty percent of the base school bus refurbishment price.

(2) The maximum subsidy amount is seventy percent of the base school bus refurbishment price.

(a) If the state share percentage for a SAU is more than seventy percent, the SAU will receive the maximum amount of seventy percent of the base school bus refurbishment price.

(3) SAUs with state share percentage between thirty and seventy percent will receive that percentage of the base school bus refurbishment price.

6. School Bus Maintenance Records

- A. SAUs that participate in the School Bus Refurbishment Program shall track the maintenance records of refurbished school buses using the State provided School Transportation Operations Program software maintenance module for the remaining life of the refurbished school bus.

SECTION 6. REFURBISHMENT WARRANTY

1. Maine Military Authority shall provide a warranty for School Bus Refurbishment Program services.

SECTION 7. RECORDS RETENTION

1. SAUs shall retain school bus refurbishment and school bus maintenance records and present these documents to the Department for review, upon request, along with a statement of compliance for each.

STATUTORY AUTHORITY: 29-A M.R.S. § 2311 and 20-A M.R.S. § 5401(17)

Chapter 85 School Bus Purchase Program

05 Department of Education
071 Commissioner of Education
Chapter 85 School Bus Purchase Program

Summary: These regulations establish procedures for school administrative units (SAUs) to request purchase of new school buses and receive subsidy through the Maine School Bus Purchase Program.

This program provides subsidy to SAUs in order to offset partial cost of new school buses that are used to transport students to and from home and school and school events. This program is a resource to help SAUs purchase new school buses, retire end of life school buses, and respond to emergency and special bus needs.

SECTION 1. PURPOSE

1. The purpose of this rule is to achieve the most equitable distribution of limited dollars to maintain a modern safe fleet of school buses and respond to emergency and special bus needs.

SECTION 2. DEFINITIONS

1. School bus is defined by 29-A M.R.S. §2301(5).

SECTION 3. MINIMUM PROGRAM QUALIFICATIONS FOR SAUS TO APPLY FOR THE SCHOOL BUS PURCHASE PROGRAM

1. School buses owned by SAUs shall be qualified for and complete the School Bus Refurbishment Program before being qualified for the School Bus Purchase Program. If a school bus fails the minimum field joint visual inspection qualification for the School Bus Refurbishment Program, the bus may qualify for the School Bus Purchase Program.
2. The minimum qualifications to apply for a school bus replacement are:

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- A. Passenger vans shall have a minimum of seven (7) years useful life and accumulated 100,000 miles. End of life passenger vans shall be replaced by Type A or Type C school bus.
 - B. Type A school buses shall have a minimum of ten (10) years useful life and accumulated 125,000 miles. Type A school buses shall be replaced by Type A, Type C, or Type D school bus.
 - C. Type C (conventional) school buses shall have a minimum of ten (10) years useful life and accumulated 125,000 miles. Type C school buses shall be replaced by Type A, Type C, or Type D school bus.
 - D. Type D (transit style) school buses shall have a minimum of fourteen (14) years useful life and accumulated 245,000 miles. Type D school buses shall be replaced by Type A, Type C, or Type D school bus.
 - E. SAUs that purchase Type D buses through the School Bus Purchase Program must:
 - (1) Provide a school bus preventative maintenance program,
 - (2) Employ or contract with school bus mechanics,
 - (3) Be capable of stocking school bus parts, and
 - (4) Use the fleet maintenance module of the state issued School Transportation Operations Program software.
 - F. The existing end of life bus shall be decommissioned and removed from fleet service within one year of the SAU taking possession of the new approved school bus. If a SAU does not retire the existing end of life bus during the one year time period, subsidy for the approved bus purchase will be cancelled.
3. The minimum qualification to apply for an addition to fleet school bus is when a SAU has one of the following needs:
 - A. Buses equipped with a wheelchair lift,
 - B. Buses to accommodate increased enrollment,
 - C. Buses to transport persons with disabilities,

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- D. Buses to replace contracted services (emergency), or
 - E. Buses to replace contracted services (planned).
4. SAUs shall have a planned school bus maintenance schedule that is updated annually in order to qualify for the School Bus Purchase Program.
- A. High cost school bus maintenance need is not a criterion for buses being retired in the School Bus Purchase Program. SAUs are responsible for school bus maintenance.

SECTION 4. TYPES OF PROGRAM APPLICATIONS

- 1. School bus replacement.
 - A. A school bus replacement standard application may be submitted when an existing bus is at or near the end of useful life. Refer to the minimum addition to fleet program qualifications.
 - B. A school bus replacement emergency application may be submitted when a school bus is damaged beyond economic repair due to accident, fire, vandalism or other sudden total loss.
 - C. School bus replacement standard applications require the SAU to decommission and remove end of useful life school buses from fleet service within one year of the SAU taking possession of new approved school buses.
- 2. School bus addition to fleet.
 - A. An addition to fleet application may be submitted in response to an emergency or special bus need situation. Refer to the minimum program qualifications.
 - B. When a SAU receives an addition to fleet bus approval, a new bus may be added to the district fleet without requiring the SAU to remove an existing bus from their fleet.

