

TRANSPORTATION

MOTOR VEHICLE COMMISSION

Enforcement Service

Disclaimer: Notices of Proposal are posted on this site by the New Jersey Motor Vehicle Commission as a courtesy to inform the public about pending rules. This version is not the official text of the proposal and may differ from the official published text. The official text of the proposal is published in the New Jersey Register issue for the date indicated. Should there be any discrepancies between this website and the official version of the proposal, the official version will govern.

Proposed Repeals: N.J.A.C. 13:20-30.10, 49D.10 and 50C.14

Proposed New Rules: N.J.A.C. 13:20-30 Appendices A, B and C and 13:20-50.4

Proposed Amendments: N.J.A.C. 13:20-30.1, 30.2, 30.3, 30.5, 30.7, 30.8, 30.9, 30.13, 30.14, 30.15, 30.17, 31.1, 31.9, 31.35, 49.1, 49.3, 49A, 49B.6, 49B.8, 49C.2, 49C.5, 49C.13, 49C.15, 49C.18, 49C.22, 49C.32, 49C.37, 49C.42, 49C.44, 49D.6, 49E.4, 50, 50A.3, 50A.4, 50A.6, 50A.12, 50A.25, 50A.28, 50B.1 through 50B.7, 50B.11 through 50B.16, 50B.18, 50B.19, 50B.23, 50B.25, 50B.27, 50B.30, 50B.33, 50B.35, 50B.37, 50B.43, 50B.49, 50C.2, 50C.6, 50C.7, 50C.9, 51.1, 51.2, 51.3, 51.4, 51.6, 51.7, 51.9, 51.10, 51.11, 51.13, 52.1, 53.2, 53.6, 53A.14, 53B.8 and 53C.10

Authorized By: Motor Vehicle Commission, Raymond P. Martinez, Chairman.

Authority: N.J.S.A. 39:2-3, 39:3-10, 39:3-11, 39:3-33.3, 39:3-33.7, 39:3-43, 39:3-63, 39:3-75, 39:3-75.2, 39:3-77, 39:3-77.1, 39:3-81, 39:3-84, 39:3B-5, 39:3B-5.3, 39:3B-5.4, 39:3B-9, 39:3B-10, 39:3B-12, 39:3B-14, 39:3B-15, 39:3B-19, 39:3B-20, 39:3B-21, 39:3B-24, 39:5-30, 39:5B-29, 39:8-1, 39:8-2, 39:8-4.1, 39:8-10, 39:8-57, 39:8-77 and 39:10-4.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2011-162.

Submit comments by September 30, 2011 to:

Steven E. Robertson, Director

Legal and Regulatory Affairs
Motor Vehicle Commission
Attn: Legal and Regulatory Affairs
225 East State Street
PO Box 162
Trenton, New Jersey 08666-0162

The agency proposal follows:

Summary

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5. The public comment period for this notice of proposal will be 60 days, since the notice is not listed in the agency rulemaking calendar.

Throughout the chapter, amendments are proposed to correct the name of the Motor Vehicle Commission unit inspecting the school buses, for accuracy. The correct name of the unit is the Inspection Services Bus Unit.

Subchapter 30, Inspection of School Buses, provides for the periodic inspection and maintenance of school buses registered in New Jersey. Owners, including local boards of education, are required to maintain an inspection record for all vehicles.

Proposed amendments to N.J.A.C. 13:20-30.1 allow the Motor Vehicle Commission (MVC) to perform cursory inspections and issue replacement stickers to correspond with a new owner's inspection cycle if there are no obvious defects found.

This was added in response to stakeholders requesting that full inspections not be required at transfers of ownerships transpiring soon after bus inspections had been performed.

Amendments are also proposed at N.J.A.C. 13:20-30.2. The school bus rules do not contain a definition of accident or passenger, which the MVC believes are important definitions to add for clarification, as they are commonly used terms. The MVC also proposes to clarify the definitions of “driver” and “operator.” A driver is one who drives a bus or vehicle, without using the otherwise-defined term “operator.” An operator would be defined as an owner or person responsible for the day-to-day operation and maintenance not only of school buses but also of school vehicles, as the term is currently understood to mean. In the definition of school bus, the MVC deleted the words “for compensation” in order to make the definition consistent with the definition of school bus in N.J.S.A. 39:1-1. In the definition of FMVSS, the MVC added the web address so users may access the standards electronically. These changes to the definitions were made to avoid confusion.

N.J.A.C. 13:20-30.3(d)1 is amended to remove the requirement that the inspection and maintenance records include the number of tires and tire ply, at the request of stakeholders, agreeing that that information is superfluous to the MVC. N.J.A.C. 13:20-30.3(e) is amended to allow school bus operators to maintain records electronically, for convenience and efficiency, and adds the New Jersey State Police to the entities to whom the records of inspection and maintenance are available. The State Police participate in the Governor’s School Bus Task Force inspections and therefore are entitled to review the records.

N.J.A.C. 13:20-30.5(d) is amended to clarify that repairs are to be made in conformance with Federal and State rules and regulations, which was not previously stated. N.J.A.C. 13:20-30.5 is further proposed for amendment to allow a school bus that has been marked “out-of-service” to be driven to reinspection after repairs are made, but prohibits the transport of passengers on such school buses until a reinspection indicates that all out-of-service repairs have been satisfactorily completed. This amendment is proposed in response to complaints from stakeholders that repaired buses requiring reinspection cannot be driven to reinspection. The Commission is still providing the option for buses to be towed to reinspection.

N.J.A.C. 13:20-30.5(f) is amended to allow a designee of the person completing repairs to certify to the Chief Administrator the date and time the required repairs were completed. This was done for the convenience of stakeholders, as there are instances where the person who completes the repairs is not the person who brings the bus for inspection, and is not always the person who is authorized to provide certifications on behalf of a company. The Commission is also proposing a form for the certification to post on the Commission’s website for ease and consistency, and is also located at N.J.A.C. 13:20-30 Appendix A.

N.J.A.C. 13:20-30.7(a) is proposed for amendment to allow school bus operators to maintain records electronically, for convenience and efficiency. A new form is proposed for posting on the Commission’s website, and is located at N.J.A.C. 13:20-30 Appendix B, which school bus companies will be required to use and so all school bus companies use the same form. The section is also proposed for amendment at

subsection (b) to add details to the school bus condition report for more accountability and specificity, which was requested at stakeholder meetings. Items on the school bus condition report are proposed for amendment to change “special transportation equipment” to “special transportation equipment for special needs passengers,” for clarification, and “school bus warning equipment” is added, to ensure warning equipment condition is included in the daily school bus condition reports, for safety concerns.

N.J.A.C. 13:20-30.8 is proposed for amendment to change the required inspections to at least every three months or as set forth in the manufacturer’s recommended maintenance schedule, whichever occurs first. The amendments eliminate the use of mileage as a benchmark for required inspections. Stakeholders at Commission public meetings explained that some have high-mileage bus routes, resulting in onerous inspection schedules. The Commission agreed to allow the sooner of three months or per the bus manufacturers’ maintenance schedules as the benchmark, as it has not been shown that inspections at every 3,000 miles increase safety. The Commission also prepared a new form for the inspections, for consistency and efficiency, which will be available on the Motor Vehicle Commission’s website and is located at N.J.A.C. 13:20-30 Appendix C.

N.J.A.C. 13:20-30.9 is proposed for amendment to clarify that the equipment required for inspection is subject to requirements applicable to its model year. The section also contains amendments creating a requirement that a vendor who sells or leases a school bus for the transportation of children provides a certification to the buyer or lessee that the school bus meets all Federal and State standards, and that it is the

buyer or lessee's responsibility to insure that the school bus meet all Federal and State standards after purchase or start of a lease.

N.J.A.C. 13:20-30.10 is proposed for repeal. The Motor Vehicle Commission's recent internal audit revealed that since inspections are performed twice per year, it is redundant to require an annual certification saying that a school bus has been inspected and maintained.

N.J.A.C. 13:20-30.14 is proposed for amendment to allow fingerprints to be submitted electronically, as that method is convenient and commonly used, and requested by stakeholders, yet was not referred to in the section.

N.J.A.C. 13:20-30.15 is proposed for amendment by deleting subsection (b), as the Commission's Inspection Services Bus Unit does not conduct the inspections of retired school buses, only those in use as school buses.

N.J.A.C. 13:20-30.17 is proposed for amendment to clarify that the operator and the driver are assessed fines in accordance with N.J.S.A. 39:3B-22, with the exception of the violation of failure to present or make available a school bus for inspection, which is the operator's responsibility. There was potential ambiguity with the application of this section since the definition of driver included the term operator, which is also proposed for amendment, as noted above, to clarify the terms driver and operator. Paragraph (a)2 is proposed for amendment to clarify that records must be prepared and remitted in addition to being retained as is stated currently, also in accord with N.J.S.A. 39:3B-22.

Subchapter 31, School Bus Enhanced Safety Inspection Out-of-Service Criteria, establishes a schedule of school bus safety out-of-service inspection criteria. The out-of-service criteria also cover insurance and driver credentials. The proposed amendment to N.J.A.C. 13:20-31.1(b) updates the safety standards with which the rules in Subchapter 31 must be consistent. The standards are those issued in 2010 by the National Conference on School Transportation. The amendments also provide the website address where the standards may be found, <http://www.ncstonline.org>.

N.J.A.C. 13:20-31.9 is proposed for amendment to clarify and specify the out-of-service criteria pertaining to a power steering system. The amendments make out-of-service criteria applicable to power steering systems, not just power steering belts, addressing the entire steering system as opposed to only one component. The amendments list components not in operating condition, loose or broken parts, frayed, cracked or slipping belts, leaking systems and insufficient fluid in power steering system reservoirs as out-of-service violations.

N.J.A.C. 13:20-31.35 is proposed for amendment to prohibit the transport of passengers until all out-of-service violations are remedied, and such remedial action is either certified or approved by representatives of the Motor Vehicle Commission. The existing rule prohibits the operation of the school bus until all out-of-service violations are remedied. At the urging of stakeholders, the change is made to allow buses whose violations are remedied to be driven to reinspection, although with no passengers. There is also a proposed amendment to the section heading to reflect the changed text accurately.

Subchapter 49, Standards for School Buses Manufactured July 1985 through May 1993, sets forth equipment standards for school buses manufactured with a chassis manufacture date of July 1985 through May 1993. This subchapter adopts the 1985 National Minimum Standards by reference and specifies those additional supplements to the National Minimum Standards that school bus manufacturers must comply with for school buses that are manufactured for operation in New Jersey. The 1985 National Minimum Standards apply to vehicles with a chassis manufacture date of July 1985 through May 1993.

N.J.A.C. 13:20-49.1(a) is proposed for amendment to omit the qualification that the subchapter is applicable only to privately operated motor vehicles when operated for compensation to transport children to or from school or other similar places of education. The subchapter's standards would be applicable to all vehicles that transport children to or from school or other similar places of education and were manufactured between July 1985 and May 1993, designed by the manufacturer to carry 10 or more passengers, excluding the driver, and registered as a school bus in accordance with N.J.S.A. 39:3-19.2. There is no distinction in the definition of school bus in N.J.S.A. 39:1-1 as to whether or not such vehicles are provided for compensation, so this amendment is made in accord with that statutory definition. N.J.A.C. 13:20-49.3(i) is proposed for amendment to reflect the recent statutory enactment that allows advertising on the exterior of school buses, P.L. 2010, c. 121.

Subchapter 49A, Standards for Buses Used for Pupil Transportation Manufactured June 1993 through December 2005, sets forth equipment standards for

school buses manufactured with a chassis manufacture date of June 1993 through December 2005 for school buses operating in New Jersey.

N.J.A.C. 13:20-49A.1 is proposed for amendment to omit the qualification that the subchapter is applicable only to privately operated motor vehicles when operated for compensation to transport children to or from school or other similar places of education. The subchapter's standards would be applicable to all vehicles that transport children to or from school or other similar places of education and were manufactured between June 1993 and December 2005, designed by the manufacturer to carry 10 or more passengers, excluding the driver, and registered as a school bus in accordance with N.J.S.A. 39:3-19.2. There is no distinction in the definition of school bus in N.J.S.A. 39:1-1 as to whether or not such vehicles are provided for compensation, so this amendment is made in accord with that statutory definition.

N.J.A.C. 13:20-49A.2 is proposed for amendment to add a definition for "accident," which is a commonly used term but is not currently defined in the subchapter. The definition of "driver" is proposed for amendment for clarity, as there is potential confusion with using the word "operator" in the definition of driver. There is a separate and distinct definition of operator proposed.

N.J.A.C. 13:20-49A.3 is proposed for amendment to require that the "completed vehicle" certifications be provided to the Motor Vehicle Commission in writing. The existing rule does not specify that the certifications need to be in writing, which is required for recordkeeping purposes. The subsection is also amended to specify that school bus warning lamps are alternately flashing red and amber lamps, to clarify the standard used to identify school buses and to indicate the school bus is stopped.

Subchapter 49B, Chassis Standards for Buses Used for Pupil Transportation Manufactured June 1993 through December 2005, sets forth the chassis standards for school buses manufactured for operation in New Jersey.

N.J.A.C. 13:20-49B.6 is proposed for amendment to allow the color black to be an option for school bus grilles. This additional color allowance is proposed at the request of bus manufacturers.

N.J.A.C. 13:20-49B.8(a)1 is proposed for amendment to allow higher cold cranking capacities for batteries. The amendments provide clarification that the higher capacities are permissible and delete the wording “may be required.” Subparagraph (c)2vii is proposed for amendment to allow instrument panel lights to be controlled by a separate dimmer switch in addition to a headlamp switch, at the request of bus manufacturers basing their request on existing technology.

Subchapter 49C, Body Standards for Buses Used for Pupil Transportation Manufactured June 1993 through December 2005, sets forth the body standards for school buses manufactured for operation in New Jersey.

N.J.A.C. 13:20-49C.2 is proposed for amendment to specify that an audible alarm shall comply with audible alarm standards set forth in Society of Automotive Engineers (SAE) standard J994 (2009), incorporated herein by reference, as amended and supplemented, to add specificity and clarity to the rule.

