

NC BUS FLEET:

North Carolina

School Transportation Fleet Manual

Vehicles

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INTRODUCTION

North Carolina school children deserve the safest transportation possible. A well-maintained school bus driven by a well-trained professional bus driver helps ensure their safety. The state's fleet of school buses is kept safe through the work and dedication of thousands of employees of local education agencies (LEAs). The North Carolina Department of Public Instruction (DPI) Transportation Services section works in partnership with these LEAs, providing consultation on school bus transportation and administering the resources needed for school bus operations.

This manual provides requirements and guidance related to the fleet of school buses and service vehicles. It includes:

- Vehicle Purchase, Replacement and Disposal
- Preventive Maintenance
- Vehicle Inspection

Vehicles

The State Board of Education is given statutory authority to fund public school transportation operations and the replacement of vehicles. Specifically, it is the responsibility of the State Board of Education to periodically

"...adopt such rules and regulations with reference to the construction, equipment, color, and maintenance of school buses. No school bus shall be operated for the transportation of pupils unless such bus is constructed and maintained as presented in such regulations."

North Carolina General Statute 115C-240(c)

The statute assures that public school buses throughout the State are built to the same standards and are uniform in appearance. DPI Transportation Services works in partnership with the Department of Administration, Division of Purchase and Contract, to establish a statewide term contract for vehicles meeting the specifications developed by a statewide Vehicle Specifications Committee. At any time, the latest version of this document standardizes the construction and equipment to be included on North Carolina school buses. This authority does not extend to private contractors that may provide school bus transportation to a local LEA. School buses operated by private contractors should meet all federal motor vehicle safety standards (FMVSS's) applicable to school buses. Similarly, school buses and activity buses owned by an LEA which are not subject to state replacement must also meet all FMVSS's for school buses or multi-function school activity buses.

The purchase of an initial school bus or service vehicle is the responsibility of the LEA. These vehicles are then replaced at state expense after having reached specified mileage or time criteria. (G.S. 115C-249) In order to be eligible for state replacement, a vehicle must be used only for purposes allowed by general statute and must be maintained as prescribed in this manual. Funds generated from the sale of surplus vehicles are returned to the state fund used to purchase new (replacement) vehicles.

Because the State is responsible for replacing school buses, no school bus is to be altered in appearance, color, lettering, or equipment unless authorized by the Department of Public Instruction, Transportation Services Section. In general, items that are included in subsequent year specifications may be retrofitted to older model buses. Additional equipment may be added to school buses as described on page 15 "Alterations and Modifications to School Buses" of this manual. It is important that the installation of new equipment or alteration of appearance be coordinated through and approved by DPI Transportation Services to ensure the integrity and longevity of the fleet.

Preventive Maintenance

Essential preventive maintenance activities provide a uniform standard necessary to ensure a safe transportation environment for the students in the Public Schools of North Carolina. It is each LEA's responsibility to maintain school buses as described in this manual. While the maintenance programs presented in this manual represent the minimum requirements for all school buses and service vehicles, more frequent service may be warranted at times. The purpose of the maintenance programs outlined herein is to promote repair consistency and cost efficiency, and to assure that school buses and service vehicles are maintained in safe operating condition.

This manual is used in conjunction with the state's system for fleet management – the Business Systems Information Portal (BSIP), a project of the North Carolina Department of Transportation (NCDOT). BSIP is an online information system through which 100 school bus garages are provided access to their fleet maintenance data. The bus garages share the system with NCDOT and the State Highway Patrol. Data entered by the users are updated in real time and scheduled maintenance activities are reported on a daily basis. The principal areas addressed by BSIP are as follows:

- Vehicle replacement status and basic identifiers (e.g. warranty date, VIN)
- Preventive maintenance and inspection scheduling
- Inventory management for repair parts, fuel and tires
- Vehicle maintenance and repair costs histories

Timely updating of fleet maintenance data in BSIP is a critical component of proper preventive maintenance.

School Bus Inspections

North Carolina General Statute 115C-248(a) states the following:

“The superintendent of each local school administrative unit, shall cause each school bus owned or operated by such local school administrative unit to be inspected at least once each 30 days during the school year for technical defects or other defects which may affect the safe operation of such bus.”

