

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

**LCB File No. R074-05**

§§3 and 4 effective October 31, 2005

§§1 and 2 effective January 1, 2006

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

AUTHORITY: §§1-4, NRS 392.380.

A REGULATION relating to the operation of school buses; establishing certain requirements for persons who wish to provide training in the operation of school buses for a school district in this State; and providing other matters properly relating thereto.

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

*1. A person who wishes to provide training in the operation of a school bus for a school district must:*

*(a) Have a high school diploma or general equivalency diploma;*

*(b) Have been driving a school bus in this State for at least the immediately preceding 2 years;*

*(c) Hold a valid class A or class B commercial driver's license issued pursuant to the provisions of NRS 483.900 to 483.940, inclusive, which includes a school bus endorsement and a passenger endorsement;*

*(d) In the immediately preceding 3 years, not have any:*

*(1) Convictions for a moving violation while driving a school bus; or*

*(2) Records of involvement in an accident while driving a school bus for which he is at fault or which could have been prevented;*

*(e) Know and understand any applicable federal, state and local laws and regulations and any rules or regulations of the school district related to driving a school bus;*

*(f) Receive at least 10 hours of in-service training each year within the school district; and*

*(g) Have passed the written test developed by the Department of Education pursuant to subsection 3.*

*2. Each school district shall provide documentation to the Department of Education which verifies that each person who provides training in the operation of a school bus for the school district has satisfied the requirements set forth in subsection 1. The Department of Education shall maintain the documentation provided by each school district.*

*3. The Department of Education shall, in consultation with the school districts, develop a written test that assesses knowledge and understanding of current federal and state laws and regulations related to driving a school bus for administration to persons who wish to provide training in the operation of a school bus.*

**Sec. 2.** The requirements for a person who wishes to provide training in the operation of a school bus set forth in subsection 1 of section 1 of this regulation apply only to persons who are initially employed or retained by a school district in this State on or after January 1, 2006, to provide training for the operation of a school bus. The requirements do not apply to persons who are employed or retained by a school district in this State before January 1, 2006.

**Sec. 3.** On or before January 1, 2006, the Department of Education shall develop the written test required by subsection 3 of section 1 of this regulation.

**Sec. 4.** 1. This section and section 3 of this regulation become effective upon filing with the Secretary of State.

2. Sections 1 and 2 of this regulation become effective on January 1, 2006.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R074-05**

The State Board of Education adopted regulations assigned LCB File No. R074-05 which pertain to chapter 392 of the Nevada Administrative Code on August 20, 2005.

**Notice date:** 7/14/2005  
**Hearing date:** 8/20/2005

**Date of adoption by agency:** 8/20/2005  
**Filing date:** 10/31/2005

**INFORMATIONAL STATEMENT**

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.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 150 individuals and educational organizations. One workshop was held on August 20, 2005. There were no comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed revisions for amendments to NAC 392, Certification of School Bus Driver Trainers, were sent to approximately 150 individuals and educational organizations. The public hearing was conducted on August 20, 2005 to provide the opportunity for comments by affected parties and the public. There was one presenter and no comments from the public. The State Board of Education adopted amendments to NAC 392.

2. The Number of Persons Who:

a) Attended Each Hearing: Workshop: 9 First Hearing: 9 Second Hearing: N/A  
b) Testified at Each Hearing: Workshop: 0 First Hearing: 0 Second Hearing: N/A  
c) Submitted Written Statements: Workshop: 0 First Hearing: 0 Second Hearing: N/A

A copy of any written comments may be obtained by contacting Nita Barnes, Secretary to the State Board of Education, Nevada Department of Education, (775) 687-9225, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

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.

Comments were solicited through the workshop notice of July 14, 2005 and public hearing notice of July 14, 2005. At the August 20, 2005 Workshop to Solicit Comments, there were no public comments to the proposed language revisions. At the August 20, 2005 public hearings there were no public comments to the proposed language.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Nita Barnes, Secretary to the State Board of Education, Nevada Department of Education, (775) 687-9225, or by writing to the Nevada 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 Nevada State Board of Education/Nevada State Board for Career and Technical Education adopted the regulation language at the public hearing held August 20, 2005. The reason for adopting new language is to meet required certification of school bus driver trainers in the State of Nevada to be proficient in federal and state laws and regulations.

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

There is no anticipated economic effect on the business which it regulates. There are no anticipated adverse effects on students or school districts. The beneficial, immediate and long term effects are unknown at this time. 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 an estimated cost to the agency for enforcement of this regulation of \$50.00 for the printing of a manual for distribution to school districts.

7. A description of any regulations of other state or governmental 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 governmental agency regulations will be overlapped or duplicated by the above noted regulation. 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 for a new fee or increase an existing fee.