

**ADOPTED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R027-01

Effective November 1, 2001

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

AUTHORITY: §§1-3, NRS 385.080, 392.400 and 392.410.

Section 1. Chapter 392 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The Nevada School Bus Standards established by the department of education are hereby adopted by reference as those standards existed on October 22, 2000.

2. A copy of the Nevada School Bus Standards may be obtained free of charge from the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. The department of education shall provide a copy of the Nevada School Bus Standards free of charge to each school district in this state.

Sec. 2. NAC 392.500 is hereby amended to read as follows:

392.500 1. Except as otherwise provided in NRS 392.400, ~~and NAC 392.595 and 392.667,~~ a school bus manufactured:

(a) After February 10, 1972, and before ~~March 1, 1996,~~ *October 22, 2000*, may be used for the transportation of pupils only if it conforms to the minimum national standards for school buses established by the Secretary of Transportation pursuant to the National Traffic and Motor Vehicle Safety Act of 1966, 49 U.S.C. §§ 30101 et seq., and any more stringent standards

adopted by the state board of education that were in effect at the time the school bus was manufactured; or

(b) On or after ~~[March 1, 1996,]~~ *October 22, 2000*, may be used for the transportation of pupils only if it conforms to the national standards for school buses set forth in 49 C.F.R. Part 571 and the ~~[National Standards for School Transportation, 1995 edition, and the more stringent standards set forth in NAC 392.501 to 392.689, inclusive.]~~ *standards set forth in the Nevada School Bus Standards adopted pursuant to section 1 of this regulation.*

2. This section does not prevent the Federal Government or the government of any state or political subdivision thereof from establishing a safety requirement applicable to motor vehicles or motor vehicle equipment procured for its own use if such requirement imposes a higher standard of performance than that required to comply with the otherwise applicable federal standard.

Sec. 3. NAC 392.501, 392.503, 392.513, 392.559, 392.564, 392.565, 392.569, 392.571, 392.581, 392.583, 392.584, 392.593, 392.595, 392.611, 392.621, 392.647, 392.649, 392.651, 392.653, 392.655, 392.657, 392.659, 392.661, 392.662, 392.665, 392.667, 392.669, 392.671, 392.673, 392.677, 392.683, 392.685, 392.687 and 392.689 are hereby repealed.

LEADLINES OF REPEALED SECTIONS

- 392.501** Applicability of regulations. (NRS 385.080, 392.400)
- 392.503** Adoption of standards and specifications by reference. (NRS 385.080, 392.400)
- 392.513** Front bumper. (NRS 385.080, 392.400)
- 392.559** Undercoating. (NRS 385.080, 392.400)
- 392.564** Warning devices. (NRS 385.080, 392.400, 392.410)
- 392.565** Alarm warning when bus is in reverse. (NRS 385.080, 392.400, 392.410)
- 392.569** Rear bumper. (NRS 385.080, 392.400)
- 392.571** Paint. (NRS 385.080, 392.400)
- 392.581** Fire extinguisher. (NRS 385.080, 392.400, 392.410)
- 392.583** Kit for first aid. (NRS 385.080, 392.400, 392.410)
- 392.584** Kit for cleanup of bodily fluids. (NRS 385.080, 392.400, 392.410)
- 392.593** Insulation. (NRS 385.080, 392.400)
- 392.595** Interior. (NRS 385.080, 392.400)
- 392.611** Rub rails. (NRS 385.080, 392.400, 392.410)
- 392.621** Tread of steps. (NRS 385.080, 392.400)
- 392.647** Definitions. (NRS 385.080, 392.400, 392.410)
- 392.649** “Strap” defined. (NRS 385.080, 392.400)
- 392.651** “Webbing” defined. (NRS 385.080, 392.400)
- 392.653** “Wheelchair” defined. (NRS 385.080, 392.400)
- 392.655** Power lift or ramp required. (NRS 385.080, 392.400, 392.410)
- 392.657** Width of aisles. (NRS 385.080, 392.400)
- 392.659** Electronic system for two-way communication required. (NRS 385.080, 392.400)

- 392.661** Seat belt assemblies and securement systems for wheelchairs. (NRS 385.080, 392.400)
- 392.662** Instrument for cutting strap or webbing; oxygen bottles; other equipment for safety, mobility assistance or health support. (NRS 385.080, 392.400, 392.410)
- 392.665** Display of international symbol of accessibility required. (NRS 385.080, 392.400, 392.410)
- 392.667** Standards for power lift. (NRS 385.080, 392.400)
- 392.669** Standards for ramp. (NRS 385.080, 392.400)
- 392.671** Restraining devices. (NRS 385.080, 392.400)
- 392.673** Seats. (NRS 385.080, 392.400)
- 392.677** Tinted glass. (NRS 385.080, 392.400)
- 392.683** Standards for step well. (NRS 385.080, 392.400, 392.410)
- 392.685** Standards for special service entrance. (NRS 385.080, 392.400, 392.410)
- 392.687** Standards for doors for special service entrance. (NRS 385.080, 392.400)
- 392.689** Determination of passenger capacity. (NRS 385.080, 392.400)

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NEVADA DEPARTMENT OF EDUCATION

**NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
NAC 392, Nevada School Bus Standards
(LCB File R027-01)**

SEC INFORMATIONAL STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 392:

- 1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**

The Notice of Intent to Act Upon a Regulation for public hearing and Board permanent adoption of the proposed revisions to NAC 392, Nevada School Bus Standards, was sent to approximately one-hundred fifty individuals and educational organizations. One public hearing was conducted by the Nevada State Board of Education on October 6, 2001, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. The Board adopted the permanent language without revision.

- 2. The Number of Persons Who:**

a) **Attended Each Hearing:** 13

b) **Testified at Each Hearing;** 0

and,

c) **Submitted Written Statements:** 0

No written comments were submitted.

- 3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.**

Comment was solicited through the public hearing notice of August 28, 2001. No comments from the public were received at the October 6, 2001, public hearing.

A copy of the summary and/or minutes of the public hearing may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (775) 687-9225, or by writing to the Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The permanent regulation language was adopted by the Nevada State Board of Education at the public hearing held October 6, 2001, without revision.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

There is no economic effect on the business which is regulated. There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or government agency regulations will be overlapped or duplicated by the above noted regulations. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide or involve a new fee.

10/9/01