Every 30 calendar days, each school bus (and activity bus) is required to be inspected for mechanical or safety-related defects. This manual outlines a consistent set of items to be inspected on each school bus. Further, criteria that require a bus be placed “out of service until repaired” are provided so that each inspector has a consistent process by which to assess a bus during the inspection.

Effective August 1, 2011, LEAs shall require each 30-day inspection required under G.S. 115C-248 to be conducted by an individual who has completed the training and certification requirements administered by the Department of Public Instruction. (State Board of Education Policy TCS-H-011).

The success of this maintenance program will be assured through the cooperation of all LEA transportation employees. Assignment of personnel to the prescribed duties listed in this manual is essential in order for the preventive maintenance program to function properly and to be cost efficient. The prescribed school bus garage operational procedures should be followed as closely as possible.

While state funds are allocated for the replacement and maintenance of school buses, it is the responsibility of the LEA to provide facilities and equipment. This is outlined in General Statute 115C-249 (Purchase and Maintenance of School Buses). Section (e) reads as follows:

"It shall be the duty of the county board of education to provide adequate buildings and equipment for the storage and maintenance of all school buses and service vehicles owned or operated by the board of education of any local school administrative unit in such county. It shall be the duty of the tax-levying authorities of such county to provide in its capital outlay budget for the construction or acquisition of such buildings and equipment as may be required for this purpose."

Additional information concerning NC school bus transportation can be obtained online at www.ncbussafety.org.

Questions regarding the contents of this manual should be directed to DPI Transportation Services at 919.807.3570 (www.ncbussafety.org/contact.html).

VEHICLES

Each local board of education is authorized to own and operate a school bus fleet under Statute 115C-239. These fleets include school buses for basic to-and-from-school transportation and the service vehicles required for maintenance of those buses and delivery of fuel to those buses. The local boards originally purchased these vehicles over a period of many years. The state assumed the responsibility of replacing these vehicles in the 1930's under Statute 115C-240(e)(f). The rate at which vehicles are replaced depends on the age and mileage of the vehicles, subject to appropriations from the General Assembly. (Criteria are found in G.S. 115C-249) The State Board of Education has the responsibility of funding the purchase of vehicles and allocating those vehicles to the local boards fairly and equitably on an annual basis.

In keeping with this charge, school buses are classified in one of several categories as indicated below:

Status Codes

E1 – A bus that has already been replaced, not needed as a spare but not designated for sale. Reserved by DPI for future use as needed for credit redemption or to be reinstated due to a crash, etc.

E2RB - A bus titled to the LEA that has been replaced by the state and authorized for use as a regular route bus, subject to replacement by the state as the need arises and as funds are available.

E2RC - A Capital Outlay bus titled to the LEA that has not been replaced by the state and authorized for use as a regular route bus, subject to replacement by the state as the need arises and as funds are available.

E2LC - A bus loaned to the LEA, authorized for temporary operation from state funds as a regular route bus due to additional transportation needs. Authorization is contingent on a commitment by the LEA to order a capital outlay bus or eliminate the need for an additional bus within 18 months.

E2RR - A bus designated for replacement by DPI Transportation Services due to age or mileage depending on funds available.

E2NR - A vehicle that is not on state replacement but is used for state-eligible purposes. Such vehicles are eligible for state-funded maintenance and fueling.

E3 – Wrecked. A bus titled to the LEA that has not yet been replaced, but which has been wrecked and is awaiting a replacement vehicle to be purchased or transferred

E4 - A vehicle titled to the LEA, having already been replaced by the state with a new vehicle, no longer needed by the LEA and is designated to be sold as surplus. These vehicles are not to be used for any purpose and must be parked in a safe location that allows easy access. E4 vehicles will be priced by the area transportation consultant at fair market value. Proceeds from sale of an E4 vehicle will be used primarily to fund the purchase of replacement service vehicles. It is required that E4 vehicles be cranked every three months to help maintain mechanical integrity. School buses and fuel trucks sold to an LEA may be discounted. No parts shall be removed except as described on page 29 "Utilization of Surplus Equipment" of this manual.