N.J.A.C. 13:20-49C.5 is proposed for amendment to comport with Department of Education rules concerning the number of pupils who may be transported in each vehicle, and the method to use in measuring for seating. The maximum seating capacity may not exceed 54, so N.J.A.C. 13:20-49C.5(a)1 is proposed for deletion since

it addresses older vehicles manufactured as 58 passenger vehicles, which is no longer applicable. N.J.A.C. 13:20-49C.5(c) is also proposed for amendment to state that the rules therein are not applicable to a bus while chartered for school-related activities, again to comport with Department of Education rules.

N.J.A.C. 13:20-49C.9 is proposed for amendment to specify that SAE standards the defrosting systems must conform to are the defrosting standards set forth in SAE J381, incorporated herein by reference, as amended and supplemented.

N.J.A.C. 13:20-49C.13 is proposed for amendment to make it permissive, rather than mandatory, to equip a bus with a pry bar, and if so equipped, it shall be easily accessible to the driver. The existing requirement that a bus have a pry bar was requested by stakeholders to be made permissive.

N.J.A.C. 13:20-49C.15 is proposed for amendment to make first aid kits permissive, rather than mandatory, as well as to remove the requirement that kits contain a pencil and paper, and lists the suggested items for inclusion in a first aid kit. Stakeholders advised that drivers are not permitted to use first aid kits on students, and when needed, emergency care is provided by school nurses, emergency personnel and other authorized individuals who often come prepared with the required medical supplies.

N.J.A.C. 13:20-49C.18(e)2 is proposed for amendment to allow the color of letters or numbers to be white, in addition to black and/or National School Bus Yellow. This changes the requirement that the letters or numbers be either of the colors (black or National School Bus Yellow), to allow more flexibility at the request of stakeholders.

N.J.A.C. 13:20-49C.22(c) is proposed for amendment to state that body instrument panel lights must be controlled by an independent switch, not solely by an independent rheostat switch. This amendment was made at the request of stakeholders and offers flexibility without losing functionality.

N.J.A.C. 13:20-49C.22(e)4 is proposed for amendment to clarify that it is the flashers and all of their operating components that must be readily accessible to the driver, and they must be accessible, not enclosed, for better ease of access. Some buses are equipped with operating components, not just flashers, for the alternately flashing lamps, and the amendment addresses the different options.

N.J.A.C. 13:20-49C.22(e)5 is proposed for amendment to clarify the requirement that each school bus must be equipped with indicator lights that monitor the proper operation and illumination of the front and rear alternately flashing signal warning lamps. The indicator lights are to be mounted in full view of the driver. This change is to make clearer the requirement that the indicator lights are for indicating to the driver that the warning lamps are properly functioning, which is required for safety reasons. And, if the full circuit current passes through the indicator lights, each circuit shall be protected by a fuse or circuit breaker.

N.J.A.C. 13:20-49C.22(e)8 is proposed to be amended to remove the restriction that strobe lamps may be on Type C and D buses only, at the request of school bus operators. N.J.A.C. 13:20-49C.32(c) is proposed to be amended to meet the performance criteria in the School Bus Seat Upholstery Fire Block Test set forth in the most current, the 2010 revised, National School Transportation Specifications and Procedures (NSTSP), which is incorporated by reference, as amended and

supplemented, and to agree with N.J.A.C. 13:20-50B.33. The seats will have to be fully encapsulated as compared to having seat back cushions and crash barriers covered with material. The NSTSP allows the option of using flange head nuts to secure seat legs, which is reflected in subsection (e) by way of a clarifying amendment.

N.J.A.C. 13:20-49C.37, concerning stop signal arms, is proposed to be amended to provide the FMVSS number and CFR cite for specificity, and for grammatical clarity. Specifically, the amendments provide that a stop signal arm must meet the requirements of FMVSS No. 131 (49 CFR 571.131), School Bus Pedestrian Safety Devices, which is incorporated by reference.

N.J.A.C. 13:20-49C.42(a) is proposed for amendment to make undercoating permissive instead of mandatory, at the request of bus manufacturers and bus owners.

At N.J.A.C. 13:20-49C.44(a), proposed amendments would make it mandatory for all buses to have walking (crossing) control arms, as compared to the current permissive guidance. This change was made in accordance with the requirements in N.J.S.A. 39:3B-1.1 et seq.

Subchapter 49D, Specially Equipped School Bus Standards for Buses Used for Pupil Transportation Manufactured June 1993 through December 2005, sets forth the standards used for the modification of school buses transporting students with special transportation needs.

N.J.A.C. 13:20-49D.6(a)1 is proposed for amendment to clarify that the required handicapped symbol be 12 inches by 12 inches, not simply 12 inches in size as currently stated.

N.J.A.C. 13:20-49D.10 is proposed for repeal, as specific standards for steps are located throughout the rules in other sections, making this section redundant.

Subchapter 49E, Autobuses Approved for Pupil Transportation by the New Jersey Department of Transportation Prior to May 21, 1993, sets forth exceptions and exemptions for certain autobuses from the equipment requirements contained in N.J.A.C. 13:20-49. The subchapter is proposed to be amended to reflect the correct name of the unit with jurisdiction over the buses addressed in this subchapter, as discussed above.

Subchapter 50, Standards for School Buses Manufactured January 2006 and Thereafter, sets forth provisions pertaining to these vehicles.

N.J.A.C. 13:20-50.1 is proposed for amendment to comply with the definition of school bus in N.J.S.A. 39:1-1, clarifying that the section is applicable to all school buses registered in New Jersey that were originally designed by the manufacturer to carry 10 or more passengers, excluding the driver, operated by or under contract with a public governmental agency, or religious or other charitable organization or corporation, or privately operated, regardless of whether for compensation, for the transportation of children.

N.J.A.C. 13:20-50.1 is proposed for amendment to specify that when inspections are scheduled at a school bus owner/lessee's terminal, the owner/lessee of the terminal is to provide a clean, safe environment where the buses are to be inspected, for the safety and protection of Commission inspectors when conducting inspections. The section is also amended to refer to specifically to commercial buses instead of

autobuses, which may be used to transport children for school-connected purposes if they display a certificate of inspection issued by the Commission indicating school use.

N.J.A.C. 13:20-50.2 is amended to include a definition of accident because there is currently none in this definition section; to clarify the definition of driver to clear up potential confusion with the use of the term operator in the definition; to add the website address for the Federal Motor Vehicle Safety Standards for user convenience; to update the edition of the National School Transportation Specifications and Procedures referred to in the rules; to clarify that an operator means the owner or person responsible for the day-to-day operation and maintenance of a school bus or school vehicle, not just a school bus; to clarify that a passenger is a person riding in a school bus or school vehicle, other than the driver, not only one who is in a school bus; and to correct the description of a Type B school bus, which is one designed by the manufacturer for carrying 10 to 54 (not 30) passengers.

N.J.A.C. 13:20-50.3(a)5 is proposed for amendment to clarify that the manufacturer of a completed vehicle must ensure that its certification plate contains the maximum permitted seated passengers and maximum permitted wheelchair capacity as built. A further proposed amendment to the paragraph would clarify that the amount of space allowed is either the amount specified or an amount of space meeting all applicable Federal standards, at the manufacturer's option, which is offered in response to stakeholder requests. The amendments delete subsection (b) and merge the provisions of subsection (b) with paragraph (a)5. There is a technical amendment to correct the name of the Commission's unit inspecting buses.

New N.J.A.C. 13:20-50.4, Capacity, is proposed to correspond with the Department of Education's rules and is included at that department's request. The new section would provide the calculation for the maximum number of students per seat, and specify that the number of students to be transported in each vehicle would be determined by the seat measurements, and specify that the maximum number of students in a bus could not exceed 54. The new section would prohibit standees on buses. The new section would not apply to a bus that is being used as a common carrier on a preset franchised route and schedule or is chartered for school-related activities.

Subchapter 50A, Chassis Standards for School Buses Manufactured January 2006 and Thereafter, sets forth specific chassis standards with regard to the following items: air cleaner; axles; brakes; front bumper; clutch; color; drive shaft; electrical system; exhaust system; front fenders; frame; fuel tank; governor; heating system; horn; instruments and instrument panel; oil filter; openings; passenger load; power and gradeability; retarder system; shock absorbers; springs and shackles; steering gear; tires and rims; transmission; turning radius; undercoating; and weight distribution.

A proposed amendment to N.J.A.C. 13:20-50A.3(b) would adjust the requirement for a warning signal when air pressure in brakes is 55 instead of 60 pounds per square inch and below, to correspond with Federal standards.

N.J.A.C. 13:20-50A.3(c) is proposed for amendment to allow Type A and Type B school buses constructed on a cutaway chassis using a hydraulic-assist brake system to be equipped in accordance with the Federal standards at FMVSS No. 105, Hydraulic and Electric Brake Systems, and adds the cite to the Code of Federal Regulations, 49

CFR 571.105, which is incorporated into the rule by reference to direct users to the standard.

N.J.A.C. 13:20-50A.4(a) is proposed for amendment to delete the provision that a front bumper is to be provided by a chassis manufacturer, as according to bus manufacturers, it is very rare to find separate chassis manufacturers. Subsection (b) is proposed for amendment to allow the front bumper of a school bus to contain an electrical outlet for the engine block heater. This change is being proposed at bus manufacturers' requests.

N.J.A.C. 13:20-50A.6(d) is proposed for amendment to allow for flexibility in grille color. The front grilles could be black in addition to gray, chrome, silver, stainless steel or National School Bus Yellow. All other grilles would be required to be black or National School Bus yellow.

N.J.A.C. 13:20-50A.12(e) is proposed for amendment to allow school bus Types C and D, in addition to Type B, to be deemed in compliance if their fuel tank is mounted between the chassis and frame rails, as Type C and D school bus fuel tanks are mounted between the chassis frame rails. The amendments delete the specification that the rule is directed to Type B, C and D school buses constructed on a cutaway chassis, because not all buses are built on a cutaway chassis.

A typographical error is corrected in N.J.A.C. 13:20-50A.25(f).

N.J.A.C. 13:20-50A.28 is proposed for amendment to allow the undercoating of front fenders to be optional instead of mandatory. This change is being proposed in response to bus manufacturers' requests, and is agreeable to the Motor Vehicle Commission. The amendments also specify which version of the Federal Standard

Rustproofing of Commercial (Nontactical) Vehicles (FED-STD-297E) is to be followed, which is the August 1990 version.

Subchapter 50B, Body Standards for School Buses Manufactured January 2006 and Thereafter, sets forth specific body standards.

N.J.A.C. 13:20-50B.1(h) is proposed for amendment to update the edition of Federal standards referenced, and to remove outdated specific page numbers of the older edition.

N.J.A.C. 13:20-50B.2(b) is proposed for amendment to clarify that although the rules state that aisles shall not be obstructed at any time by any barrier, seat, wheelchair mounting or other object, a track seating system is permitted as long as the track and filler cap are flush with the floor. N.J.A.C. 13:20-50B.2(c) is proposed for deletion, as it addresses the slant of seatbacks, and seats are no longer slanted.

N.J.A.C. 13:20-50B.3(b) is proposed to specify that backup monitors are allowed, as long as they will not operate while the vehicle is in “drive” or forward motion. The change is being proposed at the request of bus owners, to reflect technology used on buses.

N.J.A.C. 13:20-50B.4(d) is proposed to specify that wires or cables passing through metal openings must be protected by a grommet. This is proposed to comply with NSTSP rules.

N.J.A.C. 13:20-50B.5 is proposed for amendment to allow rear bumpers to be equipped with tow hook access panels, but require the access panels to remain

securely closed when the tow hooks are not in use. The change was requested by bus manufacturers to address new bus body designs.

N.J.A.C. 13:20-50B.6(a) is proposed for amendment to clarify that the reference to fenders and doors addresses “all” doors. N.J.A.C. 13:20-50B.6(b) is proposed for amendment to clarify which components are to be black, and which may be black and or National School Bus Yellow. N.J.A.C. 13:20-50B.6(c) is proposed for amendment to allow the lettering to be in red or black, in response to the request of school bus manufacturers. N.J.A.C. 13:20-50B.6(d) and (e) are proposed for amendment to clarify that the National School Bus Yellow material is referred to as retro-reflective, as opposed to reflective, to match Federal terminology. Subsection (e) is also amended to allow the background of the front and/or rear “School Bus” signs to be marked with retro-reflective or illuminated National School Bus Yellow material. The subsection is also being amended to update the edition of the NSTSP referred to, and delete the page referenced in the older edition, which is now inaccurate.

N.J.A.C. 13:20-50B.7(c) is proposed to allow school buses to have GPS and other similar devices mounted on the windshield, if they do not obstruct sight lines and are placed as specified. This amendment is being proposed at the request of bus owners and bus manufacturers.

N.J.A.C. 13:20-50B.11(g) is proposed for amendment to allow the lettering on emergency doors to be red or black, to provide flexibility in response to requests at stakeholder meetings. N.J.A.C. 13:20-50B.11(j) is proposed for amendment to refer to the engine starting system as the engine start circuit system in place of the engine

ignition system, to more accurately reflect the starting system, at the request of bus manufacturers.

N.J.A.C. 13:20-50B.12 is proposed for amendment to refer to all school buses as opposed to different types of buses, as the section's provisions are applicable to all types of school buses.

N.J.A.C. 13:20-50B.13(a) is proposed for amendment to allow school buses to be equipped with a pry bar, instead of requiring it, and specifies that it shall be at least 24 inches in length, as opposed to the current requirement of 23. If a bus is so equipped, the pry bar would have to be securely mounted in the bus in a location easily accessible to the driver. This proposed change is being made at the request of stakeholders. Subsection (b) is proposed for amendment to update the cites to FMVSS No. 125 (49 CFR 571.125), Warning Devices, which are incorporated by reference and reflect their provisions. Subsection (c) is proposed for amendment to change the language referring to the fluid clean-up kit, changing the reference instead to a body fluid clean-up kit, for clarification. The changes in N.J.A.C. 13:20-50B.13 are being made in response to stakeholder requests.

The amendments at N.J.A.C. 13:20-50B.14(a) clarify the requirements for emergency exits. The amendments specify there must be a minimum of one emergency push-out exit window per side. They also clarify that the existing provision that emergency push-out side exit windows shall not be directly opposite each other does not apply to buses with more than one emergency window exit on one side. The amendments clarify that each emergency exit window, not just the emergency push out side exit windows, shall be outlined with retro-reflective tape. The amendments also

allow emergency push-out side exit windows to be labeled “do not block” in specific sizes. The changes in this subsection are proposed to comply with Federal standards.

