

HOUSE BILL 1678

By Windle

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, Part 2; Title 49, Chapter 1, Part 3; Title 49, Chapter 2 and Title 49, Chapter 6, Part 21, relative to school buses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-2109, is amended by deleting subsection (b) in its entirety and substituting instead:

(b)

(1) Neither the state board of education nor the commissioner of safety shall limit the use of conventional or Class D school buses by years of service or by mileage driven; provided, that the commissioner of safety or the commissioner's designee makes at least one (1) inspection of each school bus in service during each school year.

(2) The owner of any bus shall maintain records of all maintenance actions and safety inspections performed on a bus from its in-service date in this state. These records shall be available at all times to the commissioner of safety or the commissioner's designee.

(3) At an inspection of a school bus, the inspector shall have the authority to require repairs or reconditioning to be made that the inspector considers necessary for the continued safe use and operation of the bus. If the LEA or owner refuses to take the required action or if the inspector considers continued use of the bus to be unsafe, the inspector shall order its removal from service.

(4) In addition to any other repairs, replacements or reconditioning required by the inspector, the steering, braking and exhaust systems of all

conventional school buses with over twelve (12) years of service and all Class D buses with over fifteen (15) years of service shall be thoroughly reconditioned or replaced, as necessary, prior to any continued use.

(5) With respect to any conventional or Class D bus in service in this state, there shall be a log of all maintenance actions and safety inspections performed. This log shall be available at all times to the commissioner or the commissioner's designee.

(6) Boards of education are encouraged to make full use of federal funds, while available, for retrofitting diesel school buses to improve both cabin air quality and lower emissions.

(7) The commissioner of safety is authorized to promulgate rules and regulations to effectuate the purposes of this subsection (b). The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 49-6-2109(d), is amended by deleting the subdivision in its entirety.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.