E6 - Sold Equipment This status is assigned to any vehicle after it is sold or otherwise discarded

E8 - Local Vehicles (e.g. activity buses, administrative staff cars, driver's education vehicles, local school buses, local maintenance vehicles, mowing/landscaping equipment etc.). These vehicles are typically not directly involved in the to/from school transportation for grades K-12. No state funds may be expended for parts/labor/fuel for these vehicles. By convention, these vehicle and equipment numbers are usually 7000 and 8000 series.

E0B - A school bus that has been turned in for credit and is available for transfer to another county. This is a bus that has not yet reached the replacement criteria and can be used to replace a total loss bus or to redeem a bus credit. These vehicles are not to be used for any purpose and must be parked in a safe location. It is required that E0B vehicles be cranked every three months to help maintain mechanical integrity.

E0S - A service vehicle available for transfer to another county. This is a vehicle that has already been replaced and can be used on a temporary basis as a spare vehicle by another county, as coordinated by DPI Transportation Services.

ESP - A bus titled to the LEA and was once authorized for use as a regular route bus, but because of current demands is not being utilized on a daily basis. At such time that the fleet is reviewed for bus replacements, a status ESP "parked" buses will not be included in the replacement pool. It can be used as a spare and will count towards the 10% spare fleet.

ESS - A bus titled to the LEA, having already been replaced by the state with a new bus, authorized for use as a spare bus when a regular route bus is not available due to mechanical failure or routine maintenance. ESS buses cannot be used for any other purpose.

EZ - A bus that has been rendered inoperable due to an accident or mechanical condition and is designated by DPI Transportation Services as available statewide for cannibalization.

Capital Outlay Purchases

An LEA may purchase vehicles to increase the size of the fleet that provides school transportation. The need for this action is generally the result of growth, opening/closing of schools or re-districting. An LEA is given this authority under Statute 115C-249(a) and the request for such additions must be approved by DPI Transportation Services.

For warranty purposes, it is in the best interest of the LEA and the state to ensure that the newest school buses are in regular route service. New Capital Outlay buses are received as In-Service buses (status E2RC). If these buses are not needed in the fleet, they may be converted to local school or activity buses (8000 number), sold or turned in for credit.

As allowed for in the Public School Law, DPI Transportation Services will review all requests for capital outlay vehicles. LEAs will have to justify any capital outlay purchases if the county already has any ESP buses or bus credits.

School Bus - When needs exceed resources, a local board may request that a school bus be added to the state replacement schedule. The state will pay for the operation of a temporary bus (Status E2LC) as long as the local board commits to the purchase of a new bus by submitting a letter requesting such use and issuing a purchase order within eighteen months to purchase a new bus. The new bus will be added to the state replacement schedule upon delivery to the local board. Under certain circumstances, an LEA may purchase a used bus from another LEA for the purpose of capital outlay upon approval of DPI Transportation Services. As long as the model year of the used bus is within 8 years of the current model year, the used bus will be placed on the replacement schedule upon approval from DPI Transportation Services. The model years will coincide with fiscal years (e.g. 1997-98 equates with 1998 model year).

Service Truck - These service vehicles (typically pickup trucks or cargo vans) are used by the garage mechanics to access the fleet for maintenance and service. The buses are typically staged at schools or other parking facilities mid-day and are available for routine inspections and minor servicing. The service trucks are used to respond to road calls in the event a bus becomes disabled. Service Trucks may only be used by personnel who are maintaining, inspecting, and servicing vehicles. Personnel that are not employed full time in these tasks may not be assigned a service truck that is subject to state replacement. Personnel who spend part of their time in these tasks may only use service trucks when serving in these capacities. A local board may add a service truck (pickup/cargo van) to the state replacement schedule if the ratio of route buses operated per service truck inventory exceeds 25. The truck purchased must be new and meet the specifications of the current state contract for service vehicles. At such time that the truck purchased by the local board is replaced by the state, the replacement will be of the same type trucks currently available on the state term contract for DPI service vehicles. Four-wheel drive, extended cab or service body may be added to a service truck but the local board must bear the cost of this option.

