

CREATED BY BD 2-28-2023

581-053-0070

School Bus and School Activity Vehicle Acquisition, Maintenance and Inspection

(1) Upon entry into Oregon, all school buses and school activity vehicles shall conform to the Oregon minimum standards currently in force as they apply to each vehicle and to the Federal Motor Vehicle Safety Standards in place at time of manufacture, prior to transporting students.

(2) Transportation entities shall not transport students in any school bus or school activity vehicle until:

(a) The school bus or school activity vehicle license approval form has been received by ODE certifying that the vehicle meets all applicable minimum standards; and

(b) The transportation entity has received approval from ODE.

(3) Any additions of vehicle equipment or alterations in the vehicle construction that are not provided for in the applicable minimum standards for Oregon school buses or school activity vehicles are prohibited without first receiving prior approval from ODE.

(4) School buses and school activity vehicles used for transportation of students with disabilities or for specific educational purposes that do not meet all current Oregon Minimum Standards for School Buses must be approved by ODE.

(5) Appeal for Variance:

(a) A transportation entity or contractor desiring to purchase or use a pupil transporting vehicle that cannot meet all required minimum construction standards for school buses or school activity vehicles as applicable in Oregon must forward an "Appeal for Variance" request to the [State Superintendent of Public Instruction](#) [Director of Pupil Transportation](#). This appeal must be made by the highest ranking official with the local operation and contain at least the following information:

(A) The need for such a vehicle;

(B) Why a standard school bus or school activity vehicle will not suffice;

(C) List of items which will not meet applicable standards; and

(D) Passenger capacity of vehicle.

(b) This variance provision is designed for unique changes or alterations necessary to accommodate special equipment or conditions.

(6) School buses and school activity vehicles shall be maintained in safe operating condition and shall meet or exceed the minimum standards in effect at the time of purchase, as well as any subsequently adopted standards that are applicable to the vehicle.

(7) The transportation entity shall keep vehicle maintenance records for each vehicle used to transport students. These records shall be available to ODE upon request. Records shall be kept for every service, adjustment or repair of the following items and shall include date and mileage:

- (a) Chassis lubrications;
- (b) Engine oil and filter changes;
- (c) Major engine tune-ups and repairs;
- (d) All adjustment, service and repair of brake system;
- (e) All adjustment, service and repair of steering mechanism and other related parts;
- (f) Tires; and
- (g) Drive train components.

(8) Notwithstanding OAR 581-053-0120, under the direction of a certified inspector, repair items listed below may be done by uncertified personnel:

- (a) Belts and hoses;
- (b) Body and paint repair;
- (c) Camera systems;
- (d) Electrical systems;
- (e) Exhaust systems;
- (f) Fluid changes;
- (g) Glass repair;
- (h) Lights;
- (i) Seat repairs;
- (j) Tires;
- (k) Tune-ups.

(9) Transportation entities or contractors planning to rebuild a school bus or school activity vehicle that has been totaled shall first secure written approval from ODE. (This does not apply to repair of damage.) All rebuilt school buses must meet current Oregon Minimum Standards for School Buses and applicable U.S. Department of Transportation regulations in affect at the time of approval.

(10) The transportation entity shall ensure the following is inspected daily:

- (a) Windshield and wipers;

- (b) All lights;
- (c) Service door;
- (d) Tires and wheel lug nuts;
- (e) Battery, belts, oil and coolant level;
- (f) Horns;
- (g) Brakes;
- (h) Steering;
- (i) Exhaust system;
- (j) See that lights, windshield, mirrors, and warning sign is clean;
- (k) Emergency equipment;
- (l) Emergency exits and audible warning devices;
- (m) Suspension;
- (n) Seats; and
- (o) Gauges

(11) Transporting entities shall have all vehicles used in transporting pupils inspected annually by inspectors holding current school bus inspection certification, and certify to ODE that all deficiencies have been corrected before September 1 each year. ODE shall furnish forms for the inspection and for the certification reports.

(12) ODE personnel may inspect school buses and school activity vehicles at any time or upon request of transportation entities. ODE may investigate accidents and examine school buses and school activity vehicles involved in accidents as ODE considers necessary.

(13) Upon inspection of school buses or school activity vehicles by ODE personnel, the vehicle owner shall be notified in writing of deficiencies. Such deficiencies shall be corrected within 30 days. If the vehicle owner is unable to correct the deficiency within 30 days, the transportation entity may submit a written request for an extension of time to ODE. Such request may be granted, provided the deficiency does not affect the safety of students or public, and is not contrary to Oregon Motor Vehicle Laws.

(14) ODE personnel may issue a written order that a vehicle is unsafe and shall not be used to transport students when there is reason to believe that a deficiency is such that continued operation of the vehicle may jeopardize the safety of students or public.

(15) The transportation entity or vehicle owner shall notify ODE in writing that the deficiency is corrected before transporting students in a vehicle that has been declared unsafe in section (14) of this rule.

Statutory/Other Authority: ORS 327.013 & 820.100 - 820.120

Statutes/Other Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120