

05 DEPARTMENT OF EDUCATION

071 COMMISSIONER OF EDUCATION

Chapter 84: SCHOOL BUS REFURBISHMENT PROGRAM

Summary: These regulations establish procedures for school administrative units (SAUs) to contract for school bus refurbishment services through the Maine School Bus Refurbishment Program.

This program provides subsidy to school administrative units (SAUs) in order to offset the partial cost of refurbishment for school buses that are used to transport students to and from home and school and school events. This program is a safety resource to help SAUs contract for refurbishment services in order to extend the safe useful life of school buses.

SECTION 1. PURPOSE

1. ~~The purpose of this rule is to achieve the most equitable distribution of limited resources needed to extend the safe useful life of midlife school buses owned by SAUs.~~

SECTION 2. DEFINITIONS

1. ~~School bus is defined by 29-A M.R.S. §2301(5).~~
2. ~~Midlife school bus. A typical midlife school bus is a school bus that is five to seven years old.~~

SECTION 3. MINIMUM PROGRAM QUALIFICATIONS FOR THE SCHOOL BUS REFURBISHMENT PROGRAM

1. ~~The school bus shall have a current Maine vehicle inspection sticker.~~
2. ~~Eligibility for school bus refurbishment services shall be determined by a pre-approval inspection. The Maine Military Authority shall perform the pre-approval inspection. The inspection is called a field joint visual inspection (FJVI). Pre-approval inspections receive a pass or fail evaluation. Buses that pass the FJVI are qualified and eligible to be contracted for School Bus Refurbishment Program services.~~
3. ~~The SAU bus refurbishment contract shall be signed by the superintendent.~~

SECTION 4. TYPES OF PROGRAM APPLICATIONS**1. ~~Basic School Bus Refurbishment Service~~**

- A. ~~Maine Military Authority shall provide the scope of work for basic school bus refurbishment service to the SAU.~~

2. ~~Additional School Bus Refurbishment Services~~

- A. ~~SAUs may elect to have additional refurbishment service work performed. Payment of costs for additional refurbishment services that go beyond the basic school bus refurbishment contract are the responsibility of the SAU.~~

SECTION 5. MINIMUM PROGRAM PROCEDURES**1. ~~SAU Application~~**

- A. ~~School bus refurbishment requests open annually on November 1 and remain open until the program budget is depleted for that fiscal year.~~
- B. ~~Requests for school bus refurbishment services are initiated when a SAU submits a school bus refurbishment application to the Department. A contract is required to begin refurbishment services.~~

2. ~~State Contract~~

- A. ~~The SAU superintendent shall sign a Maine Military Authority School Bus Refurbishment Program service contract in order to initiate a refurbishment contract.~~

3. ~~State Approval~~

- A. ~~Approval for school bus refurbishment services shall be based on eligibility requirements established by the Commissioner, including, but not limited to, the age, mileage and expected useful life of the school bus.~~
- B. ~~A School Bus Refurbishment Program contract, submitted to the Department and signed by the Department transportation administrator, provides program approval to a SAU.~~

4. ~~Refurbishment Services~~

- A. ~~Maine Military Authority shall complete school bus refurbishment service contract work, in order for a SAU to receive state subsidy.~~
- B. ~~Maine Military Authority shall work with the SAU to schedule refurbishment services and delivery.~~
- C. ~~School bus refurbishment repairs shall be equal to or greater than Federal Motor Vehicle Safety Standards for school buses.~~

5. ~~State Subsidy for Approved School Bus Refurbishments~~

A. ~~State subsidy occurs the fiscal year after the SAU pays Maine Military Authority for the school bus refurbishment service according to 20 A.M.R.S. § 15689(13).~~

B. ~~Subsidy amounts~~

(1) ~~The minimum subsidy amount is thirty percent of the base school bus refurbishment price.~~

(a) ~~If the state share percentage for a SAU is less than thirty percent, the SAU will receive the minimum amount of thirty percent of the base school bus refurbishment price.~~

(2) ~~The maximum subsidy amount is seventy percent of the base school bus refurbishment price.~~

(a) ~~If the state share percentage for a SAU is more than seventy percent, the SAU will receive the maximum amount of seventy percent of the base school bus refurbishment price.~~

(3) ~~SAUs with state share percentage between thirty and seventy percent will receive that percentage of the base school bus refurbishment price.~~

6. ~~School Bus Maintenance Records~~

A. ~~SAUs that participate in the School Bus Refurbishment Program shall track the maintenance records of refurbished school buses using the State provided School Transportation Operations Program software maintenance module for the remaining life of the refurbished school bus.~~

SECTION 6. ~~REFURBISHMENT WARRANTY~~

1. ~~Maine Military Authority shall provide a warranty for School Bus Refurbishment Program services.~~

SECTION 7. ~~RECORDS RETENTION~~

1. ~~SAUs shall retain school bus refurbishment and school bus maintenance records and present these documents to the Department for review, upon request, along with a statement of compliance for each.~~

STATUTORY AUTHORITY: ~~29 A.M.R.S. §2311 and 20 A.M.R.S. §5401(17)~~

EFFECTIVE DATE:

~~September 16, 2017— filing 2017-142~~