Fuel Truck - Fuel trucks are the primary source for distributing fuel to the school bus fleet. With the buses typically staged away from the garage, a remote system of fueling is essential. A local board may request that DPI review the need for an additional fuel truck. Several factors will be considered in granting the request including growth and current logistics for fueling the buses (i.e., school locations and staging areas). The general rule is one fuel truck per 75 school buses. In order to add a truck, the fleet must be 35 buses over the general rule. DPI approval is needed. If the request is approved, the local board may proceed with the purchase and the state will add the fuel truck to the replacement schedule (It is illegal to dispense gasoline from a mobile fuel dispensing vehicle into another vehicle.)

Wreckers - Wreckers are used to tow disabled school buses to the garage or another site for repairs. Any other use requires a refund to the state. If an LEA wishes to add a wrecker to the state replacement schedule, they must seek approval from DPI and they are required to purchase the initial body and chassis. Upon approval and delivery, the vehicle is placed on the schedule to replace the wrecker chassis when appropriate. The body, which includes the wrecker boom, can only be transferred to a new chassis if the original chassis is damaged (upon approval by DPI Transportation Services). Otherwise, the local board will need to purchase a new body

In the event of an accident where a wrecker is involved, if the wrecker boom and body was damaged beyond repair it will be the LEA's responsibility to replace it through local funds or insurance purchased by the LEA.

Other service vehicles - An LEA may purchase tire trucks, lube trucks and other vehicles used for the maintenance of the state's school bus fleet. State funds may be used to maintain these vehicles but these vehicles will not be subject to state replacement. DPI Transportation services must approve use of state funds for such vehicles.

Vehicle Replacements

The Transportation Services Section is charged with allocating resources designated by the North Carolina General Assembly for school bus replacement among all local education agencies in the state in an equitable manner. DPI Transportation Services designates funds generated from the sale of used vehicles primarily for the replacement of service vehicles. Once vehicles are replaced, they remain titled to the LEAs; however, their authorized use is at the discretion of the state.

School Bus Replacement Criteria – Within legislated requirements, DPI Transportation Services will consider all of the following in determining which buses in the statewide fleet are to be replaced in a given year:

1. Age of the bus
2. Mileage of the bus
3. Condition of the bus
4. Availability of funds
5. Unique circumstances about a given bus
6. Buses destroyed by accident or vandalism (total loss)

General Statute 115C-249 states that a bus is eligible for replacement at 20 years or 250,000 miles - whichever comes first – with a minimum of 150,000 miles. Further, a bus less than 15 years old must run 300,000 miles to be eligible. Up to 30 buses per year may be replaced at DPI discretion for safety reasons.

An E2RB or E2RC bus must have been operated by an LEA as authorized under General Statute 115C-242 to be considered for replacement. Any use of a replacement bus by an LEA or other entity for purposes other than “to-and-from-school” shall require reimbursement to the State for depreciation of capital equipment.

In general, an LEA will receive a bus of similar construction and size to the one being replaced. If a bus to be replaced has a capacity greater than is being currently offered as replacement, the State will use the largest capacity bus currently offered on contract as the replacement. If an LEA is not replacing a wheelchair lift bus, but desires a lift, the LEA must purchase the lift according to guidelines established for equipment replacement by DPI Transportation Services. An LEA may be allowed to adjust capacities depending on bus offerings in a given year.

DPI Transportation Services designates the service vehicles to be replaced, using similar criteria as for buses (i.e. mileage, age and condition) subject to the amount of funds available. Once service vehicles have been replaced, a small number of extras are retained in a spare status (EOS), available for transfer to another county in the event a regular service vehicle is destroyed by vandalism or accident. These extra trucks can only be used upon written approval from DPI Transportation Services. These vehicles can only be used when a regular truck is out of service.

Parked Buses

A parked school bus is a bus titled to the LEA that was once authorized for use as a regular route bus, but because of current demands is not being utilized on a regular route. At such time that the fleet is reviewed for bus replacements, a status ESP “parked” bus will not be included in the replacement pool. It can be used as a spare and will count towards the 10% spare fleet.