N.J.A.C. 13:20-50B.15 is proposed for amendment to correct the references to fire suppression systems, from references to fire extinguishers. Amendments prohibit fire suppression systems that use the chemical Halon, and delete the requirement that a fire extinguisher display an inspection tag, which aligns with Federal requirements. Deletion of the inspection tag requirement was made at the request of stakeholders; the gauge indicating that the fire extinguisher is fully charged is deemed sufficient.

N.J.A.C. 13:20-50B.16 is proposed for amendment to make a first aid kit permissive as opposed to mandatory, and lists the suggested items for inclusion in a first aid kit. Amendments remove the requirement that a pencil and paper be stocked in the first aid kit. Stakeholders advised that drivers are not permitted to use the contents of first aid kits on students and when needed, emergency care is provided by school nurses, emergency personnel and other authorized individuals who often come prepared with the requisite medical supplies. The section is also amended to require that compartments storing first aid kits must be specifically identified by the words “first aid” in red, two inches by 3/16 inch letters. This specific requirement replaces the former “clearly visible” requirement.

N.J.A.C. 13:20-50B.18(a) is proposed for amendment to update the edition of the NSTSP cited, and to delete the specific page numbers referred to as they are no longer accurate. Subsection (g) is proposed for amendment, so that requirements for hot water heater systems referred to are also applicable to Type B school buses, at the request of bus manufacturers.

N.J.A.C. 13:20-50B.19(d)2 is proposed for amendment to allow bus owners flexibility in adjusting the size and visibility of bus identifiers. The amendments now allow numbers and/or letters necessary for school bus identification to be located either on the bumpers and/or on the roof in an appropriate size for aerial viewing. The size of the lettering specified is also adjusted to reflect a standard size of 8 ½ inches by 11 inches, rather than eight inches by 12 inches at subsections (f) and (g).

N.J.A.C. 13:20-50B.23(f) is proposed for amendment to reflect current technology (LED lights). It is proposed that school buses equipped with an automatic service door must be equipped with an emergency manual override switch to permit the driver to activate the red signal warning lamps prior to opening the door, as opposed to the formerly permissive option. This request was made by bus manufacturers and agreed to by the Motor Vehicle Commission. N.J.A.C. 13:20-50B.23(f)6 is proposed for amendment to clarify that the purpose of the indicator lights is to monitor the operation and illumination of the front and rear lamps, which is critical for passenger safety. Subsection (g) and paragraph (h)3 contain proposed amendments to eliminate distinctions stated for Type A school buses since there are no exceptions for Type A buses. Subsection (i) is proposed for amendment to make it mandatory that the light that is wired to activate with the amber alternately flashing signal warning lamps, continuing through the full loading or unloading cycle, be equipped with an override switch to allow activation of the light at any time for use in inclement weather. The override switch is currently optional, but bus manufacturers made the request and the Commission agrees to make it mandatory, for safe operation of the lights in inclement weather. N.J.A.C. 13:20-50B.23(c) is proposed for deletion, since the subsection

addresses an outdated technology; panel lights are no longer controlled by rheostat switches, but by the same source as headlights.

N.J.A.C. 13:20-50B.25 is proposed for amendment to allow exterior mirror housing and support brackets to be black and or stainless steel as compared to the current requirement they be black only, to reflect current bus manufacturers' practices, and in response to their request.

N.J.A.C. 13:20-50B.27 is proposed for amendment to change the maximum overall length of a school bus body to 42 feet from 40 feet, to meet Federal crash test guidelines.

N.J.A.C. 13:20-50B.30 is proposed for amendment to allow rub rails to be National School Bus Yellow in addition to or in combination with black, and to require that the rub rails be continuous across the luggage compartment area, at stakeholders' requests.

N.J.A.C. 13:20-50B.33(d) is proposed to be amended to meet the performance criteria in the School Bus Seat Upholstery Fire Block Test set forth in the most current, the 2010 revised, NSTSP rules, and to agree with N.J.A.C. 13:20-49C.32. The provision for an exception for a Type A bus is proposed for deletion, at subsection (i), as there is no distinction between the Type A and other type buses with regard to seats. This subsection is also proposed for amendment to reflect the NSTSP rules requiring a minimum seatback adjustment of 15 degrees and with a head restraint to accommodate a 5th percentile female, as well as a 95th percentile adult male.

N.J.A.C. 13:20-50B.35(f) is proposed to allow Type A and B school buses on a cutaway chassis to have a step for the driver's door, which step shall be black, as bus manufacturers have advised that new buses are manufactured this way.

N.J.A.C. 13:20-50B.37 is proposed for amendment to allow stirrup steps to be black and or National School Bus Yellow, to provide the missing guidance as to the requirement for the color of the stirrup steps.

N.J.A.C. 13:20-50B.43 is proposed for amendment to allow undercoating to be permissive instead of mandatory, at the request of bus manufacturers and bus owners. If undercoating is used, the compound manufacturer must issue a notarized certification of compliance with bus body builders that the compound meets or exceeds all performance and qualitative requirements of applicable Federal specifications. The reference to a specific Federal standard is deleted to allow the manufacturers to meet the requirements governing their specific compounds.

N.J.A.C. 13:20-50B.49 is proposed for amendment to include Type A school buses in the provisions allowing solenoid switches or electronic control systems in the main electrical power supply lines to body circuits, currently allowed in Types B, C and D school buses. Bus manufacturers made this request and the Motor Vehicle Commission sees no need for the current Type A exemption.

Subchapter 50C, Standards for Specially Equipped School Buses Manufactured January 2006 and Thereafter, sets forth specific standards with regard to the following items: aisle; communications; construction modifications; doors; fire extinguisher systems; identification; lights; power lift; ramp; restraining devices; seating arrangements; securement system for wheelchairs/mobile seating devices and

occupants; steps; support equipment and accessories; and wheelchair or other mobile seating device requirements.

N.J.A.C. 13:20-50C.2(b) is proposed to allow a school bus designed for transporting students with special transportation needs to have a track system with a track in the aisle, as long as the track and filler cap are flush with the floor, so as not to obstruct the aisle.

N.J.A.C. 13:20-50C.6 is proposed for amendment to accurately reflect that buses may have fire suppression systems, not simply fire extinguishers.

N.J.A.C. 13:20-50C.7 is proposed for amendment to clarify the size required for the International Symbol of Accessibility, as 12 inches by 12 inches, not just 12 square inches.

N.J.A.C. 13:20-50C.9(a) is proposed for amendment to provide the FMVSS numbers and Code of Federal Regulation cite, FMVSS No. 403 (49 CFR 571.403), Platform Lift Systems for Motor Vehicles, and FMVSS No. 404 (49 CFR 571.404), Platform Lift Installations in Motor Vehicles, which are both incorporated into the rule by reference, where power lift requirements are found, at the request of bus manufacturers.

N.J.A.C. 13:20-50C.14 is proposed for repeal, as provisions for steps on buses are found throughout the rules in the chapter, therefore making this subsection redundant.

Subchapter 51, Standards For Type S School Buses, sets forth specific standards with regard to the following items: capacity; chains or snow tires; emergency equipment; fire extinguisher; first aid kit; floor covering; heater capacity; lettering; rear

view mirrors; rear window; seats and backrests; sun visor; and windshield wipers. The heading of this subchapter is proposed for amendment to more accurately reflect its coverage of school vehicles, instead of school buses. The subchapter contains proposed amendments throughout to correct references to buses, as the subchapter applies to school vehicles, not merely school buses.

N.J.A.C. 13:20-51.1(d) is proposed for amendment to clarify that small school vehicles, known as Type S school vehicles, shall not have a gross vehicle weight rating over 9,600 pounds; the current regulation notes that no vehicles with a gross vehicle weight rating under 3,000 pounds may be used, but does not specify a maximum. A maximum is necessary for distinction between the small school vehicles and school buses or other vehicles authorized to transport children to school or school-related activities. The subsection is also amended to clarify that small school vehicles, the Type S school vehicles, may not have center aisles. This is to help further distinguish and describe the small school vehicles from the larger ones, as they each have distinct safety standards.

N.J.A.C. 13:20-51.2 is proposed for amendment to include a definition of accident, which is commonly referred to but not defined. The term “driver” is proposed for amendment to clarify the definition, without using the otherwise-defined term “operator.” The definitions of the terms “operator,” “passenger” and “Type S school bus” are proposed for amendment. Amendments add the FMVSS website address to the FMVSS definition. Further, the definition of “Type S school bus” is proposed for amendment to remove the requirement that a vehicle be for hire in order to qualify as a

Type S school vehicle, in alignment with school bus and vehicle definitions in N.J.S.A. 39:1-1 et seq.

N.J.A.C. 13:20-51.3 is proposed for amendment to clarify the maximum number of passengers (nine, not including the driver) in each Type S school vehicle.

N.J.A.C. 13:20-51.6(a) is proposed for amendment to no longer require an inspection tag to be displayed on a fire extinguisher, in compliance with Federal regulations only requiring a gauge indicating whether it is charged or not. Subsection (b) is proposed for amendment to correct the term “extinguisher” to “suppression system” for accuracy.

N.J.A.C. 13:20-51.7 is proposed for amendment to allow the provision of first aid kits to be permissive, as opposed to mandatory. If a first aid kit is supplied, the kit would have to contain sufficient supplies for the capacity of the bus, and contents are suggested. The change is made at the request of bus operators; the drivers are prohibited from using the first aid kits to assist students, so the kits should be optional. A technical change is proposed to move the language from subsection (b) to subsection (a) and delete subsection (b) and to add specificity to the identification requirements.

N.J.A.C. 13:20-51.10 is proposed for amendment to allow magnetic lettering to meet school vehicle lettering requirements.

Subchapter 52, Insurance, sets forth the limits of liability insurance coverage for pupil transportation operations.

N.J.A.C. 13:20-52.1 is proposed for amendment to coincide with the Department of Education’s insurance requirements to provide an Accord 25 insurance form; to list

the New Jersey Motor Vehicle Commission and the New Jersey Department of Education as certificate holders; and to notify the district board of education, the Executive County Superintendent of Schools and the Motor Vehicle Commission whenever any policy is cancelled, within 48 hours of receipt of the notification of cancellation by the insured, and in all cases before the cancellation takes effect; and to include the insurance requirements in the Motor Vehicle Commission rules.

Subchapter 53, Standards For Alternatively Fueled School Buses, sets forth specific standards with regard to the following items: installation requirements; fuel supply container requirements; markings; venting; manifold shut-off valve; pipes, tubing, hoses and fittings; supply lines; shut-off valve; carburetor flows; dual fuel systems; relief device; electrical equipment; road clearance; gasoline tank; certified fuel tanks; fuel system; and fuel containers.

N.J.A.C. 13:20-53.2 is proposed for amendment to include the website address for the FMVSS for convenience, and to clarify that a privately operated bus transporting students need not be operated for hire to qualify as a school bus, to comply with the definition of school bus in N.J.S.A. 39:1-1.

N.J.A.C. 13:20-53.6(a)4 is proposed for amendment to direct that the discharge line from the safety relief valve on all school buses be located as per manufacturers' specifications, as opposed to being directed by the Commission. This change will allow for optimizing emerging technologies.

Subchapter 53A, Standards for School Buses Having Fuel Systems Using Liquefied Petroleum Gas, sets forth specific standards with regard to the following items: fuel supply container; back-flow check valve; fuel supply container markings;

valves; safety relief valves; safety relief valve markings; excess flow valve; check valves; vapor equalizing valve; shut-off valve; liquid volume gauge; pressure reducing regulator and vaporizer regulator; vents; and LPG hose for high pressure liquid or vapor use.

N.J.A.C. 13:20-53A.14 is proposed for amendment to direct that compartments containing LPG fuel supply containers be vented as per manufacturers' specifications, as opposed to being directed by the Commission. This will allow for venting to be optimized with emerging technologies.

Subchapter 53B, Standards For School Buses Having Fuel Systems Using Compressed Natural Gas, sets forth specific standards with regard to the following items: fuel supply container; markings; shut-off valve; safety relief devices; gauges; automatic pressure reducing regulators; and vents.

N.J.A.C. 13:20-53B.8 is proposed for amendment, so that vents are to be installed according to manufacturers' specification to allow for emerging technologies to be optimized, as opposed to being directed by the Commission.

Subchapter 53C, Standards for School Buses Having Fuel Systems Using Liquefied Natural Gas, sets forth specific standards with regard to the following items: fuel supply container; markings; valve certification; safety relief valves; shut-off valves; control valve; gauges; pressure reducing regulators; and vents.

N.J.A.C. 13:20-53C.10 is proposed for amendment, so that vents are to be installed according to manufacturers' specification to allow for emerging technologies to be optimized, as opposed to being directed by the Commission.

Social Impact

The proposed amendments and new rules at Subchapters 30, 31 and 49 through 53C pertaining to school buses and vehicles engaged in pupil transportation operations promote the public welfare by ensuring that students are transported to and from school and school-connected activities in school buses and vehicles that are properly equipped to safely provide that transportation service. The proposed amendments and new rules in these subchapters reflect the most current safety standards and Federal standards, to provide for maximum safety in pupil transportation.

Economic Impact

The proposed amendments have a potential economic impact on school districts that provide transportation services for students, school bus chassis and body manufacturers and school bus operators. The amendments would lessen the recordkeeping burden on school bus operators by allowing electronic recordkeeping. This lessened burden could, in turn, lessen the financial costs of record retention. The amendments also seek to lessen the costs of compliance with the rules, in that the proposed amendments eliminate State-specific requirements and allow Federal standards to be met instead. This, in turn, can lower the administrative and oversight costs associated with compliance with multiple levels of requirements. The Commission will see a positive economic impact by consolidating all bus inspections into one unit. The Commission will also save time and costs by allowing bus companies to drive buses to the inspection facilities after they have made required repairs.

Federal Standards Statement

Executive Order No. 27 (1994) and P.L. 1995, c. 65, require that a State agency that adopts, readopts or amends rules that exceed Federal standards or requirements include in the proposed rulemaking a comparison with Federal law. The proposed amendments do not cause the rules to, or amend any rule that does, exceed Federal standards or requirements. The rules merely incorporate by reference many of the FMVSS sections, as discussed in the Summary above. Therefore, a Federal standards analysis is not required

Jobs Impact

The Motor Vehicle Commission does not anticipate that any jobs will be generated or lost as a result of the proposed amendments and new rules.

