

**LCB File No. T036-99**

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

(Effective April 28, 1999)

Explanation: Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

**Section 1.** NAC 392.500 is hereby amended to read as follows:

NAC 392.500 Conformity with minimal national standards required.

1. Every school bus purchased:

(a) After February 10, 1972, and before March 1, 1996, for the transportation of pupils must conform 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 (15 U.S.C. §§ 1381 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 [purchased] *manufactured*; or

(b) On or after March 1, 1996, must conform 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.

2. Nothing in this section shall be construed to 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. 2.** NAC 392.501 is hereby amended to read as follows:

NAC 392.501 Applicability of regulations. NAC 392.501 to 392.621, inclusive, apply to all school buses, unless:

1. A different standard is required pursuant to NAC 392.647 to 392.689, inclusive, for school buses designed to transport pupils with disabilities; or
2. As set forth in paragraph (a) of subsection 1 of NAC 392.500, different standards were in effect at the time the school bus was [~~purchased~~] *manufactured*.

**INFORMATIONAL STATEMENT**

**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 388, Trust Fund for Educational Technology**

**IMPACT STATEMENT**

The following statement is submitted for adopted new language to Nevada Administrative Code (NAC) 392, Nevada School Bus Standards:

- 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 one-hundred twenty-five individuals and educational organizations. One workshop was held September 12, 1998. There were no comments from the public. No written comments from the public were received.

The Notice of Intent to Act Upon a Regulation for public hearing on the proposed revisions was sent to approximately one-hundred twenty-five individuals and educational organizations. One public hearing were conducted on October 24, 1998 to provide the opportunity for comments by affected parties and the public. There were no comments from the public. No written comments were received.

- 2. The Number of Persons Who:**

- a) **Attended Each Hearing:** Workshop: 13 First Hearing: 15 Second Hearing: n/a  
b) **Testified at Each Hearing;** Workshop: 0 First Hearing: 0 Second Hearing: n/a

and,

- c) **Submitted Written Statements:** Workshop: 0 First Hearing: 0 Second Hearing: n/a

A copy of any written comments 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, 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.**

Comment was solicited through the workshop notice of August 25, 1998, and public hearing notice of September 21, 1998.

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 temporary regulation was adopted by the Nevada State Board of Education at the public hearing on October 24, 1998, without change.

**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 school districts. There is no estimated economic effect on the public.

**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.