Criteria to place a school bus in ESP (Parked) status (ALL must be met):

1. The bus must be at least 8 years old by model year
2. The bus may not be in E2RR status or otherwise designated as eligible for replacement
3. The bus must be less than 20 years old by model year (e.g. 1997s can't be parked in 2017)
4. The bus must be reported on the TD-10 bus inventory report as having operated less than 91 days on a regular route during the current school year
5. The number of regular routes in the LEA must be reduced. The LEA can't park one bus and reactivate another ESP unless trading a lift for a non-lift bus or when one bus is 42 capacity or smaller. Any exceptions must be approved in writing by DPI Transportation Services.

If it is determined that a bus was taken off the road but was ineligible to be parked the LEA will have to place the bus back on the road immediately and designate another bus to remove from route service. In such a case, both vehicles must be reported on the TD-1 as being operated, thus impacting the budget rating.

Upon designating a vehicle as a Status ESP (parked) bus, the LEA has several options available to it with regard to that vehicle as outlined in the Bus Conversion section below.

Reinstate to Regular Route Service

An LEA may opt to retain a parked bus as a yellow school bus to be used as a spare vehicle. It may be reinstated to status E2RB or E2RC subject to operation for 91 days on a regular route during a single school year and approval by DPI Transportation Services.

In order to move from ESP to E2RB (or E2RC) status a bus must meet all the following requirements

1. It must be reported on the TD-10 bus inventory report as having operated at least 91 days on a regular route during the current school year
2. It cannot be older than the model year currently eligible to be replaced by the 20-year age criteria (e.g. A 1996 model cannot be reinstated in 2016-2017 where the 1997s are eligible based on age)

STATE-TO-LOCAL BUS CONVERSIONS

1. Activity or Local School Bus Conversion –

By notifying DPI Transportation Services in writing, an LEA may convert a parked bus (or, with approval, a route bus) to an activity bus by making appropriate mechanical adjustments to the vehicle. This includes the removal of lettering referring to “school bus” and North Carolina Public Schools. An LEA may also convert a bus to a local school bus (e.g. for a non-state-funded program) by notifying DPI Transportation Services in writing of the 8000-level number to be assigned.

In the instance of conversion, the LEA relinquishes its right for another bus in its place in the future as the parked bus is removed from the State inventory.

- If the bus is/was an E2RC capital outlay bus, it is eligible for conversion to a local school bus or activity bus at any time.
 - If the bus is/was an E2RB replacement bus provided by the state, it must be at least 8 years old by model year to be eligible for conversion
2. Automatic Local Conversion. Any bus that remains in ESP (parked) status longer than the time when it would be eligible (if operated on a route) for replacement based on 20 years of age, will be automatically converted to a local vehicle.

TURN IN FOR CREDIT

By mutual agreement the LEA may surrender a bus to the state for disposition. DPI Transportation Services may opt to sell the vehicle or use it in another capacity in North Carolina. In return, Transportation Services will issue a “credit” to the LEA which may be redeemed for a bus in the future should a need arise for additional vehicles. Note: This does not necessarily entitle the LEA to a new vehicle immediately, but it guarantees a vehicle once a need is demonstrated. In order to receive a credit the bus must meet ALL the following criteria:

1. Cannot have been in parked status more than 8 consecutive years during its life
2. Cannot be older than 20 years by model year. Deadline July 31. (e.g. a 1997 model may only be turned in for credit until July 31, 2017)
3. Must be operable and able to pass a 30-day inspection (such that it could be transferred to another LEA)
4. Must have total mileage equivalent to at least 7500 miles per year on average (e.g. A 1997 in the 2014-15 school year must have at least 18 years @ 7500 miles (135,000 mi) in order to turn it in for a credit) NOTE: Effective with the 2016-2017 school year

Surplus Vehicles

The Transportation Services Section is charged with designating the old buses and service vehicles that are to be removed from active service and replaced with a new vehicle. The number of vehicles removed and replaced annually depends on the annual appropriation from the General Assembly. Funds realized from the disposal of old vehicles revert to the state vehicle replacement fund.