Agriculture Industry Impact

The proposed amendments and new rules will have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The proposed amendments and new rules have been reviewed with regard to the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules as amended impose

reporting, recordkeeping and compliance requirements on manufacturers of school buses, some of which are small businesses as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The recordkeeping requirements pertain to the preparation and retention of inspection records by owners, employees and drivers, and are as discussed in the Summary above. The proposed amendments do not require small businesses to engage additional professional services. The rules proposed for amendment do not necessitate significant capital and annual expenditures for compliance by small businesses. These requirements are intended to set standards for equipment and inspection and maintenance in order to advance overall highway safety. It is for these reasons that no differentiation in compliance based on business size is provided.

The proposed amendments streamline inspection and maintenance reporting requirements by providing forms on which to report required inspection and maintenance information. The forms allow those reporting to answer only the requests for information as shown on the forms, eliminating time and cost associated with providing more than what is required, or resubmitting reports to provide what may not have been initially submitted. The amendments also allow for required reports to be maintained electronically, which will lessen the administrative burden by requiring less time and space to maintain files.

A business that operates school buses and does not comply with the applicable school bus inspection standards will incur costs in connection with repairing the school bus in order to bring it into compliance with those standards. The Commission cannot

ascertain the cost small businesses incur in order to bring non-compliant school buses into compliance with the applicable inspection standards, nor does the Commission know whether professional services are needed to facilitate compliance. Such cost and the need for professional services are dictated by the extent to which a school bus must be repaired to bring it into compliance with the applicable inspection standards.

Smart Growth Impact

It is not anticipated that the proposed amendments and new rules will have any impact on the achievement of smart growth and the implementation of the State Development and Redevelopment Plan within the meaning of Executive Order No. 4 (2002).

Housing Affordability Impact Analysis

The proposed amendments and new rules will have no impact on housing affordability in this State. The proposed amendments and new rules set forth requirements and standards concerning school bus inspection, safety and equipment.

Smart Growth Development Impact Analysis

The proposed amendments and new rules will have no impact on the number of housing units or the availability of affordable housing in the State, and will have no affect on smart growth development in Planning Areas 1 or 2, or within designated centers under the State Development and Redevelopment Plan. The proposed amendments and new rules set forth requirements and standards concerning school bus inspection, safety and equipment.

Full text of the proposed amendments, repeals and new rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 30. INSPECTION OF SCHOOL BUSES

13:20-30.1 Scope

(a) This subchapter shall apply to all school buses registered in this State, except buses that are also used for the transportation of passengers for hire and that are subject to inspection by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit.

(b) Children shall not be transported in a school bus unless the school bus has been subjected to an in-terminal inspection by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit pursuant to N.J.A.C. 13:20-30.15 and has been determined to be in compliance with all applicable inspection standards set forth for school buses in N.J.A.C. 13:20-49 through 53C.

(c) A school bus inspection certificate of approval that has been issued to a school bus shall be deemed void upon the transfer of ownership of the school bus, and such school bus shall not be used for the transportation of children unless the school bus has been subjected to an in-terminal inspection by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit pursuant to N.J.A.C. 13:20-30.15 and has been determined to be in compliance with all applicable inspection standards set forth

for school buses in N.J.A.C. 13:20-49 through 53C. **However, the Motor Vehicle Commission may perform an in-terminal cursory inspection provided there is a valid New Jersey inspection sticker on the bus. A replacement sticker will be issued to correspond with the new owner's inspection cycle if there are no obvious defects found. If obvious defects are found, the Motor Vehicle Commission shall perform a full inspection of the school bus.**

(d) (No change.)

13:20-30.2 Definitions

The following words and terms, when used in this subchapter and in N.J.A.C. 13:20-31, shall have the following meanings unless the context clearly indicates otherwise.

“Accident” means:

1. **A collision involving a school bus or vehicle that results in personal injury or death, or causes disabling damage to one or more motor vehicles requiring the vehicle(s) to be transported away by a tow truck or other vehicle;**
2. **A collision between a motor vehicle and a student at any time during the loading or unloading process of a school bus or school vehicle; or**
3. **An injury to a student inside a school bus or vehicle that results from negligent or unsafe acceleration, deceleration or other movement of a school bus.**

...

“Driver” means the authorized licensed [operator] driver of a school bus or vehicle.

“FMVSS” means the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations (49 CFR Part 571). Copies of the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, (202) 783-3238 **and found on the Internet at <http://www.nhtsa.gov/cars/rules/import/FMVSS>**.

...

“Operator” means the owner or person responsible for the day-to-day operation and maintenance of a school bus **or vehicle**.

“Passenger” means any person other than the driver riding in a school bus or vehicle.

...

“School bus” or “bus” means every motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated [for compensation] for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child-care center, preschool center or other similar places of education and shall be classified in the following manner:

1.-5. (No change.)

(a)-(c) (No change.)

(d) The inspection and maintenance records shall include the following:

1. An identification of the school bus including the New Jersey registration plate number, make, model, model year, vehicle identification number, [number of tires,] **and** tire size[, and number of tire ply];

2.- 6. (No change.)

(e) The inspection and maintenance records shall be maintained by the operator for the life of the school bus; provided, however, that the daily school bus condition reports by the driver shall be maintained by the operator for a period of one year. **Records may be kept by electronic means.** The inspection and maintenance records shall be available for inspection by the Commission, **the New Jersey State Police** or the Office of Student Transportation in the Department of Education.

13:20-30.5 Inspection of school buses in operation

(a)- (c) (No change.)

(d) Any school bus that has been declared and marked “out-of-service” shall not [be operated until all “out-of-service” repairs have been satisfactorily completed.] **transport passengers but may be driven to obtain reinspection, as long as repairs are made to comply with State and Federal rules and regulations. Transportation of passengers shall not occur until the bus has been reinspected and approved by the Motor Vehicle Commission’s Inspection Services Bus Unit.** The [term “operate” as used in this section shall include towing the vehicle; provided, however, that] vehicles marked “out-of-service” may be towed by means of a vehicle using a

crane or hoist[; and] provided [further,] that the vehicle combination consisting of the emergency towing vehicle and the “out-of-service” vehicle meets the performance requirements of N.J.S.A. 39:3-68.

(e) (No change.)

(f) The person or persons completing the repairs required by the “out-of-service” notice, **or a designee**, shall certify to the Chief Administrator **on a form prescribed by the Chief Administrator** the date and the time the required repairs were completed. **The “School Bus Out of Service Repair Certification” form is located at N.J.A.C. 13:20-30 Appendix A, incorporated herein by reference, and can be found on the Motor Vehicle Commission website at <http://www.state.nj.us/mvc/Inspections/SchoolBus.htm>.**

(g) -(i) (No change.)

13:20-30.7 Daily school bus condition report by driver

(a) Every operator shall require his or her drivers to report, and every driver shall prepare such a report in writing **or electronically** at the beginning of his or her workday or tour of duty, which report shall list any defects or deficiencies of the school bus discovered by said driver as would be likely to affect the safe operation of the school bus or result in its mechanical breakdown, or shall indicate that no such defects or deficiencies were discovered by him or her. **The “Driver Daily Report” form to be used for submitting the driver daily report is located at N.J.A.C. 13:20-30 Appendix B, incorporated herein by reference and can be found on the Motor**

Vehicle Commission's website at

<http://www.state.nj.us/mvc/Inspections/SchoolBus.htm>.

(b) The daily school bus condition report shall include, but not be limited to, the following:

1. The driver's name, **printed and signed by the driver**, date, **time report was prepared and time the report was submitted to the owner**, school bus registration plate number, school bus number assigned by the operator[,] and mileage;

2. -17. (No change.)

18. Seats, including seat belts, seat mounting[,] and the condition thereof; [and]

19. Special transportation equipment[,] **for special needs passengers; and**

20. School bus warning equipment.

(c) (No change.)

13:20-30.8 Required practices

(a) [The following items of] **Specific** equipment shall be inspected and maintained at least once every three months[, or every 3,000 miles,] or as set forth in the manufacturer's recommended maintenance schedule, whichever occurs first[:]; **the "Quarterly Maintenance Inspection" form, on which to report the results of the required inspection is located at N.J.A.C. 13:20-30 Appendix C, incorporated herein by reference and can be found on the Motor Vehicle Commission website**

at <http://www.state.nj.us/mvc/Inspections/SchoolBus.htm>. The specific equipment to be inspected and maintained is as follows:

1. - 17. (No change.)

13:20-30.9 Standards

All equipment subject to inspection shall meet the standards, **for the applicable model year**, now or hereafter prescribed by Federal law or rule, New Jersey statute[,] or Motor Vehicle Commission rule. **A vendor who sells or leases a school bus for the transportation of children shall issue a “Vendor Certification Statement” to the buyer or lessee, signed by an authorized agent or officer of the company, certifying that the school bus meets all Federal and State standards. The “Vendor Certification Statement” shall identify the school bus by make, model, year and vehicle identification number. The vendor shall also file a copy of the “Vendor Certification Statement” with the Commission’s Bus Inspection Unit at the time of inspection. It is the sole responsibility of the buyer or lessee to insure that the school bus meets all Federal and State standards.**

13:20-30.10 [Certification] **(Reserved)**

[(a) Every operator shall certify to the Chief Administrator, on a form prescribed by the Chief Administrator, that he or she has inspected and maintained his or her school buses in conformity with this subchapter.

(b) Such certification shall be made once every 12 months.]

13:20-30.13 Compliance with gasoline emission and OBD inspection standards, equipment requirements and test procedures; periodic inspection

(a) (No change.)

(b) Gasoline-powered school buses registered in New Jersey shall be subject to an annual emission or OBD inspection, whichever is applicable, by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit in accordance with N.J.A.C. 13:20-30.5(a) at the premises or places of business of the operator of such vehicles to determine compliance with (a) above.

13:20-30.14 Driver qualification; criminal history record information; driver qualification employment records

(a) (No change.)

(b) A school bus driver shall submit to a criminal history record check at the time of his or her initial application and any renewal application for a Commercial Driver License with School Bus Endorsement authorizing the driver to operate a school bus by providing to the Department of Education his or her name, address[,] and fingerprints taken on standard fingerprint cards **or electronically** by a law enforcement agency as designated by the Superintendent of the New Jersey State Police.

(c) (No change.)

(d) Notwithstanding (c) above, a school bus driver who provides services only to a nonpublic school and who is not required to undergo a criminal history record check through the Department of Education pursuant to N.J.S.A. 18A:6-4.13 shall submit to a criminal history record check in accordance with N.J.S.A. 39:3-10.1 at the time of his or

her initial application and any renewal application for a Commercial Driver License with School Bus Endorsement authorizing the driver to operate a school bus by providing to the Motor Vehicle Commission his or her name, address[,] and fingerprints taken on standard fingerprint cards **or electronically** by a law enforcement agency as designated by the Superintendent of the New Jersey State Police.

(e) - (f) (No change.)

13:20-30.15 In-terminal inspection of school buses[; inspection of retired school buses]

[(a)] An operator shall present each school bus for a semiannual in-terminal inspection by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit.

[(b)] An operator shall present each retired school bus with a capacity of 10 or more passengers for an annual inspection at a Motor Vehicle Commission-operated State specialty inspection facility or at a licensed private inspection facility. Such inspection shall include, but not be limited to, an inspection of the following:

1. Chassis and frame;
2. Brake system;
3. Body deterioration;
4. Lighting and electrical system; and
5. Interior seat mounting.]

13:20-30.17 Schedule of fines

(a) The following fines shall be assessed against an operator, **and with the exception of (a)1 below, to the driver**, in accordance with N.J.S.A. 39:3B-22 per violation for the vehicle inspection violations set forth below:

1. (No change.)
2. Failure to **prepare, remit and** retain proper records \$250.00
3. - 5. (No change.)

(Agency Note: The text of proposed new N.J.A.C. 13:20-30 Appendices A, B and C follows without boldface symbolizing proposed new text; those portions of the appendices appearing in boldface are proposed to be so permanently.)



STATE OF NEW JERSEY

P.O. Box 160
Trenton, New Jersey 08666-0160

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Raymond P. Martinez
Chief Administrator

School Bus Out of Service Repair Certification

The undersigned certifies that all Out of Service violations noted on the NJMVC Inspection Form for registration number: _____ and Bus number: _____ have been repaired and meet all state and federal requirements. Vehicle may be operated as per NJAC 13:20-30.5.

Name of Repairer (Print) x: _____

Signature of Repairer x: _____

Facility : _____

Date: _____

Time: _____

Note: This form must be retained in the bus and presented to NJMVC at time of re-inspection.

NJMVC QUARTERLY VEHICLE INSPECTION REPORT

REPORT #		FLEET UNIT NUMBER	
DATE			
OPERATOR		MECHANIC NAME (Print or Type)	
ADDRESS		MECHANIC NAME SIGNED	
VEHICLE TYPE (Circle One) A B C D SV		VEHICLE IDENTIFICATION LIC. PLATE NO. VIN	

VEHICLE COMPONENTS INSPECTED											
OK	Needs Repair	Repaired Date	ITEM	OK	Needs Repair	Repaired Date	ITEM	OK	Needs Repair	Repaired Date	ITEM
			BRAKE SYSTEM				TIRES				BUS EXTERIOR
			a. Service Brakes				a. Size				a. Condition
			b. Parking Brake System				b. No of Ply				b. Bumpers
			c. Brake Drums or Rotors				c. L/F				c. Rub Rails
			d. Brake Hose				d. R/F				UNDERHOOD
			e. Brake Tubing				e. R/R/O				a. Belts
			f. Low Pressure Warning				f. R/R/I				b. Hoses
			g. Air Compressor				g. L/R/I				c. Battery
			h. Vacuum Systems				h. L/R/O				d. Antifreeze Leak
			i. Electric Brakes				STEERING MECHANISM				e. Oil Leak
			j. Hydraulic Brakes				a. Steering System				EMERGENCY EXIT
			BRAKE LININGS				b. Steering Column				a. Lettering
			a. L/F				c. Power Steering				b. Buzzers
			b. R/F				SAFETY EQUIPMENT				c. Landing Lights
			c. L/R				(If Applicable)				d. Door Slide Bar
			d. R/R				a. Fire Extinguisher				e. Door Handles
			LIGHTING DEVICES				b. First Aid Kit				BUS INTERIOR
			a. Headlights				c. Portable Warning Device				a. Instruments
			b. Tail Lights				d. Wrecking Bar				b. Heaters
			c. Turn Signals				UNDERBODY				c. Defrosters
			d. Marker / Clearance				a. Drive Shaft / Guards				d. Lights
			e. School Bus Warning				b. Spring Assembly				e. Cleanliness
			f. Indicator				c. Crossmembers				f. Seats
			g. Stop Arm/Crossing Arm				d. Body Clips/Bolts				DIFFERENTIAL
			h. Back Up Alarm				e. Shocks				MIRRORS
			GLASS/GLAZING				f. Fluid Leaks				a. Crossover
			a. Cracks				g. Undercoating				b. Rearview/Convex
			b. Discoloration				h. Carrier Bearings				c. Interior
			c. Vision Obstruction				WIPERS				d. Mirror Adjustment
			DOORS				a. Wiper Inoperable				HANDICAPPED
			a. Entry Steps				b. Washer Inoperable				(If Applicable)
			b. Stepwell Light				c. Wiper Blades				a. Power Lift
			c. Door Seals				d. Wiper Sweep				b. Lift Door
			d. Grab Handles				EXHAUST SYSTEM				c. Buzzer
			FUEL SYSTEM				a. Mounting				d. Interlock
			a. Visible leak				b. Leaks				e. Identification
			b. Fuel tank filler cap missing				TRANSMISSION				f. Light
			c. Fuel tank Mounting								g. Fluid Leaks
											h. Manual Pump

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE QUARTERLY VEHICLE INSPECTION REPORT.

