

SENATE BILL NO. 382—SENATORS PARKS
AND KIHUEN (BY REQUEST)

MARCH 18, 2013

Referred to Committee on Education

SUMMARY—Revises provisions governing safety standards for school buses. (BDR 34-868)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to transportation of pupils; revising provisions relating to the flammability of certain materials and components used in new school buses; adopting standards for automatic systems of fire extinguishment for school buses that are so equipped; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that any new school bus purchased by a school district on or after January 1, 2014, to transport pupils must meet certain standards relating to the flammability of occupant seating. (NRS 392.405) **Section 2** of this bill changes the date for compliance with these standards to January 1, 2016. For any new school bus purchased on or after July 1, 2014, existing law also requires that plastic components in the engine compartment of the bus meet certain standards relating to flammability. (NRS 392.405) **Section 2** likewise changes this date to July 1, 2016. **Section 2** also provides for the use of alternative standards of flammability for certain plastic components which are directly exposed to heat and provides that, in lieu of meeting standards of flammability, a new school bus purchased on or after July 1, 2016, may be equipped with an automatic system of fire extinguishment that meets certain requirements.

Existing law makes the fire safety standards described above applicable to any new school bus purchased by a private school to transport pupils. (NRS 394.190) **Section 4** of this bill amends those provisions to correspond with those applicable to a school bus purchased by a school district.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 392.400 is hereby amended to read as follows:
392.400 1. All vehicles used in the transportation of pupils
must be:

(a) In good condition and state of repair.

(b) Well equipped, and must contain sufficient room and seats
so that the driver and each pupil being transported have a seat inside
the vehicle. Each pupil shall remain seated when the vehicle is in
motion.

(c) Inspected semiannually by the Department of Public Safety
to ensure that the vehicles are mechanically safe and meet the
minimum specifications established by the State Board. The
Department of Public Safety shall make written recommendations to
the superintendent of schools of the school district wherein any such
vehicle is operating for the correction of any defects discovered
thereby.

2. If the superintendent of schools fails or refuses to take
appropriate action to have the defects corrected within 10 days after
receiving notice of them from the Department of Public Safety, the
superintendent is guilty of a misdemeanor, and upon conviction
thereof may be removed from office.

3. Except as otherwise provided in subsection 4, all vehicles
used for transporting pupils must meet the specifications established
by regulation of the State Board.

4. Except as otherwise provided in ~~this~~ subsection ~~4~~ 5, any
bus which is purchased and used by a school district to transport
pupils to and from extracurricular activities is exempt from the
specifications adopted by the State Board if the bus meets the
federal safety standards for motor vehicles which were applicable at
the time the bus was manufactured and delivered for introduction in
interstate commerce. ~~On and after January 1, 2014, any~~

5. *Any* new school bus which is purchased by a school district
to transport pupils must meet the standards set forth in
~~NRS 392.405.~~

~~5.1~~ :

(a) *Subsection 1 of NRS 392.405 if the school bus is purchased
on or after January 1, 2016; and*

(b) *Subsection 2 or 3 of NRS 392.405 if the school bus is
purchased on or after July 1, 2016.*

6. Any person violating any of the requirements of this section
is guilty of a misdemeanor.



Sec. 2. NRS 392.405 is hereby amended to read as follows:

1. On and after January 1, ~~2014,~~ 2016, with respect to any new school bus which is purchased by a school district to transport pupils, the school bus must meet the following standards in addition to being equipped as required by the regulations of the State Board:

~~1.1~~ **(a)** Occupant seating within the school bus must be tested in accordance with either:

~~1.1(a)~~ **(1)** The ASTM International Standard ASTM E1537, "Standard Test Method for Fire Testing of Upholstered Furniture"; or

~~1.1(b)~~ **(2)** The School Bus Seat Upholstery Fire Block Test established by the National School Transportation Specifications and Procedures adopted at the most recent National Congress on School Transportation.

~~1.2~~ **(b)** For the purposes of ~~subsection 1.1~~ **paragraph (a)** such testing must be conducted on a complete seat assembly inside a test room or school bus, and occupant seating shall be deemed to have failed the ASTM E1537 test or Fire Block Test, as applicable, if:

~~1.2(a)~~ **(1)** The seat assembly exhibits a weight loss of 3 pounds or greater during the first 10 minutes of the test; or

~~1.2(b)~~ **(2)** The seat assembly exhibits a heat release rate of 80 kilowatts or greater.

~~1.3. Each~~

2. Except as otherwise provided in subsection 3, each plastic component contained in the engine compartment of a new school bus which is purchased by a school district on and after July 1, ~~2014,~~ **2016,** to transport pupils must meet ~~a V-0 classification~~ **one of the following classifications** when tested in accordance with the Underwriters Laboratories Inc. Standard 94, "the Standard for Safety of Flammability of Plastic Materials for Parts in Devices and Appliances testing ~~1.2~~":

(a) A V-0 classification; or

(b) If the component is located within 100 millimeters directly above an exhaust component that is not shielded, including, without limitation, a catalytic converter, an exhaust gas recirculation pipe that carries uncooled exhaust gas, an exhaust manifold or an exhaust pipe:

(1) For molded parts, a V-0 classification;

(2) For foams, an HF-1 classification; and

(3) For thin films, a VTM-0 classification.