School Bus - Buses that have been replaced by the state are sold via DPI Transportation Services. These buses shall be priced by the area consultant and listed on the "School Buses for Sale" website. Every effort should be made by the LEA to assist in the sale of surplus vehicles. By placing the vehicle in a visible location with a "For Sale" sign and/or advertising in any free publication, will help expedite the sale. Proceeds from the sale of surplus buses are returned to the state vehicle replacement fund.

Service Vehicles - A local board may purchase service trucks that have been replaced by the state. The local board agrees to pay the price that is set by DPI Transportation Services. If the local board does not wish to purchase the truck, it is sold through DPI Transportation Services. Service vehicles, fuel trucks, tire trucks and wreckers shall have all lettering removed. The LEA is responsible for painting over the lettering that distinguishes it as a county truck. If necessary, repaint driver door yellow (Unless sold to another school system). DPI Transportation Services will determine which trucks are retained as spares. Proceeds from the sale of surplus trucks are returned to the state vehicle replacement fund.

Surplus Vehicle Sale Preparation - Prior to being sold, all buses shall have the bus appearance altered in the following manner. The front and rear panel which formerly had "School Bus" indicated shall be painted from the flashing light on the left to the flashing light on the right, a color other than school bus yellow. Also, the area of the body, which formerly indicated "NC Public Schools", shall be painted a color other than school bus yellow. The painted area is to be the full length of the bus (See APPENDIX F). The stop arm shall be removed or painted black and the eight light warning system disabled. If a bus is sold to a public or private school system, an agreement can be made between the Transportation Consultant and the purchaser concerning letter removal, and stop sign removal depending on the future use of the bus.

Surplus vehicle sale procedure

1. Prices are set by DPI consultant
2. Advertise vehicle on DPI website, local paper or place a for sale sign in vehicle parked in public view
3. Receive certified check, cashier's check or money order to NCDPI from customer.
4. Sign title over to customer.
5. Complete a damage / flood and mileage statement and give to customer.
6. Director or cost clerk will forward payment and form TD-6B to DPI Transportation services in Raleigh.
7. Bulk sales should be directed to Transportation Services in Raleigh.
8. If bus is sold to a Charter school only county name must be removed.

Surplus buses and service vehicles will be priced for sale or bid on a TD-13 Discarded Equipment Form by your regional area transportation consultant. Buses and service vehicles shall not be sold unless priced in writing on the proper form prior to sale by the area transportation consultant.

Cannibalized Vehicles – In some cases, DPI Transportation Services may designate a vehicle as Salvage ("cannibalized") so that useful parts from the surplus vehicle can be used in other state replacement vehicles. This is often used when a wrecked vehicle has a useful engine, transmission, etc. Once completely stripped of parts, upon DPI approval, the bus will be sold for scrap metal to a local salvage company or at a reduced price following the same procedures as other sold vehicles.

Alterations and Modifications to School Buses

Because of the State's responsibility to replace school buses, no school bus is to be altered in appearance, color, lettering, or equipment unless authorized by the Department of Public Instruction, Transportation Services Section. It is permissible to update older model school buses to the current year school bus specifications. Any safety item included in the most recent issue of the North Carolina School Bus Specifications may be added. However, the items must be of the same model and type of material as described in the specifications and also installed in the manner described in the specifications. The following list includes safety items that may be added to update older school bus without specific written approval. Items that have been added to bus specifications in recent years: (Note: the following is for example purposes, but is not an all-inclusive list)

• Passenger Advisory System	• Driver fan
• PowerPoint	• Exhaust pipe extension turn down
• Integrated Child Restraint Seats	• Pro-form fire block seat material
• Premium Quality FF Friction Rated Brake Linings	• Strobe lights
• Strobe Stop Signs	• Rear Scope lens
• LED Lighting	• Roof hatches
• Reflective lettering	• Backup alarms
• Polyurethane paint	• Right side hand rails
• Reflective stop sign material	• Vandal Locks (requires electronic interface to ensure emergency exits are unlocked before the bus will start)
• Air dryer	• Broom holder (non-metallic)
• Automatic slack adjusters	• RRX/No Right Turn License Plate
• Parking brake interlock	• Extended Life Coolant
• Synthetic differential lube	• H range tires

