

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-001 Authority and purpose.** The authority for this chapter is RCW 46.61.380 which authorizes the superintendent of public instruction to adopt and enforce regulations to govern the design, marking, and mode of operation of all school buses transporting public school students. The purpose of this chapter is to establish the specifications governing the design and marking of all school buses owned and operated by any school district and all school buses which are privately owned and operated under contract with any school district for the transportation of students. The provisions of this chapter (~~shall be~~) are incorporated by express reference into all school district contracts for the transportation of public school students in privately owned and operated school buses.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "School bus" means every vehicle with a seating capacity of more than ten persons including the driver regularly used to transport students to and from school or in connection with school activities.

(2) "School bus specifications manual" means that manual published by the superintendent of public instruction.

(3) "School district" means either a school district or an educational service district.

(4) "School bus operation permit" means that form issued by the superintendent of public instruction to a school district, which is required prior to the use of any school bus for the transportation of students. No school bus operation permit is valid for any school bus which does not meet the Federal Motor Vehicle Safety Standards implemented April 1, 1977.

(5) "Inspection officer" means an employee of the Washington state patrol designated by the chief of the Washington state patrol to inspect school buses.

(6) "SPI Form 1028" means that form distributed by the superintendent of public instruction upon which the inspection officer indicates that the school bus has been inspected and approved, for used buses previously inspected by the Washington state patrol.

(7) "SPI Form 1029" means that form distributed by the superintendent of public instruction upon which the inspection officer indicates that the school bus has been inspected and approved upon initial purchase, used buses not previously inspected by the Washington state patrol, and buses which have undergone rehabilitation or modification.

(8) "Major repairs" means repairs to or rebuilding of the frame, steering, suspension, or braking systems. Major repairs to braking systems does not include routine maintenance such as replacing brake shoes, pads or drums.

(9) "Multifunction school activity bus (MFSAB)" means a vehicle defined by the National Highway Traffic Safety Administration, 49

C.F.R. 571, as a multifunction school activity bus used for purposes consistent with that definition.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-015 School bus specifications manual.** The Washington state school bus specifications manual is hereby incorporated into this chapter by reference. Prior to any revision of the school bus specification manual, the superintendent of public instruction (~~shall~~) must serve notice to interested parties and shall hold at least one public meeting.

AMENDATORY SECTION (Amending WSR 12-15-079, filed 7/18/12, effective 8/18/12)

**WAC 392-143-032 School bus operation permit.** The superintendent of public instruction (~~shall~~) must issue school bus operation permits as follows:

(1) School buses owned or operated by a school district or owned by a private contractor under contract to a school district (~~shall~~) must be issued a school bus operation permit on receipt of the following electronic files or documents for each new school bus or used school bus not previously issued a school bus operation permit in Washington state:

- (a) SPI Form 1020A, School Bus Acquisition Report; (~~and~~)
- (b) SPI Form 1029, Initial School Bus Inspection; and
- (c) Supporting documentation as required on SPI Form 1020A.

(2) A school bus operation permit (~~shall~~) must be reissued on receipt of the following electronic files or documents for school buses previously licensed in Washington state:

- (a) SPI Form 1020A, School Bus Acquisition Report, from the school district acquiring the school bus; and
- (b) SPI Form 1029, Initial School Bus Inspection, if the most recent school bus inspection was more than twelve months prior to the date of acquisition.

(3) A copy of the operation permit (~~shall~~) must be retained by the school district and a copy shall be placed in the permit holder in the school bus.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-035 Routine inspection of school buses.** All school buses shall be inspected annually by the Washington state patrol. Inspection dates (~~shall~~) must be determined by the chief of the state patrol. School districts (~~shall~~) must be notified by the chief of the state patrol prior to each annual inspection of the time and place

of inspection. School buses not presented for inspection at the time and place scheduled by the chief of the state patrol (~~shall~~) may obtain the appropriate inspection on or before August 31st of the current year. If the vehicle is not inspected on or before August 31st, the bus must not be operated as a school bus unless the requirement is temporarily waived in writing by the chief of the state patrol or until the school bus has passed a required inspection. A second inspection of at least twenty-five percent of each school district's fleet (~~shall~~) must be conducted annually by the Washington state patrol. This second inspection shall be unannounced and the inspection team (~~shall~~) must select which buses in the fleet it will inspect. These unannounced inspections (~~shall~~) must be scheduled so that they do not disrupt the regular transportation program.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-040 Other required inspections of school buses.** All school buses which have been rebuilt, have received a major modification, have received a major repair, or have received an interior renovation or refurbishment (~~shall~~) must be inspected prior to transporting students in accordance with the following criteria:

(1) A rebuilt school bus: For the purpose of this section, a rebuilt school bus (~~shall~~) must fully comply with all current Washington specifications at the time the school bus is rebuilt.

(2) A school bus receiving a major modification (e.g., hydraulic lift and/or ramp for wheelchairs) (~~shall~~) must meet all current state of Washington specifications at the time the major modification is made.

(3) A school bus receiving a major repair (~~shall~~) must meet or exceed Washington specifications in effect at the time of the original manufacturing date of the bus and shall be inspected in the same manner as a new school bus with emphasis on mechanical safety items.

(4) A school bus receiving an interior renovation or refurbishment (~~shall~~) must be inspected in the same manner as a new school bus with respect to Federal Motor Vehicle Safety Standard 222.

AMENDATORY SECTION (Amending WSR 04-08-117, filed 4/6/04, effective 5/7/04)

**WAC 392-143-050 Resold school buses.** A school district which sells a school bus to anyone other than another school district (~~shall~~) must be responsible for removing the school district's name and number and all lettering and markings identifying the vehicle as a school bus prior to its delivery to the purchaser. However, if the district sells the school bus to a private party who certifies in writing that the school bus (~~shall~~) will be used as a private carrier bus, the district need not remove the four or eight light warning system and stop signal arm.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

**WAC 392-143-055 Responsibility for compliance with school bus specification rules.** The responsibility for compliance with this chapter lies with the board of directors of each school district. Failure to comply with this chapter (~~shall~~) constitutes cause for the withholding of state transportation funds for such time and to such extent as is necessary to ensure compliance.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-060 School bus specifications continued compliance.** School districts (~~shall~~) must maintain all school buses in such condition that they shall continue to meet or exceed Washington state specifications in effect when the bus was manufactured, except as such standards or specifications are subsequently repealed or modified.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-070 Other vehicles used to transport students.** All vehicles with a seating capacity including the driver of ten persons or less (~~shall~~) are not (~~be~~) required to meet school bus specifications. Such vehicles regularly used to transport students to and from school or in connection with school activities (~~shall~~) must carry the approved school bus first-aid kit, fire extinguisher, and highway warning kit. These vehicles also (~~shall~~) must pass a safety inspection routinely conducted at the intervals outlined in WAC 392-143-035.

School districts may use an MFSAB with a seating capacity of less than sixteen passengers, including the driver. An MFSAB may be used to transport students and is required to have Washington state patrol inspections, initial and annual, for the appropriate class vehicle. An MFSAB must not be used in home-to-school transportation, or where any stop configuration would require the use of alternately flashing school bus warning lights if the vehicle were a school bus. An MFSAB must be equipped with a lap-shoulder belt or other passenger securement system that meets the requirements set forth in the Washington state school bus specifications manual in all seating positions and must not be painted school bus yellow. An MFSAB must carry the approved school bus first-aid kit, fire extinguisher, and highway warning kit. All drivers of an MFSAB must have a school bus driver's authorization in accordance with chapter 392-144 WAC.

All other vehicles used to transport students with a manufacturer rated seating capacity including the driver greater than ten persons (~~shall be~~) are required to meet school bus specifications.

AMENDATORY SECTION (Amending WSR 12-01-075, filed 12/19/11, effective 1/19/12)

**WAC 392-143-080 Signs and markings for school buses—Exterior—Interior.** Signs and markings on the exterior of any school bus (~~shall be~~) are limited to the requirements of the school bus specifications manual.

Signs and markings on the interior of any bus (~~shall be~~) are limited to necessary and/or required manufacturers' equipment and/or component identification and instruction, and the requirements of the school bus specifications manual.