SUBCHAPTER 31. SCHOOL BUS ENHANCED SAFETY INSPECTION OUT-OF-SERVICE CRITERIA

13:20-31.1 Scope

(a) (No change.)

(b) The rules set forth in this subchapter are consistent with the Federal Motor Vehicle Safety Standards established by the National Highway Traffic Safety Administration and the National School Transportation Specifications and Procedures, [2000] **2010** Revised Edition, which **are incorporated herein by reference, as amended and supplemented**, have been issued by the [2000] **2010** National Conference on School Transportation **and may be obtained at <http://www.ncstonline.org>**.

13:20-31.9 Power steering belt

(a) The following is the out-of-service [criterion] **criteria** pertaining to a power steering [belt] **system**:

1. [A school bus is equipped with a belt that drives a power steering pump or compressor that is not in proper operating condition.] **Any components of the power steering system are not in operating condition; any part is loose or broken; belts are frayed, cracked or slipping; the system leaks; or there is insufficient fluid in the power steering system reservoir.**

13:20-31.35 [Operation of school bus] **Transportation of passengers** prohibited

The school bus shall not [be operated] **transport passengers** until all out-of-service violations are remedied and such remedial action is either certified or approved by representatives of the Motor Vehicle Commission.

SUBCHAPTER 49. STANDARDS FOR SCHOOL BUSES MANUFACTURED JULY 1985 THROUGH MAY 1993

13:20-49.1 Scope and purpose; school bus standards; incorporation by reference

(a) This subchapter shall be applicable to all motor vehicles registered in New Jersey originally designed by the manufacturer to carry 10 or more passengers, excluding the driver, operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated [for compensation] for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child care center, preschool center or other similar places of education. All such motor vehicles shall be registered as school buses in accordance with N.J.S.A. 39:3-19.2 and shall comply with the rules set forth in this subchapter and all applicable Federal standards. A motor vehicle shall not be used for the purposes set forth in this subsection unless it has been registered as a school bus in accordance with N.J.S.A. 39:3-19.2 and complies with the rules set forth in this subchapter and all applicable Federal standards.

(b) (No change.)

(c) Each school bus shall be inspected twice each year by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit to ensure that such vehicle is in safe and proper operating condition. The time and location of the inspections shall be established by the Chief Administrator or his or her designee.

(d) An autobus subject to inspection by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit that is used for the transportation of children to or from school shall display a certificate of inspection issued by the Commission indicating school use. An autobus is exempt from displaying a certificate for school use issued by the Motor Vehicle Commission when being used on a preset franchised route and schedule or chartered for school-connected activities.

(e) – (f) (No change.)

13:20-49.3 Bus body standards supplement to the 1985 National Minimum Standards

(a) –(h) (No change.)

(i) No advertisement of any kind shall be exhibited [either] on the interior [or exterior] of the school bus, with the exception that the manufacturer's and vendor's trade name(s) shall be permitted to be exhibited on the bus.

(j)-(aa) (No change.)

SUBCHAPTER 49A. STANDARDS FOR BUSES USED FOR PUPIL

TRANSPORTATION MANUFACTURED JUNE 1993 THROUGH DECEMBER 2005

13:20-49A.1 Scope and purpose

(a) This subchapter shall be applicable to all motor vehicles registered in New Jersey originally designed by the manufacturer to carry 10 or more passengers, excluding the driver, operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated [for compensation] for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child care center, preschool center or other similar places of education. All such motor vehicles shall be registered as school buses in accordance with N.J.S.A. 39:3-19.2 and shall comply with the rules set forth in this subchapter and in N.J.A.C. 13:20-49B, 49C and 49D, and all applicable Federal standards. A motor vehicle shall not be used for the purposes set forth in this subsection unless it has been registered as a school bus in accordance with N.J.S.A. 39:3-19.2 and complies with the rules set forth in this subchapter and in N.J.A.C. 13:20-49B, 49C and 49D, and all applicable Federal standards.

(b) Each school bus shall be inspected twice each year by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit to ensure that such vehicle is in safe and proper operating condition. The time and location of the inspections shall be established by the Chief Administrator or his or her designee.

(c) The rules set forth in this subchapter and in N.J.A.C. 13:20-49B, 49C and 49D shall not apply to autobuses approved for school use and subject to inspection by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit unless otherwise provided.

(d) An autobus subject to inspection by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit that is used for the transportation of children to or from school shall display a certificate of inspection issued by the Commission indicating school use. An autobus is exempt from displaying a certificate for school use issued by the Motor Vehicle Commission when being used on a preset franchised route and schedule or chartered for school-connected activities.

(e) – (g) (No change.)

13:20-49A.2 Words and phrases defined

The following words and phrases, when used in N.J.A.C. 13:20-49A through 49D, shall have the following meanings unless the context clearly indicates otherwise. Any reference to direction is relative to the driver in a seated position.

“Accident” means:

1. **A collision involving a school bus or vehicle that results in personal injury or death, or causes disabling damage to one or more motor vehicles such that the vehicle(s) are required to be transported away by a tow truck or other vehicle;**
2. **A collision between a motor vehicle and a student at any time during the loading or unloading process of a school bus or school vehicle; or**
3. **An injury to a student inside a school bus or vehicle that results from negligent or unsafe acceleration, deceleration or other movement of a school bus.**

...

“Driver” means the authorized licensed [operator] **driver** of the **school bus or** vehicle.

...

“Operator” means the owner or person responsible for the day-to-day operation and maintenance of a school bus or vehicle.

...

“School bus warning lamps” are eight alternately flashing red [or] **and** amber lamps mounted horizontally both front and rear, intended to identify a vehicle as a school bus and to inform other users of the highway that the vehicle is stopped or about to stop.

...

13:20-49A.3 Certification

(a) The chassis and/or body manufacturer and any manufacturer of school bus equipment required by this subchapter shall, upon request, provide evidence and/or certify, **in writing**, to the Motor Vehicle Commission and the user that their product meets the minimum standards of this subchapter and all applicable FMVSS.

(b) Any person who alters, converts[,] or modifies a certified “completed vehicle” used to transport students shall certify, **in writing**, to the Motor Vehicle Commission and the user that all modifications conform to applicable design, construction, testing[,] and performance standards contained in this chapter.

(c) (No change.)

SUBCHAPTER 49B. CHASSIS STANDARDS FOR BUSES USED FOR PUPIL
TRANSPORTATION MANUFACTURED JUNE 1993 THROUGH DECEMBER 2005

13:20-49B.6 Color

The chassis, including front bumper, shall be black. The cowl, fenders and hood shall be National School Bus Yellow. The hood may be painted non-reflective National School Bus Yellow. Wheels and rims shall be black, gray, white[,] or silver. The grille shall be chrome, silver, gray, **black** or National School Bus Yellow.

13:20-49B.8 Electrical system

(a) Buses shall be equipped with a battery or batteries as specified by the manufacturer.

1. The storage battery shall have a minimum cold cranking capacity rating equal to the cranking current required for 30 seconds at 0 degrees Fahrenheit (-17.8[°c] **degrees Celsius**) and a minimum reserve capacity rating of 120 minutes at 25 amps. Higher capacities [may be required] **are permissible** depending upon optional equipment and local environmental conditions.

2. (No change.)

(b) (No change.)

(c) Wiring shall use a standard color and number coding and conform to current SAE standards.

1. (No change.)

2. The chassis manufacturer shall install a readily accessible terminal strip or plug on the body side of the cowl, or at an accessible location in the engine compartment of buses designed without a cowl, that shall contain the following terminals for the body connections:

i. – vi. (No change.)

vii. Instrument panel lights [which] **that** are [rheostat] controlled by the headlamp switch **or a separate dimmer switch.**

SUBCHAPTER 49C. BODY STANDARDS FOR BUSES USED FOR PUPIL
TRANSPORTATION MANUFACTURED JUNE 1993 THROUGH DECEMBER 2005

13:20-49C.2 Back-up warning alarm

An automatic audible alarm shall be installed behind the rear axle of the bus and shall comply with [current applicable] SAE standard[s] **J994 (2009), incorporated herein by reference, as amended and supplemented,** for rubber tired vehicles.

13:20-49C.5 Capacity

(a) The number of [pupils] **students** assigned to a seat [may] **shall** not exceed the gross seating length in inches divided by 15. **The maximum number of students who may be transported in each vehicle shall be determined by this seat measurement.** Application of the foregoing formula shall not result in the [approval] **use** of a school vehicle with a seating capacity in excess of 54.

[1. Vehicles manufactured as 58 passenger elementary school vehicles owned by a district board of education or contractor prior to December 18, 1989, may be utilized until retirement.]

(b) (No change.)

(c) This section shall not apply to a bus while being used as a common carrier on a preset franchised route and schedule **or is chartered for school-related activities.**

13:20-49C.13 Emergency equipment

(a) A **bus may be equipped with a** pry bar at least 24 inches in length. **If so equipped, it** shall be securely mounted in the bus in a location [readily] **easily** accessible to the driver.

(b) – (c) (No change.)

13:20-49C.15 First aid kit

(a) A removable first aid kit [shall] **may** be provided. It should be moisture and dust proof and be mounted in an accessible place within the driver's compartment. When the first aid kit is stored in a storage compartment, the location of the kit shall be identified by the words "First Aid" in red letters two inches high and 3/16 inch wide.

(b) The kit shall contain[, but is not limited to, the following items:] **sufficient supplies for the capacity of the school bus. Suggested items include, but are not limited to:**

1.- 9. (No change.)

10. One pair [latex] **medical examination** gloves;
11. One pair rounded end scissors; **and**
12. One mouth-to-mouth airway[;].
- [13. One sharpened pencil; and
14. One small writing pad.]

13:20-49C.18 Identification

(a) – (b) (No change.)

(c) The standards in (a) and (b) above also apply to buses under the jurisdiction of the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit, approved for school use, contracted by a local board of education for transportation to and from school.

(d) (No change.)

(e) Only signs and lettering limited to the name of **the** owner or operator and any marking necessary for identification shall appear on the sides of the bus.

1. (No change.)

2. Identification letters or numbers, up to a maximum height of six inches, shall be in prominent locations on the front and rear of the bus below the window line. The color of the letters or numbers shall be [either] white, black **and/or** National School Bus Yellow.

(f) (No change.)

13:20-49C.22 Lamps and signals

(a) - (b) (No change.)

(c) Body instrument panel lights shall be controlled by an independent [rheostat] switch.

(d) (No change.)

(e) Alternately flashing signal lamps shall be provided as follows:

1. – 3. (No change.)

4. All flashers **and any operating components** for alternately flashing red and amber signal lamps shall be [enclosed in the body] in a readily accessible location.

5. Each school bus shall be equipped with [a system which] **indicator lights that** monitor[s] **the proper operation and illumination of** the front and rear alternately flashing signal **warning** lamps [and the monitor]. **The indicator lights** shall be mounted in full view of the driver. If the full circuit current passes through the [monitor] **indicator lights**, each circuit shall be protected by a fuse or circuit breaker.

6. - 7. (No change.)

8. If strobe alternately flashing signal lamps are utilized, the front and rear signal lamps shall be equipped with eight [seven inch sealed beam] **seven-inch sealed-beam** electronic strobe lamps, four red and four amber, working in an automatic integrated system. The exterior surface of lens shall be smooth and meet SAE color requirements. [Strobe alternately flashing signal lamps are only permitted on Type C and D buses.]

i. (No change.)

(f) The requirements in (e) above also apply to buses under the jurisdiction of the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit, approved for school use, contracted by a local board of education for transportation to and from school.

(g) – (h) (No change.)

13:20-49C.32 Seats and crash barriers

(a) - (b) (No change.)

(c) [Seat] **The seat**, seat back cushion and [crash] **restraining** barrier shall be [covered with a material having 42-ounce finished weight, 54 inches width, and finished vinyl coating of 1.06 broken twill, or other material with equal tensile strength, tear strength, seam strength, adhesion strength, resistance to abrasion, resistance to cold, and flex separation, and meets the criteria contained in the NSFBS Fire Block Test for school bus seat upholstery] **completely encapsulated and shall meet the performance criteria in the School Bus Seat Upholstery Fire Block Test set forth in Appendix B of the NSTSP, 2010 Revised Edition (May 2010), incorporated herein by reference, as amended and supplemented.**

1. (No change.)

(d) (No change.)

(e) Each seat leg shall be secured to the floor by a minimum of two bolts, washers[,] and nuts; **flange-head nuts may be used in lieu of nuts and washers.**

(f) - (g) (No change.)

13:20-49C.37 Stop signal arm

A stop signal arm [shall be provided on the left side of the body which] **that** meets the applicable requirements of FMVSS No. 131 (49 CFR 571.131), **incorporated herein by reference, shall be provided on the left side of the body.** The stop **signal** arm shall be an octagonal shape with white letters and border on a red background. The flashing lamps in **the** stop **signal** arm shall be connected to the alternately red flashing signal lamp circuits. Vacuum, electric or air operation of the stop signal arm is optional.