SECTION 5. MINIMUM PROCEDURES FOR SAUS TO PARTICIPATE IN THE SCHOOL BUS PURCHASE PROGRAM

- 1. SAUs Application

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- A. SAUs that choose to apply to the School Bus Purchase Program shall submit applications to the Department between November 1st and November 25th. The application dates will not be extended. SAU applications for new school bus purchases occur annually.
 - B. SAUs shall submit bus request applications online using the Department's data system transportation module.
 - C. SAUs may submit school bus replacement applications, addition to fleet applications, or both types of applications during each annual program cycle.
 - D. SAUs may submit school bus addition to fleet applications in response to an emergency or special bus need situation.
2. State Approval Requirement for the School Bus Purchase Program
 - A. SAUs shall obtain approval from the Department in order to purchase school buses through the School Bus Purchase Program.
 - B. State Bus Approval Announcements
 - (1) Department approval for school bus purchases shall be announced annually by the Department.
 - C. School Bus Approval Decision Priority
 - (1) First priority is school bus replacement emergency situations.
 - (a) A school bus replacement emergency situation occurs when a bus is damaged beyond economic repair due to accidents, fire, vandalism, or other sudden total loss.
 - (2) Second priority is school bus addition to fleet need.
 - (a) A school bus addition to fleet situation occurs when a SAU has a need for one of the following:
 - (i) buses equipped with a wheelchair lift,

- (ii) buses to accommodate increased enrollment,
- (iii) buses to transport persons with disabilities,
- (iv) buses to replace contracted services (emergency), or
- (v) buses to replace contracted services (planned).

(3) Third priority is school bus replacement standard need.

- (a) A school bus replacement standard situation occurs when a bus is near the end of useful life. Age of the bus being replaced shall be the first consideration, tempered by both high and low mileage.

3. SAU Bus Purchase Authorization, Cancellation, and Possession

A. Superintendent Authorization to Purchase

- (1) Superintendents shall confirm the SAU's intent to purchase a bus that was approved by submitting a Superintendent Intent to Purchase Bus Report in the Department data system.
- (2) If the Superintendent fails to submit a Superintendent Intent to Purchase Bus Report by the date identified by the Department, the bus approval will be withdrawn by the State on a date determined by the Department.

B. SAU Bus Approval Cancellations

- (1) SAUs shall cancel their school bus approval if they do not plan to make an approved school bus purchase during the assigned purchase fiscal year of the school bus approval. Cancellations are submitted in the Department data system.
 - (a) Cancellations shall occur during the fiscal year the SAU is approved to purchase a bus.
 - (b) If a SAU does not purchase an approved bus or does not submit the cancellation report the SAU school bus purchase approval may be withdrawn by the State on a date determined by the Department.

4. SAU School Bus Possession

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- A. SAUs shall take possession of a new approved school bus during the purchase fiscal year of the state bus approval.
 - B. When a SAU takes possession of a new school bus, the SAU shall report the purchase of a new bus during the business quarter that the SAU receives the new bus. Reports are submitted in the Department data system.
 - C. When a SAU takes possession of a new bus that was approved under this program, the SAU shall decommission or sell the school bus that was approved to retire within one year of receiving the new bus.
5. New School Bus Payments
- A. The Commissioner encourages SAUs to purchase school buses from current funds and make one year cash payments.
 - B. The maximum term of a school bus purchase loan or lease shall be five years.
 - C. SAUs shall make at least one bus payment and take possession of the new bus during the fiscal year of the State bus approval.
6. State Subsidy for Approved Bus Purchases
- A. The Commissioner shall determine the maximum allowable subsidy for state approved school bus purchases. The lowest acceptable state school bus bid that meets school bus bid specifications for product and warranty service shall be used to determine the maximum state school bus subsidy.
 - B. The SAU shall provide the department with documents that confirm delivery of and payment for each state approved school bus purchase.
 - C. SAUs shall submit all annual year-end transportation reports and applicable School Bus Purchase Program reports to the Department by the annual due dates in order to receive state school bus subsidy. If SAU transportation reports are late, school bus subsidy may be withheld until all transportation reports are submitted.

SECTION 6. RECORDS RETENTION

1. SAUs shall maintain current and complete copies of all school bus purchase documents for each vehicle and present these documents to the Department for review, upon request, along with a statement of compliance.

STATUTORY AUTHORITY: 29-A M.R.S. § 2311 and 20-A M.R.S. § 5401(17)

Chapter 86 Maine Uniform School Bus Specifications

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

2. School bus is defined by 29-A M.R.S. § 2301(5).
3. 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.

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- (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.

STATUTORY AUTHORITY: 29-A M.R.S. § 2311 and 20-A M.R.S. § 5401(17)