

**CHAPTER 137—H.F.No. 392**

*An act relating to education; modifying provisions relating to school bus safety and standards; amending Minnesota Statutes 2010, sections 169.4501, subdivisions 1, 2; 169.4503, subdivisions 5, 20, by adding subdivisions; 169.4582, subdivision 2; repealing Minnesota Statutes 2010, sections 169.441, subdivision 5; 169.445, subdivision 2; 169.454, subdivision 10.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 169.4501, subdivision 1, is amended to read:

Subdivision 1. **National standards adopted.** Except as provided in sections 169.4502 and 169.4503, the construction, design, equipment, and color of types A, B, C, D school buses and multifunction school activity buses used for the transportation of school children shall meet the requirements of the ~~"bus chassis standards" and "bus body standards and chassis specifications"~~ in the ~~2005~~ 2010 edition of the "National School Transportation Specifications and Procedures" adopted by the National Congress on School Transportation. Except as provided in section 169.4504, the construction, design, and equipment of types A, B, C, D school buses and multifunction school activity buses used for the transportation of students with disabilities also shall meet the requirements of the "specially equipped school bus ~~standards specifications~~" in the ~~2005~~ 2010 National School Transportation Specifications and Procedures. The ~~"bus chassis standards," "bus body standards, and chassis specifications"~~ and "specially equipped school bus ~~standards specifications~~" sections of the ~~2005~~ 2010 edition of the "National School Transportation Specifications and Procedures," adopted by the Fifteenth National Congress on School Transportation, are incorporated by reference in this chapter.

Sec. 2. Minnesota Statutes 2010, section 169.4501, subdivision 2, is amended to read:

Subd. 2. **Applicability.** (a) The standards adopted in this section and sections 169.4502 and 169.4503, govern the construction, design, equipment, and color of school buses used for the transportation of school children, when owned or leased and operated by a school or privately owned or leased and operated under a contract with a school. Each school, its officers and employees, and each person employed under the contract is subject to these standards.

(b) The standards apply to school buses manufactured after December 31, ~~2007~~ 2012. Buses complying with the standards when manufactured need not comply with standards established later except as specifically provided for by law.

(c) A school bus manufactured on or before December 31, ~~2007~~ 2012, must conform to the Minnesota standards in effect on the date the vehicle was manufactured except as specifically provided for in law.

(d) A new bus body may be remounted on a used chassis provided that the remounted vehicle meets state and federal standards for new buses which are current at the time of the remounting. Permission must be obtained from the commissioner of public safety before the remounting is done. A used bus body may not be remounted on a new or used chassis.

Sec. 3. Minnesota Statutes 2010, section 169.4503, subdivision 5, is amended to read:

Subd. 5. **Colors.** Fenderettes may be black. The beltline may be painted yellow over black or black over yellow. The rub rails shall be black. The area around the lenses of alternately flashing signal lamps extending outward from the edge of the lamp three inches, plus or minus one-quarter inch, to the sides and top and at least one inch to the bottom, shall be black. Visors or hoods, black in color, with a minimum of four inches may be provided.

Sec. 4. Minnesota Statutes 2010, section 169.4503, subdivision 20, is amended to read:

Subd. 20. **Seat and crash barriers.** ~~(a)~~ All restraining barriers and passenger seats shall be covered with a material that has fire retardant or fire block characteristics.

~~(b) All seats must have a minimum cushion depth of 15 inches and a seat back height of at least 20 inches above the seating reference point, and beginning October 21, 2009, must also conform to the Federal Motor Vehicle Safety Standard in Code of Federal Regulations, title 49, section 571.222.~~

Sec. 5. Minnesota Statutes 2010, section 169.4503, is amended by adding a subdivision to read:

Subd. 28. **Crossing control arm.** All buses manufactured for use in Minnesota after January 1, 2013, shall be equipped with a crossing control arm mounted at the right front corner of the front bumper. The crossing control arm shall be automatically activated whenever the bus is stopped with the flashing red signals in use.

Sec. 6. Minnesota Statutes 2010, section 169.4503, is amended by adding a subdivision to read:

Subd. 29. **Auxiliary fans.** Additional auxiliary fans are required for school buses manufactured on or after December 31, 2012, and shall meet the following requirements:

(a) Fans for the left and right sides of the windshield shall be placed in a location where they can be adjusted for maximum effectiveness and where they do not obstruct vision to any mirror. Type A buses may be equipped with one fan.

(b) Fans shall be a minimum of six inches in diameter.

(c) Fan blades shall be covered with a protective cage. Each fan shall be controlled by a separate switch.

Sec. 7. Minnesota Statutes 2010, section 169.4503, is amended by adding a subdivision to read:

Subd. 30. **Video/mobile surveillance systems.** Camera heads for video/mobile surveillance may be mounted in the driver compartment area, mid-bus, or on a rear interior bulkhead in the student passenger area. For buses manufactured or retrofitted with a surveillance system after December 31, 2012, cameras mounted mid-bus must be parallel

to a seat back, must not have any sharp edges, must not extend outward more than three inches, and must be located within 24 inches of the top of the side window of the bus.

Sec. 8. Minnesota Statutes 2010, section 169.4582, subdivision 2, is amended to read:

Subd. 2. **Duty to report; school official.** Consistent with the school bus safety policy under section 123B.91, subdivision 1, the school principal, the school transportation safety director, or other designated school official shall immediately report to the local law enforcement agency having jurisdiction where the misbehavior occurred and to the school superintendent if the reporting school official knows or has reason to believe that a student has committed a reportable offense on a school bus or in a bus loading or unloading area. The reporting school official shall issue a report to the commissioner of public safety concerning the incident ~~on a form developed by the commissioner for that purpose~~ upon request of the commissioner.

Sec. 9. **REPEALER.**

Minnesota Statutes 2010, sections 169.441, subdivision 5; 169.445, subdivision 2; and 169.454, subdivision 10, are repealed.

Presented to the governor March 27, 2012

Signed by the governor March 29, 2012, 10:32 a.m.