13:20-49C.42 Undercoating

(a) The entire underside of the bus body, including floor sections, cross member[,] and below floor line side panels, [shall] **may** be coated with rustproofing compound for which the compound manufacturer has issued a notarized certification of compliance to the bus body builder that the compound meets or exceeds all performance and qualitative requirements of applicable Federal specifications.

(b) (No change.)

13:20-49C.44 Walking control arm

(a) A walking control arm [may] **shall** be installed on buses. The construction and design of this equipment shall offer a safe and trouble free operation. The control unit shall be installed on the right side of the front bumper. Equipment shall not obstruct the view of any sign or license plate on the bus. The open crossing gate shall extend forward on the front bumper at least 60 inches up to a maximum of 96 inches.

1. – 2. (No change.)

SUBCHAPTER 49D. SPECIALLY EQUIPPED SCHOOL BUS STANDARDS FOR
BUSES USED FOR PUPIL TRANSPORTATION MANUFACTURED JUNE 1993
THROUGH DECEMBER 2005

13:20-49D.6 Identification

(a) A bus equipped with a power lift shall display at least one universal handicapped symbol on the back of the bus and below the windowline.

1. The symbol shall not exceed 12 inches **by 12 inches** in size, be white on a blue background, and be of a high intensity reflectorized material as specified in NSFSB.

13:20-49D.10 [(Restraining devices) **(Reserved)**]

[Seat frames may be equipped with attachments or devices to which belts, restraining harnesses or other devices may be attached. Attachment framework or anchorage devices, if installed, shall conform with FMVSS.]

SUBCHAPTER 49E. AUTOBUSES APPROVED FOR PUPIL TRANSPORTATION BY
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION PRIOR TO MAY 21, 1993

13:20-49E.3 Certificate of inspection

(a) No autobus under the jurisdiction of the Motor Vehicle Commission's

[Commercial Bus] Inspection [and Investigation] **Services Bus** Unit shall be used for school pupil transportation services, as defined in N.J.S.A. 18A:39-1 and under contract with a local board of education for transportation to and from school unless such autobus is authorized on the certificate of inspection issued by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit.

(b) Owners or operators of buses approved by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit shall submit evidence of such approval to the county superintendent at such times as may be deemed necessary.

13:20-49E.4 Inspection by county superintendent

(a) The county superintendent may inspect any bus approved by the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit for any item not covered by the approval of the Motor Vehicle Commission's [Commercial Bus] Inspection [and Investigation] **Services Bus** Unit and from which they are not specifically exempted by these rules.

(b) (No change.)

SUBCHAPTER 50. STANDARDS FOR SCHOOL BUSES MANUFACTURED

JANUARY 2006 AND THEREAFTER

13:20-50.1 Scope and purpose

(a) This subchapter shall be applicable to all motor vehicles registered in New

Jersey originally designed by the manufacturer to carry 10 or more passengers, excluding the driver, operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated [for compensation] for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child care center, preschool center or other similar places of education. All such motor vehicles shall be registered as school buses in accordance with N.J.S.A. 39:3-19.2 and shall comply with the rules set forth in this subchapter and in N.J.A.C. 13:20-50A, 50B and 50C, and all applicable Federal standards. A motor vehicle shall not be used for the purposes set forth in this subsection unless it has been registered as a school bus in accordance with N.J.S.A. 39:3-19.2 and complies with the rules set forth in this subchapter and in N.J.A.C. 13:20-50A, 50B and 50C, and all applicable Federal standards.

(b) Each school bus shall be inspected twice each year by the Commission's [School Bus] Inspection **Services Bus** Unit to ensure that such vehicle is in safe and proper operating condition. The time and location of the inspections shall be established by the Chief Administrator or his or her designee. **When inspections are scheduled at the school bus owner/lessee's terminal, the owner/lessee of the terminal shall provide a clean, safe environment where the buses are to be inspected.**

(c) The rules set forth in this subchapter and in N.J.A.C. 13:20-50A, 50B and 50C shall not apply to [autobuses] **commercial buses** approved for school use [and subject to inspection by the Commission's Commercial Bus Inspection and Investigation Unit unless otherwise provided].

(d) [An autobus subject to inspection by the Commission's Commercial Bus Inspection and Investigation Unit] **A commercial bus** that is used for the transportation of children to or from school shall display a certificate of inspection issued by the Commission indicating school use. [An autobus] **A commercial bus** is exempt from displaying a certificate for school use issued by the Commission when being used on a preset franchised route and schedule or chartered for school-connected activities.

(e) – (g) (No change.)

13:20-50.2 Definitions

The following words and terms, when used in this subchapter and in N.J.A.C. 13:20-50A, 50B and 50C, shall have the following meanings unless the context clearly indicates otherwise.

“Accident” means:

1. **A collision involving a school bus or vehicle that results in personal injury or death, or causes disabling damage to one or more motor vehicles requiring the vehicle(s) to be transported away by a tow truck or other vehicle;**
2. **A collision between a motor vehicle and a student at any time during the loading or unloading process of a school bus or school vehicle; or**
3. **An injury to a student inside a school bus or vehicle that results from negligent or unsafe acceleration, deceleration or other movement of a school bus.**

...

“Driver” means the authorized licensed [operator] **driver** of a school bus **or vehicle**.

...

“FMVSS” means the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations (49 CFR Part 571). Copies of the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, (202) 783-3238, **or at** <http://www.nhtsa.gov/cars/rules/import/FMVSS>.

...

“NSTSP” means the National School Transportation Specifications and Procedures, [2000] **2010** Revised Edition (May [2000] **2010**), which have been issued by the [2000] **2010** National Conference on School Transportation. Copies of this publication may be obtained from the Missouri Safety Center, Central Missouri State University, Humphreys Suite 201, Warrensburg, MO 64093, (660) 543-4830.

“Operator” means the owner or person responsible for the day-to-day operation and maintenance of a school bus **or vehicle**.

...

“Passenger” means any person riding in a school bus **or vehicle** other than the driver.

...

“School bus” or “bus” when used in N.J.A.C. 13:20-50A, 50B, 50C[,] and this subchapter shall refer to Type A, B, C, and D school buses, which shall be classified in the following manner:

1. (No change.)

2. A “Type B” school bus is constructed utilizing a stripped or cutaway chassis with a GVWR of more than 10,000 pounds, originally designed by the manufacturer for carrying 10 to [30] **54** passengers. Part of the engine is beneath and/or behind the windshield and beside the driver’s seat. The service door is behind the front wheels;

3. - 4. (No change.)

13:20-50.3 Vehicle manufacturer’s certification plate; chassis, body[,] and/or equipment manufacturer’s certification; converter’s certification; vendor’s certification

(a) The manufacturer of a completed vehicle shall ensure that the vehicle manufacturer’s certification plate contains at least the following information:

1.-4. (No change.)

5. **Maximum permitted seated passengers and maximum permitted wheelchair capacity as built; to determine capacity, 15 inches of seat space shall be allowed for each seated passenger and 30 inches by 48 inches of wheelchair space, or an amount of space meeting all applicable Federal standards, shall be allowed for each wheelchair position;**

6. – 8. (No change.)

[(b) The maximum seated passenger and wheelchair positions as set forth on the vehicle manufacturer's certification plate shall specify the maximum possible seated passengers if there are no wheelchair positions and the maximum possible wheelchair positions if the vehicle contains no passenger seating. To determine capacity, 15 inches of seat space shall be allowed for each seated passenger and 30 inches by 48 inches of wheelchair space, shall be allowed for each wheelchair position.]

Recodify existing (c) and (d) as **(b) and (c)** (No change in text.)

[(e)] **(d)** A vendor who sells or leases a school bus for the transportation of children shall issue a "Vendor Certification Statement" to the buyer or lessee, signed by an authorized agent or officer of the company, certifying that the school bus meets all Federal and State standards. The "Vendor Certification Statement" shall identify the school bus by make, model, year[,] and vehicle identification number. The vendor shall also file a copy of the "Vendor Certification Statement" with the Commission's [School] **Inspection Services** Bus [Inspection] Unit.

13:20-50.4 Capacity

(a) The number of students assigned to a seat shall not exceed the gross seating length in inches divided by 15. The maximum number of students who may be transported in each vehicle shall be determined by this seat measurement. Application of this formula shall not result in the use of a school vehicle with a seating capacity in excess of 54.

(b) There shall be no standees in a school bus or vehicle.

(c) This section shall not apply to a bus that is being used as a common carrier on a preset franchised route and schedule or is chartered for school-related activities.

SUBCHAPTER 50A. CHASSIS STANDARDS FOR SCHOOL BUSES
MANUFACTURED JANUARY 2006 AND THEREAFTER

13:20-50A.3 Brakes

(a) (No change.)

(b) School buses using air in the operation of the brake system shall be equipped with a warning signal, readily audible or visible to the driver, that will emit a continuous warning when the air pressure available in the brake system is [60] **55** pounds per square inch [or less] **and below**. The warning signal shall be capable of alerting the driver while the school bus is being operated. An illuminated gauge that will indicate to the driver the air pressure in the brake system in pounds per square inch shall be provided.

1. (No change.)

(c) Except as otherwise provided for Type B school buses constructed on a cutaway chassis, Type B, C[,] and D school buses using a hydraulic-assist brake system shall be equipped with a back-up pump system and warning signal, readily audible or visible to the driver, that will emit a continuous warning in the event of a loss of fluid flow from the primary source or a failure of the back-up pump system. Type A school buses and Type B school buses constructed on a cutaway chassis using a

hydraulic-assist brake system may be equipped in accordance with [the chassis manufacturer's specifications] **FMVSS No. 105 (49 CFR 571.105), incorporated herein by reference .**

(d) - (i) (No change.)

13:20-50A.4 Bumper, front

(a) A school bus shall be equipped with a front bumper. [The front bumper shall be provided by the chassis manufacturer.]

(b) The front bumper shall contain no sharp edges and shall be designed so as to prevent snagging. **The front bumper may contain an electric outlet for the engine block heater.**

(c) - (e) (No change.)

13:20-50A.6 Color

(a) - (c) (No change.)

(d) The **front** grille shall be gray, chrome, silver, **black**, stainless steel[,] or National School Bus Yellow. **All other grilles shall be black or National School Bus Yellow.**

13:20-50A.12 Fuel tank

(a) – (d) (No change.)

(e) A Type B, C[,] and D school bus shall be equipped with a steel guard around the fuel tank, except as otherwise provided for a Type B school bus constructed

on a cutaway chassis. A Type B, **C and D** school bus [constructed on a cutaway chassis] shall be deemed to be in compliance with this subsection if the fuel tank on such a school bus is mounted between the chassis frame rails. A Type A school bus shall be equipped with a fuel tank in accordance with the manufacturer's specifications.

(f) The fuel system shall comply with FMVSS No. 301 (49 CFR [§] 571.301), incorporated herein by reference[, as amended and supplemented].

13:20-50A.25 Tires and rims

(a) - (e) (No change.)

(f) The tire tread depth shall at no time be less than 4/32 of an inch on the front tires and [n2 /32] **2/32** of an inch on the rear tires as measured on two adjacent treads by a Dill gauge or its equivalent.

(g) - (j) (No change.)

13:20-50A.28 Undercoating

The underside of steel or metallic-constructed front fenders [shall] **may** be coated with a rustproofing compound meeting or exceeding Federal Standard Rustproofing of Commercial (Nontactical) Vehicles (FED-STD-297E **August 1990**), incorporated herein by reference, as amended and supplemented. Copies of the above Federal Standard, which is approved by the Commissioner, Federal Supply Service, United States General Services Administration, may be obtained from the General Services Administration, Federal Supply Service Bureau, Specification Section, Suite 8100, 470 East L'Enfant Plaza, S.W., Washington, DC 20407. The undercoating material shall be nonflammable,

shall not peel, crack, chip[,] or melt, and shall be stable under both high and low temperatures.

SUBCHAPTER 50B. BODY STANDARDS FOR SCHOOL BUSES MANUFACTURED JANUARY 2006 AND THEREAFTER

13:20-50B.1 Air conditioning

(a)- (g) (No change.)

(h) An air conditioning unit shall meet the performance specifications for air conditioning set forth in the NSTSP, [2000] **2010** Revised Edition (May [2000] **2010**) [at pages 30-31], incorporated herein by reference, as amended and supplemented.

(i) – (j) (No change.)

13:20-50B.2 Aisle

(a) (No change.)

(b) Aisles shall not be obstructed at any time by any barrier, seat, wheelchair mounting[,] or other object; **however, a track seating system is permitted in an aisle provided the track and filler cap are flush with the floor.**

[(c) The seatbacks shall be slanted so as to provide a minimum aisle clearance of 15 inches as measured from the tops of the seatbacks.]

13:20-50B.3 Back-up warning alarm

(a) An automatic audible back-up warning alarm shall be installed in the area behind the rear axle of the school bus. The back-up warning alarm shall comply with SAE Standard J994 (August 1993), incorporated herein by reference, as amended and supplemented. The back-up warning alarm shall not be activated when the side or rear emergency doors are opened unless the school bus is in reverse.

(b) **A backup monitor is permitted, as long as the device will not operate while the vehicle is in “drive” or forward motion.**

13:20-50B.4 Battery

(a)-(c) (No change.)

(d) **Wires/cables passing through metal openings shall be protected by a grommet.**

13:20-50B.5 Bumpers

(a) - (h) (No change.)

(i) A school bus shall not be equipped with a rear bumper designed in a manner so that it can be used as a step. **Rear bumpers may be equipped with tow hook access panels only if the access panels shall remain securely closed when tow hooks are not in use.**

13:20-50B.6 Color

(a) The school bus body, including the fenders and **all** doors, shall be National School Bus Yellow.

(b) The body exterior paint trim, bumpers, lamp hoods[,] **and** emergency door arrow[,] **shall be black and** rub rails, exterior mirror assembly and support brackets shall be **National School Bus Yellow and/or** black.

(c) The words “EMERGENCY DOOR” shall be applied on both the inside and outside of the emergency door in red **or black** letters at least two inches high with a brushstroke at least 3/16 inch wide.