Items not included in specifications, but approved for addition to school buses

- External Motion Detection System
- Two-way Communications
- Global Positioning Devices
- Electronic Control Module Monitoring Devices
- Exhaust Braking System
- Secured trash can
- Video Cameras (internal and external)
- Crash barrier cover with pocket
- Fifth brake light
- Fold down arm rest (National 2000 driver seat)
- Lap shoulder belts (Passenger)
- Gardian Angel student crossing lighting system

Other safety or cost efficiency items not included in the school bus specifications may be installed on school buses. However, Transportation Services must receive a written request and approval granted prior to actual installation on a bus. Any item added would be considered a pilot test and must be reviewed by a Transportation Services staff member prior to the bus being put in service.

Note: Some items that have been updated in the specifications through the years should not be changed on older model buses to ensure the integrity of the bus configuration. For instance, tire sizes must not be changed because of the internal odometer and speedometer calibrations. Mirror configurations are certified by the manufacturer and can only be changed with written approval from DPI Transportation Services, to ensure appropriate measures that the new configuration meets Federal Motor Vehicle Safety Standard # 111.

Tort Claims - Insurance

School buses and service vehicles are covered through a program of “self-insurance” rather than by an actual insurance policy. Damage to a vehicle is covered either by the insurance of the (other) at fault party or repairs are made from state transportation funds. Driver negligence for school buses and service vehicles is covered through the state Tort Claims Act – G.S. 143-300.1, which reads in part:

§ 143 300.1. Claims against county and city boards of education for accidents involving school buses or school transportation service vehicles.

(a) The North Carolina Industrial Commission shall have jurisdiction to hear and determine tort claims against any county board of education or any city board of education, which claims arise as a result of any alleged mechanical defects or other defects which may affect the safe operation of a public school bus or school transportation service vehicle resulting from an alleged negligent act of maintenance personnel or as a result of any alleged negligent act or omission of the driver, transportation safety assistant, or monitor of a public school bus or school transportation service vehicle when:

(1) The driver is an employee of the county or city administrative unit of which that board is the governing body, and the driver is paid or authorized to be paid by that administrative unit,

(1a) The monitor was appointed and acting in accordance with G.S. 115C 245(d),

(1b) The transportation safety assistant was employed and acting in accordance with G.S. 115C 245(e), or

(2) The driver is an unpaid school bus driver trainee under the supervision of an authorized employee of the Department of Transportation, Division of Motor Vehicles, or an authorized employee of that board or a county or city administrative unit thereof,

and which driver was at the time of the alleged negligent act or omission operating a public school bus or school transportation service vehicle in accordance with G.S. 115C 242 in the course of his employment by or training for that administrative unit or board, which monitor was at the time of the alleged negligent act or omission acting as such in the course of serving under G.S. 115C 245(d), or which transportation safety assistant was at the time of the alleged negligent act or omission acting as such in the course of serving under G.S. 115C 245(e).

Tort Claims coverage is contingent on compliance with G.S. 115C-242 which refers to the allowable uses of a school bus (instructional purposes, primarily transporting students to and from school). As a result, a service vehicle driver is covered only when responding to or servicing a bus which is operating pursuant to that statute.

Note that a service vehicle is not covered by the Tort Claims Act when it is responding to an activity vehicle breakdown. An LEA should carry liability insurance to cover the driver and collision insurance to cover property damage to a service vehicle which is damaged while servicing an activity bus or other local vehicle. For a wrecker, both the boom and chassis should be covered.

If a service vehicle is used out of State, it will not be covered under the Tort Claims Act if it is not being used for 115C-242 purposes. As to school buses and service vehicles performing allowed 115C-242 duties which are in out of State accidents, the tort claim limits still apply. The State is not responsible for any judgment from an out-of-state court that exceeds that amount.

In summary, any drivers and service vehicles that are ever used to service local vehicles should be insured by the LEA since neither funds from the Tort Claims Act nor the state transportation allotment can cover damages or judgments resulting from activity not directly related to school buses being used for instructional purposes.

APPENDIX F

Paint Scheme for Buses
Being sold to the Public.