3. In lieu of meeting the requirements set forth in subsection 2, a new school bus may be purchased by a school district on or after July 1, 2016, to transport pupils if it meets the following requirements:



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1 (a) *The school bus has an automatic system for fire*
2 *extinguishment in the engine compartment that includes a*
3 *mechanism for activation by the driver;*

4 (b) *Any nozzles for fire suppression are located, without*
5 *limitation, under the school bus, in the electrical panel or under*
6 *the dashboard, but are not located in the passenger compartment;*
7 *and*

8 (c) *The system for fire suppression includes a lamp or buzzer*
9 *to alert the driver when the system is activated.*

10 **Sec. 3.** NRS 392.410 is hereby amended to read as follows:

11 392.410 1. Except as otherwise provided in this subsection,
12 every school bus operated for the transportation of pupils to or from
13 school must be equipped with:

14 (a) A system of flashing red lights of a type approved by the
15 State Board and installed at the expense of the school district or
16 operator. Except as otherwise provided in subsection 2, the driver
17 shall operate this signal:

18 (1) When the bus is stopped to unload pupils.

19 (2) When the bus is stopped to load pupils.

20 (3) In times of emergency or accident, when appropriate.

21 (b) A mechanical device, attached to the front of the bus which,
22 when extended, causes persons to walk around the device. The
23 device must be approved by the State Board and installed at the
24 expense of the school district or operator. The driver shall operate
25 the device when the bus is stopped to load or unload pupils. The
26 installation of such a mechanical device is not required for a school
27 bus which is used solely to transport pupils with special needs who
28 are individually loaded and unloaded in a manner which does not
29 require them to walk in front of the bus. The provisions of this
30 paragraph do not prohibit a school district from upgrading or
31 replacing such a mechanical device with a more efficient and
32 effective device that is approved by the State Board.

33 2. A driver may stop to load and unload pupils in a designated
34 area without operating the system of flashing red lights required by
35 subsection 1 if the designated area:

36 (a) Has been designated by a school district and approved by the
37 Department;

38 (b) Is of sufficient depth and length to provide space for the bus
39 to park at least 8 feet off the traveled portion of the roadway;

40 (c) Is not within an intersection of roadways;

41 (d) Contains ample space between the exit door of the bus and
42 the parking area to allow safe exit from the bus;

43 (e) Is located so as to allow the bus to reenter the traffic from its
44 parked position without creating a traffic hazard; and



(f) Is located so as to allow pupils to enter and exit the bus without crossing the roadway.

3. In addition to the equipment required by subsection 1 and except as otherwise provided in subsection 4 of NRS 392.400, each school bus must:

(a) Be equipped and identified as required by the regulations of the State Board; and

(b) If the bus is a new bus purchased by a school district ~~on and after January 1, 2014,~~ to transport pupils, meet the standards set forth in :

(1) Subsection 1 of NRS 392.405 ~~if the bus is purchased on or after January 1, 2016;~~ and

(2) Subsection 2 or 3 of NRS 392.405 if the bus is purchased on or after July 1, 2016.

4. The agents and employees of the Department of Motor Vehicles shall inspect school buses to determine whether the provisions of this section concerning equipment and identification of the school buses have been complied with, and shall report any violations discovered to the superintendent of schools of the school district wherein the vehicles are operating.

5. If the superintendent of schools fails or refuses to take appropriate action to correct any such violation within 10 days after receiving notice of it from the Department of Motor Vehicles, the superintendent is guilty of a misdemeanor, and upon conviction must be removed from office.

6. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Sec. 4. NRS 394.190 is hereby amended to read as follows:

394.190 1. The provisions of NRS 392.400 and 392.410 relating to the condition, equipment and identification of vehicles used for the transportation of pupils apply to private schools.

2. On and after January 1, ~~2014,~~ *2016, or July 1, 2016, as applicable,* with respect to any new school bus purchased to transport pupils, the standards for school buses set forth in :

(a) Subsection 1 of NRS 392.405 ; and

(b) Subsection 2 or 3 of NRS 392.405,

↪ apply to private schools.

3. All such vehicles are subject to inspection at all times by agents and employees of the Department of Motor Vehicles, who shall report any violations discovered thereby to the executive head of the private school.

4. If the executive head of the private school fails or refuses to take appropriate action to correct any such violation within 10 days after receiving the report from the Department of Motor Vehicles, the executive head is guilty of a misdemeanor.



1 **Sec. 5.** This act becomes effective upon passage and approval.

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