(d) National School Bus Yellow [reflective] **retro-reflective** material may be applied to the school bus. The material used shall be of an automotive engineering grade or better, shall meet initial reflectance values in accordance with performance specifications for [reflective] **retro-reflective** material set forth in the NSTSP, [2000] **2010** Revised Edition (May [2000] **2010**) [at page 36], incorporated herein by reference, as amended and supplemented, and at Appendix B (Retroreflective Sheeting Daytime Color Specification) thereof [at page 199], incorporated herein by reference, as amended and supplemented, and shall retain at least 50 percent of the initial reflectance values for a minimum of six years. [Reflective] **Retro-reflective** materials and markings, if used, may include any or all of the following:

1. If [reflective] **retro-reflective** materials and markings are applied to the bumpers, the bumpers shall be marked with stripes of [reflective] **retro-reflective** National School Bus Yellow or non-contrasting [reflective] **retro-reflective** material. The stripes shall be two inches wide and shall be evenly spaced across the entire width of the bumper. The stripes shall run diagonally at 45 degree angles from the top of the bumper to the bottom of the bumper toward the centerline of the bumper.

2. If [reflective] **retro-reflective** materials and markings are applied on the rear, the rear of the school bus body shall be marked with a strip of [reflective] **retro-reflective** National School Bus Yellow material no greater than two inches in width to be applied to the back of the school bus, extending from the lower left corner of the "SCHOOL BUS" lettering, across to the left side of the school bus, then vertically down to the top of the bumper, across the school bus on a line immediately above the bumper to the right side, then vertically up to a point even with the strip placement on the left side[,] and concluding with a horizontal strip terminating at the lower right corner of the "SCHOOL BUS" lettering.

3. If [reflective] **retro-reflective** materials and markings are applied to the sides, the sides of the school bus body shall be marked with [reflective] **retro-reflective** National School Bus Yellow material at least two inches but not more than 12 inches in width, extending the length of the school bus body and located vertically as close as practicable to the belt line.

(e) The background of the front and/or rear "SCHOOL BUS" signs shall be marked with [reflective] **retro-reflective or illuminated** National School Bus Yellow material.

(f) (No change.)

13:20-50B.7 Communications

(a)-(b) (No change.)

(c) **GPS monitors, transponders and similar devices may be used in a school bus; however, they shall not be mounted more than six inches below the**

upper edge of the windshield. These devices shall be located outside the area swept by the windshield wipers, and outside the driver's sight lines to the road and highway signs and signals. These devices shall not obstruct any other equipment required by State or Federal regulation or statute.

13:20-50B.11 Doors, emergency

(a) - (f) (No change.)

(g) The words "EMERGENCY DOOR" shall be applied on both the inside and outside of the emergency door in red **or black** letters at least two inches high with a brushstroke at least 3/16 inch wide. The letters shall be placed directly above the emergency door; or on the top of the emergency door in the metal panel above the safety glazing; or on the uppermost portion of the safety glazing provided that the letters on the safety glazing are on a background of a contrasting color and further provided that the emergency door has an exposed clear glass area of not less than 400 square inches as provided in (d) above.

(h) -(i) (No change.)

(j) The emergency door may be equipped with a locking system that incorporates an interlocking electrical circuit that prevents the engine of the school bus from being started while the emergency door is locked. A buzzer shall be provided in the driver's compartment that will indicate to the driver that the door lock has been tampered with while the school bus is in motion. No other locking system designed for school bus security shall be used. The engine [ignition] **start circuit** system of a school

bus shall not operate if an emergency door is locked from either inside or outside the school bus.

(k)-(p) (No change.)

13:20-50B.12 Doors, service

(a) - (b) (No change.)

(c) The service door on [a Type B, C and D] **all** school [bus] **buses** shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches. The service door on a Type A school bus shall have a minimum opening area of 1,200 square inches.

(d) (No change.)

(e) The glass portion of the door panels shall be approved safety glass. The bottom of each lower glass panel shall not be more than 10 inches from the top surface of the bottom step. The top of the upper glass panel shall not be more than three inches from the top of the door. [A Type A school bus that is not equipped with a split-type door shall have an upper panel window of safety glass with an area of at least 350 square inches.]

(f) The vertical closing edges on a split-type door shall be equipped with a flexible material to protect against injury. [A Type A school bus that is not equipped with a split-type door may conform to the chassis manufacturer's service door specifications.]

(g) - (k) (No change.)

13:20-50B.13 Emergency equipment

(a) [Every] **A** school bus [shall have] **may be equipped with** a pry bar [at least 23] **24** inches in length [that]. **If so equipped, it shall be securely mounted in the school bus in a location [readily] **easily** accessible to the driver.**

(b) Each school bus shall contain at least three reflectorized triangular road-warning devices in compliance with FMVSS No. [108] **125** (49 CFR [§ 571.108] **571.125**), incorporated herein by reference, as amended and supplemented, which shall be securely mounted in an accessible place in the driver's compartment **and/or under the left rear seat.**

(c) A school bus may be equipped with a properly identified [vehicle] **body** fluid clean-up kit that is removable, moistureproof[,], and mounted in an accessible place in the driver's compartment.

13:20-50B.14 Emergency exits

(a) School buses shall be equipped with emergency push-out side exit windows that are vertically hinged on the forward side of the window as follows:

1. [One] **A minimum of one** emergency push-out exit window per side.

i. Emergency push-out side exit windows shall not be placed directly opposite each other. **This requirement does not apply to buses with more than one emergency window exit on one side.**

ii. (No change.)

iii. Each emergency [push-out side] exit window shall be outlined around its outside perimeter with a [retroreflective] **retro-reflective** tape with a minimum width of 2.5 centimeters (.975 inch) and shall be either red, white[,] or yellow in color.

iv.-v. (No change.)

vi. Emergency push-out side exit windows shall not be obstructed at any time by any barrier, seat, door[,] or other object **and may be labeled “DO NOT BLOCK” in letters at least one inch high and of a color that contrasts with the background.**

2. (No change.)

(b) (No change.)

13:20-50B.15 Fire extinguisher/**suppression** systems

(a) School buses may be equipped with an automatic fire [extinguisher] **suppression** system for the engine compartment. If so equipped, the fire [extinguisher] **suppression** system shall be installed in accordance with the fire [extinguisher] **suppression** system manufacturer's installation specifications. **A school bus shall not be equipped with a fire suppression system that uses the chemical Halon as the fire suppression agent.**

(b) School buses may be equipped with fire [extinguisher] **suppression** systems in other locations in accordance with the fire [extinguisher] **suppression** system manufacturer's installation specifications.

(c) If a school bus is equipped with an automatic fire [extinguisher] **suppression** system for the engine compartment in accordance with (a) above, an indicator light shall be provided in the driver's compartment that will indicate to the driver the existence of a fire in the engine compartment of the school bus. The indicator light shall remain lit until the system is serviced and the light reset. An indicator light shall be provided in the driver's compartment that will indicate a system discharge.

(d) Every school bus shall be equipped with at least one UL-approved pressurized, dry chemical-type fire extinguisher, complete with hose, mounted in a bracket located in the driver's compartment and readily accessible to the driver and passengers. A pressure gauge shall be mounted on the fire extinguisher that can be easily read without removing the fire extinguisher from its mounted position. The fire extinguisher shall be fully-charged [and display an inspection tag].

(e) (No change.)

[(f) A school bus shall not be equipped with a fire extinguisher system that uses the chemical Halon as the fire suppression agent.]

13:20-50B.16 First aid kit

(a) [Every school bus shall be equipped with a] **A** removable first aid kit **may be provided**. The first aid kit shall be moistureproof and dustproof and shall be mounted in an accessible place in the immediate vicinity of the driver's compartment. [The] **When the first aid kit is stored in a storage compartment, the location of the kit shall be identified by the** words "FIRST AID" [shall be printed on the kit] in **red** letters [that are clearly visible] **two inches high and 3/16 inch wide**. If the first aid kit is

stored in a storage compartment, the storage compartment shall be identified by the words "FIRST AID" in red letters at least two inches high with a brushstroke at least 3/16 inch wide. The storage compartment may also be marked with the Red Cross symbol.

(b) The first aid kit shall contain [at a minimum the following items:] **sufficient supplies for the capacity of the school bus. Suggested items include, but are not limited to:**

- 1.- 9. (No change.)
10. One pair [latex] **medical examination** gloves;
11. One pair rounded-end scissors; **and**
12. One mouth-to-mouth airway[;].
- [13. One sharpened pencil; and
14. One small writing pad.]

13:20-50B.18 Heaters

(a) -(d) (No change.)

(e) Every heater installed by a body manufacturer shall bear a nameplate that indicates that the heater rating is in accordance with specifications for heating systems set forth in the NSTSP, [2000] **2010** Revised Edition (May [2000] **2010**) [at pages 29-30], incorporated herein by reference, as amended and supplemented. The nameplate shall be affixed by the heater manufacturer and shall constitute the manufacturer's certification that the heater performance is as shown on the nameplate.

(f) (No change.)

(g) Each hot water heater system installed by the body manufacturer shall include one shut-off valve in the pressure line and one shut-off valve in the return line with both valves at or near the engine or at another location accessible to the driver that will isolate the heating system from the engine in the event of a leak. Each hot water heater system shall also include a water flow regulating valve installed in the pressure line for convenient operation by the driver while seated. The hot water heater system in a Type A **and B** school bus may conform to the chassis manufacturer's standard.

(h)-(l) (No change.)

13:20-50B.19 Identification

(a) -(c) (No change.)

(d) Only signs and lettering limited to the name and municipality of the school bus owner or operator and any numbers and/or letters necessary for school bus identification shall appear on the sides of the school bus:

1. (No change.)

2. Numbers and/or letters necessary for school bus identification shall be in prominent locations on the [front and rear of the side of the] school bus below the window line. The numbers and/or letters shall be white, black[,] or National School Bus Yellow and shall be not more than six inches in height. Numbers and/or letters necessary for school bus identification may also be located on the bumpers **and/or roof in an appropriate size for aerial viewing.**

3. (No change.)

(e) (No change.)

(f) A route destination sign may be affixed to the right side of a school bus inside the lower portion of the side window located directly behind the first seatback. The route destination sign shall be a maximum of eight **and one half** inches by [12] **11** inches. A route destination sign shall not be displayed on any other window.

(g) If a route destination sign is affixed to the exterior of a school bus, it shall be affixed to the right side of the school bus to the left of the service door directly below the first window between the rub rails. The route destination sign shall be a maximum of eight **and one half** inches by [12] **11** inches.

13:20-50B.23 Lamps and signals

(a) - (b) (No change.)

(c) [Body instrument panel lights shall be controlled by an independent rheostat switch.] **(Reserved)**

(d) -(e) (No change.)

(f) Alternately flashing signal warning lamps shall be provided as follows:

1. Every school bus shall be equipped with strobe, **LED** or incandescent signal warning lamps.

2. -3. (No change.)

4. The system of red and amber signal warning lamps shall be wired so that the amber signal warning lamps are energized manually, and the red signal warning lamps are automatically energized (with the amber signal warning lamps automatically deenergized) when the stop signal arm is extended and when the school bus service door is opened. An amber signal warning lamp cancel switch, easily

accessible to the driver, shall be installed to allow the driver to cancel the amber signal warning lamps without using the master switch or opening the service door.

i. In addition to the above requirement, school buses equipped with an automatic service door [may] **shall** be equipped with [a] **an emergency** manual override switch to permit the driver to activate the red signal warning lamps prior to opening the door.

5. (No change.)

6. Each school bus shall be equipped with indicator lights that monitor the proper operation **and illumination** of the front and rear alternately flashing signal warning lamps. The indicator lights shall be mounted in full view of the driver. If the full circuit current passes through the indicator lights, each circuit shall be protected by a fuse or circuit breaker.

7. -9. (No change.)

(g) The school bus body shall be equipped with two rear turn signal lamps that conform to FMVSS No. 108 (49 CFR [§] 571.108), incorporated herein by reference, as amended and supplemented. Each rear turn signal lamp shall have a diameter of at least seven inches, or shall have an illuminated lens area of at least 38 square inches if the turn signal lamp is of a shape other than round. [Each Type A school bus shall be equipped with two rear turn signal lamps that each have at least 21 square inches of illuminated lens area.] Turn signal lamps shall be connected to the chassis hazard warning switch to cause simultaneous flashing of the turn signal lamps when needed as a vehicular traffic hazard warning. Turn signal lamps shall be placed

as wide apart as practical and their centerline shall be approximately eight inches below the rear window.

(h) Every school bus shall be equipped with four combination red stoplamps/taillamps as follows:

1. -2. (No change.)

[3. Type A school buses may be equipped with stoplamps and taillamps that conform to the manufacturer's specifications.]

(i) A white flashing strobe light may be installed on the roof of a school bus at a location not to exceed one-third the body length forward from the rear of the roof edge, or on the roof of a school bus in the area directly over the restraining barrier on the driver's side. The light shall have a single clear lens emitting light 360 degrees around its vertical axis. The light shall not extend above the roof so as to place the school bus in violation of the maximum height standard set forth in N.J.S.A. 39:3-84. A manual switch and a pilot light shall be included to indicate to the driver when the light is in operation. The light shall be wired to activate with the amber alternately flashing signal warning lamps, continuing through the full loading or unloading cycle, and [may] **shall** be equipped with an override switch to allow activation of the light at any time for use in inclement weather.

(j) (No change.)

13:20-50B.25 Mirrors

(a)- (c) (No change.)

(d) Mounting brackets shall be affixed to the school bus so as to be securely fastened to the structural frame members of the school bus body, or shall be affixed to the existing exterior rear view mirror mounting brackets. Exterior mirror housing and support brackets shall be black **and/or stainless steel**. The mirror attachments such as clips, nuts, screws, rims[,] and rings may be black or chrome.

13:20-50B.27 Overall length

The maximum overall length of a school bus body shall not exceed [40] **42** feet, excluding the bumpers. The maximum overhang of the body to the rear of the center of the rear axle shall not be in excess of one-third of the total length of the vehicle.

13:20-50B.30 Rub rails

(a)- (g) (No change.)

(h) Rub rails shall be black **and/or National School Bus Yellow**.

(i) **Rub rails shall be continuous across the luggage compartment areas.**

13:20-50B.33 Seats and restraining barriers

(a) -(c) (No change.)

