

**Title 5-DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
**Division 30-Division of Financial and Administrative Services**  
**Chapter 261-School Transportation**

**PROPOSED AMENDMENT**

**5 CSR 30-261.025 Minimum Requirements for School Bus Chassis and Body.** The State Board of Education is proposing to amend sections (1), (2), and the incorporated by reference material.

*PURPOSE: This amendment is a result of a change to the National School Transportation Specifications and Procedures and Federal Motor Vehicle Safety Standards, and a recommendation from the Missouri Minimum Standards for School Buses Committee. The amendment will enhance the safety of schoolchildren being transported in school buses.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) The *Missouri Minimum Standards for School Buses* (revised [April 2012] **October 2016**) is hereby incorporated by reference and made a part of this rule as published by the Department of Elementary and Secondary Education, Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions. The *Missouri Minimum Standards for School Buses* reflects the changing needs of pupil transportation in Missouri, changes in the national specifications for school buses, and federal motor vehicle safety standards. The changes will enhance the safety of schoolchildren being transported in school buses.

(2) The minimum requirements for school bus chassis and body are divided into [*five (5)*] **four (4)** sections. Each section explains the specifications for the parts of a school bus. Section (1) deals with general provisions relative to administrative concerns. Section (2) defines the different types of school buses. Section (3) explains the minimum specifications for a school bus **body and** chassis. Section (4) explains the minimum specifications for a school bus [*body. Section (5) explains the minimum specifications for a school bus*] equipped specifically to transport [*handicapped*] students **with disabilities**.

*AUTHORITY: section 161.092, RSMo Supp. [2011] 2014, and section 304.060, RSMo 2000. This rule was previously filed as 5 CSR 40-261.025. Original rule filed Feb. 23, 1981, effective Oct. 1, 1981. Amended: Filed Sept. 22, 1983, effective Feb. 15, 1984. Amended: Filed Oct. 29, 1986, effective March 1, 1987. Emergency amendment filed Sept. 21, 1990, effective Oct. 1, 1990, expired Jan. 28, 1991. Amended: Filed Sept. 21, 1990, effective March 14, 1991.*

*Amended: Filed Dec. 21, 1992, effective July 8, 1993. Amended: Filed April 24, 1996, effective Dec. 30, 1996. Amended: Filed Nov. 20, 1996, effective May 30, 1997. Amended: Filed March 21, 2001, effective Oct. 30, 2001. Amended: Filed May 30, 2006, effective Jan. 30, 2007. Amended: Filed Sept. 22, 2008, effective May 30, 2009. Amended: Filed April 20, 2012, effective Dec. 30, 2012.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Elementary and Secondary Education, ATTN: Jennifer Jordan, Coordinator, School Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102-0480. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## **Small Business Regulator Fairness Board Small Business Impact Statement**

**October 25, 2016**

**Rule Number:** 5 CSR 30-261.025  
**Rule Name:** Minimum Requirements for School Bus Chassis and Body  
**Name of Agency Preparing Statement:** Department of Elementary and Secondary Education  
**Name of Person Preparing Statement:** Debra Clink  
**Phone Number:** 573-751-0357  
**Email:** debra.clink@dese.mo.gov  
**Name of Person Approving Statement:** Bill Thornton

**Please describe the methods your agency considered or used to reduce the impact on small businesses.**

Recently, the Missouri Department of Elementary and Secondary Education has been involved in the process of revising the *Missouri Minimum Standards for School Buses* which is the school bus body and chassis specifications for Missouri school buses operated by/for Missouri public school districts.

The revision typically occurs every five years after a national-wide meeting of the National Congress for School Transportation (NCST). The NCST revises the National School Transportation Specifications and Procedures. At the 2015 NCST, Missouri had delegates participating in the revision which were appointed by the Commissioner of Education. These delegates and alternates included small business representatives from the school bus contractor industry; Schwartz Bus Services and Fowler Bus Company.

These small business delegates, as well as delegates from small business school bus vendors; including Central States Bus Sales, Midwest Bus Sales, and Midwest Transit Equipment served on the Missouri Minimum Standards for School Buses Technical Advisory Committee which reviewed the 2013 Missouri Minimum Standards alongside the revised National School Transportation Specifications and identified necessary changes to the current Minimum Standards.

**Please explain how your agency has involved small businesses in the development of the proposed rule.**

At the 2015 National Congress on School Transportation, Missouri had delegates participating in the revision which were appointed by the Commissioner of Education. These delegates and alternates included small business representatives from the school bus contractor industry; Schwartz Bus Services and Fowler Bus Company.

These small business delegates, as well as delegates from small business school bus vendors; including Central States Bus Sales, Midwest Bus Sales, and Midwest Transit Equipment served on the Missouri Minimum Standards for School Buses Technical Advisory Committee which reviewed the 2013 Missouri Minimum Standards alongside the revised National School

Transportation Specifications and identified necessary changes to the current Minimum Standards.

**Please list the probable monetary costs and benefits to your agency and any other agencies affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.**

The key identified changes to the Missouri Minimum Standards will not have a public or private cost of more than five hundred dollars (\$500) in the aggregate. No fees are collected.

**Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected.**

No adverse affect.

**Please list direct and indirect costs (in dollars amounts) associated with compliance.**

No costs involved in compliance.

**Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.**

School districts and school bus contractors.

**Does the proposed rule include provisions that are more stringent than those mandated by comparable or related federal, state, or county standards?**

\_\_\_\_\_ Yes                        x   No

**If yes, please explain the reason for imposing a more stringent standard.**

*For further guidance in the completion of this statement, please see § 536.300, RSMo.*