(d) The seat, seatback cushion[,] and restraining barrier shall be completely encapsulated and shall meet the performance criteria in the School Bus Seat Upholstery Fire Block Test set forth in Appendix B of the NSTSP, [2000] **2010** Revised

Edition (May [2000] **2010**) [at pages 199-201], incorporated herein by reference, as amended and supplemented.

(e) -(h) (No change.)

(i) The driver's seat shall be of the highback-type with a minimum seatback adjustment of 15 degrees and with a head restraint to accommodate a **5th percentile female and a 95th percentile adult male**. The driver's seat shall meet the performance criteria in the School Bus Seat Upholstery Fire Block Test set forth in Appendix B of the NSTSP, [2000] **2010** Revised Edition (May [2000] **2010**) [at pages 199-201], incorporated herein by reference, as amended and supplemented, and shall be secured with nuts, bolts[,] and washers or flange-headed nuts. The space between the back of the driver's seat, in the rearmost position, and the front surface of the restraining barrier located directly behind the driver shall be in accordance with FMVSS No. 222 (49 CFR [§] 571.222), incorporated herein by reference, [as amended and supplemented,] for barrier deflection. [A Type A school bus may be equipped with a driver's seat in accordance with the manufacturer's specifications provided that the driver's seat meets the performance criteria in the School Bus Seat Upholstery Fire Block Test set forth in Appendix B of the NSTSP, 2000 Revised Edition (May 2000) at pages 199-201.]

(j) (No change.)

13:20-50B.35 Steps

(a) -(e) (No change.)

(f) **Type A and B school buses on a cutaway chassis may have a step for the driver's door, which step shall be black.**

13:20-50B.37 Stirrup steps

If the windshield and/or lamps are not easily accessible from the ground, there shall be at least one folding stirrup step or recessed foothold and suitably located handles on each side of the front of the school bus body. Steps are permitted in or on the front bumper in lieu of stirrup steps if the windshield and lamps are easily accessible for cleaning from that position. **Steps shall be black and/or National School Bus Yellow.**

13:20-50B.43 Undercoating

(a) The entire underside of the school bus body, including floor sections, cross members[,] and side panels below the floor line, [shall] **may** be coated with a rustproofing compound for which the compound manufacturer has issued a **notarized** certification of compliance to the [school] bus body [manufacturer] **builder** that the compound meets or exceeds all performance and qualitative [specifications for body undercoating set forth in Federal Standard Rustproofing of Commercial (Nontactical) Vehicles (FED-STD-297E), incorporated herein by reference, as amended and supplemented. Copies of the above Federal Standard, which is approved by the Commissioner, Federal Supply Service, United States General Services Administration, may be obtained from the General Services Administration, Federal Supply Service Bureau, Specification Section, Suite 8100, 470 East L'Enfant Plaza, S.W., Washington, DC 20407] **requirements of applicable Federal specifications.**

(b) (No change.)

13:20-50B.49 Wiring

(a) -(h) (No change.)

(i) A heavy-duty solenoid switch or electronic control system shall be installed in the main electrical power supply line to the body circuits on each Type **A**, **B**, **C**,] and **D** school bus. The solenoid switch shall be energized by the school bus ignition switch. Hazard and turn signal lamp circuits shall operate independently of the ignition switch.

SUBCHAPTER 50C. STANDARDS FOR SPECIALLY EQUIPPED SCHOOL BUSES MANUFACTURED JANUARY 2006 AND THEREAFTER

13:20-50C.2 Aisle

(a) The aisle leading to the emergency door and the power lift door from each wheelchair position shall be a minimum width of 30 inches.

(b) **A school bus designed for transporting students with special transportation needs may have a track system with a track in the aisle; provided however, the track and filler cap shall be flush with the floor.**

13:20-50C.6 Fire [extinguisher] **suppression** systems

(a) Every school bus shall be equipped with an automatic fire [extinguisher] **suppression** system for the engine compartment. The fire [extinguisher] **suppression** system shall be installed in accordance with the fire [extinguisher] **suppression** system manufacturer's specifications.

(b) School buses may be equipped with fire [extinguisher] **suppression** systems in other locations in accordance with the fire [extinguisher] **suppression** system manufacturer's installation specifications.

(c) (No change.)

13:20-50C.7 Identification

A school bus equipped with a power lift shall display at least one International Symbol of Accessibility on the back of the school bus below the window line. The International Symbol of Accessibility shall not exceed 12 [square] inches **by 12 inches** in size, shall be white on a blue background, and shall be of a high-intensity reflectorized material.

13:20-50C.9 Power lift

(a) A school bus used for the transportation of students who use wheelchairs or other mobile seating devices or who require life support equipment shall be equipped with a power lift **in accordance with FMVSS Nos. 403 and 404 (49 CFR 571.403 and 571.404), which are incorporated herein by reference.**

(b) - (o) (No change.)

13:20-50C.14 [Steps] **(Reserved)**

[(a) The first step at the service door shall be not less than 10 inches nor more than 14 inches from the ground, based on standard chassis specifications. The first step at the

service door on a Type D school bus shall be not less than 12 inches nor more than 16 inches from the ground.

(b) Step risers shall not exceed a height of 10 inches. If plywood has been installed on top of the steel floor or step, the maximum riser height may be increased by the thickness of the plywood.

(c) On a school bus equipped with a power lift, the steps shall be the full width of the stepwell, excluding the thickness of the doors in an open position.

(d) The steps shall be enclosed to prevent the accumulation of ice or snow.

(e) The steps shall not protrude beyond the body line of the school bus.

(f) Grab handles, not less than 20 inches in length, shall be provided inside the doorway on both sides in unobstructed locations. Grab handles shall be designed so as to prevent snagging.]

SUBCHAPTER 51 STANDARDS FOR TYPE S SCHOOL [BUSES] **VEHICLES**

13:20-51.1 Scope

(a) This subchapter shall apply to any Type S school [bus] **vehicle** including, but not limited to, vans and passenger automobiles, which is used for the transportation of children to or from school or school-connected activities.

(b) This subchapter shall also apply to all Type S school [buses] **vehicles**, including limousines, omnibuses, taxicabs, motor vehicles for which a handicapped placard or registration plates have been issued in accordance with N.J.S.A. 39:4-206[,] and motor vehicles for which no fee registration plates have been issued in accordance

with N.J.S.A. 39:3-27 that are used for two or more modes of transportation, one of which is for the transportation of children to or from school or school-connected activities.

(c) A Type S school [bus] **vehicle** shall be inspected twice each year by the Motor Vehicle Commission's [School Bus] Inspection **Services Bus** Unit to ensure that such vehicle is in safe and proper operating condition. The time and location of the inspection shall be established by the Chief Administrator or his or her designee.

(d) A motor vehicle with a GVWR of less than 3,000 pounds **or more than 9,600 pounds GVWR** shall not be used for the transportation of children to or from school or school-connected activities. **A motor vehicle with a center aisle shall not be used as a Type S school vehicle.**

(e) (No change.)

(f) Any modification to a Type S school [bus] **vehicle** for the purpose of transporting children with special needs shall comply with all applicable FMVSS and SAE standards governing the modifications.

13:20-51.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Accident” means:

- 1. A collision involving a school bus or vehicle that results in personal injury or death, or causes disabling damage to one or more motor vehicles requiring the vehicle(s) to be transported away by a tow truck or other vehicle;**

2. A collision between a motor vehicle and a student at any time during the loading or unloading process of a school bus or school vehicle; or
3. An injury to a student inside a school bus or vehicle that results from negligent or unsafe acceleration, deceleration or other movement of a school bus.

...

“Driver” means the authorized licensed [operator] **driver** of a Type S school [bus] **vehicle**.

“FMVSS” means the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations (49 CFR Part 571). Copies of the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, (202) 783-3238, or at <http://www.nhtsa.gov/cars/rules/import/FMVSS>.

...

“Operator” means the owner or person responsible for the day-to-day operation and maintenance of a Type S school [bus] **vehicle**.

“Passenger” means any person riding in a Type S school [bus] **vehicle** other than the driver.

...

“Type S school [bus] **vehicle**” means a motor vehicle with a GVWR of 3,000 pounds or more, originally designed by the manufacturer with a maximum seating capacity of nine passengers or less excluding the driver, operated by, or under contract

with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated [for compensation] for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child care center, preschool center[,] or other similar places of education.

...

13:20-51.3 Capacity

(a) [The maximum number of] **No more than nine** passengers [who] **excluding the driver**, may be transported in each Type S school [bus shall be determined by the seat measurement] **vehicle**. Fifteen inches of seat length shall be provided for each passenger.

(b) (No change.)

13:20-51.4 Chains or snow tires

The drive wheels of Type S school [buses] **vehicles** shall be equipped with tire chains, all-weather tires[,] or snow tires for safe operation in areas of snow and/or ice.

13:20-51.6 Fire extinguisher

(a) A fully-charged dry chemical fire extinguisher with a pressure gauge approved by the UL with the minimum UL rating of B2, C2, 1/2BC[,] or 10BC shall be provided. The fire extinguisher shall be mounted in a bracket in a convenient location in the driver's compartment [and display an inspection tag].

(b) A Type S school [bus] **vehicle** shall not be equipped with a fire [extinguisher] **suppression** system that uses the chemical Halon as the fire suppression agent.

13:20-51.7 First aid kit

(a) A removable first aid kit [shall] **may** be provided. The first aid kit shall be a moistureproof and dustproof container without a lock[, with the words "FIRST AID" printed on the cover]. **When the first aid kit is stored in a storage compartment, the location of the kit shall be identified by the words "First Aid" in red letters two inches high and 3/16 inch wide.** The [contents] kit shall [be maintained as follows] **contain sufficient supplies for the capacity of the school bus or vehicle.** **Suggested items include, but are not limited to:**

1. - 6. (No change.)

[(b) If the first aid kit is stored in a storage compartment, the location of the kit shall be identified by the words "FIRST AID" or marked with the Red Cross symbol.]

13:20-51.9 Heater capacity

The heater shall be capable of bringing the interior temperature of the Type S school [bus] **vehicle** up to and maintaining a minimum temperature of 50 degrees Fahrenheit.

13:20-51.10 Lettering

(a) A Type S school [bus] **vehicle** shall display lettering that indicates the name of the operator and the name of the municipality in which the operator has his or her principal place of business, wording on the rear of a school vehicle to indicate that the vehicle stops at railroad crossings, wording on the rear of the school vehicle to indicate that the vehicle is carrying children[,] and on the rear of the school vehicle the International Symbol of Accessibility to indicate that the vehicle is capable of transporting a wheelchair. **Magnetic lettering may be accepted.** A Type S school [bus] **vehicle** shall not display any advertising or telephone numbers. Lettering shall not be permitted on the windows of a school vehicle.

(b) (No change.)

13:20-51.11 Rear view mirrors

Approved rear view mirrors shall be mounted inside and outside of a Type S school [bus] **vehicle**. Outside mirrors shall be mounted on both sides of the Type S school [bus] **vehicle**.

13:20-51.13 Seats and backrests

(a)-(c) (No change.)

(d) A vehicle shall not be used as a Type S school [bus] **vehicle** if the seat in front of the seat to be exited from must be folded in order for a passenger to exit the vehicle.

(e)- (f) (No change.)

SUBCHAPTER 52. INSURANCE

13:20-52.1 General provisions

(a) - (f) (No change.)

(g) An Accord 25 Insurance form (certificate of liability) and a list of school vehicles covered by the policy shall be mailed to Motor Vehicle Commission, Bus Unit, PO Box 177, 225 E. State Street, Trenton, NJ 08666.

(h) New Jersey Motor Vehicle Commission and New Jersey Department of Education shall be named as certificate holders.

(i) The district board of education and the executive county superintendent of schools and the Motor Vehicle Commission shall be notified by the insured whenever any policy is cancelled. Notification shall be made within 48 hours of receipt of the notification of the cancellation by the insured, and in all cases before the cancellation takes effect.

SUBCHAPTER 53. STANDARDS FOR ALTERNATIVELY FUELED SCHOOL BUSES

13:20-53.2 Definitions

The following words and terms, when used in this subchapter and in N.J.A.C. 13:20-53A, 53B[,] and 53C, shall have the following meanings unless the context clearly indicates otherwise.

...

“FMVSS” means the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations (49 CFR Part 571). Copies of the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, (202) 783-3238, or <http://www.nhtsa.gov/cars/rules/import/FMVSS>.

...

“School bus” or “bus” when used in N.J.A.C. 13:20-53A, 53B, 53C[,] or this subchapter means every motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated [for compensation] for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child-care center, preschool center or other similar places of education.

...

13:20-53.6 Venting

(a) All safety devices that may discharge to the atmosphere shall be vented to the outside of the school bus, and all discharge lines and outlets shall be installed as follows:

1. - 3. (No change.)
4. The discharge line from the safety relief valve on all school buses shall be located [at the rear of the school bus, directed upward, and extended to the top

of the school bus roof] **as per manufacturer's specifications.** Means shall be provided to verify that the discharge line is clear.

5.- 7. (No change.)

SUBCHAPTER 53A. STANDARDS FOR SCHOOL BUSES HAVING FUEL SYSTEMS USING LIQUEFIED PETROLEUM GAS

13:20-53A.14 Vents

Every compartment in which an LPG fuel supply container is installed shall be vented to the atmosphere unless all piping and connectors are outside of the compartment. The vent or vents shall be installed [at the lowest practicable point of the compartment and shall have an open area totaling not less than three square inches] **as per manufacturer's specifications.**

SUBCHAPTER 53B. STANDARDS FOR SCHOOL BUSES HAVING FUEL SYSTEMS USING COMPRESSED NATURAL GAS

13:20-53B.8 Vents

Every compartment in which a CNG fuel supply container is installed shall be vented to the atmosphere, unless all piping and connectors outside of the compartment are vapor-sealed and vented to the atmosphere. The vent or vents shall be installed [at the highest practicable point of the compartment and shall have an open area totaling not less than three square inches] **as per manufacturer's specifications.**

SUBCHAPTER 53C. STANDARDS FOR SCHOOL BUSES HAVING FUEL SYSTEMS
USING LIQUEFIED NATURAL GAS

13:20-53C.10 Vents

Every compartment in which an LNG fuel supply container is installed shall be vented to the atmosphere unless all piping and connectors are outside of the compartment. The vent or vents shall be installed [at the highest practicable point of the compartment and shall have an open area totaling not less than three square inches] **as per manufacturer's specifications.**