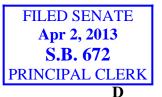
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2013



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SENATE DRS75268-LE-24C* (02/08)

Short Title:	Economical School Bus Replacement Criteria.	(Public)
Sponsors:	Senator Tucker (Primary Sponsor).	
Referred to:		

A BILL TO BE ENTITLED

- 2 AN ACT TO ESTABLISH CRITERIA FOR SCHOOL BUS REPLACEMENT AND TO 3
 - PROVIDE INCENTIVES TO LOCAL SCHOOL ADMINISTRATIVE UNITS THAT
 - OPERATE BUSES WITH HIGHER MILEAGE.
- 5 The General Assembly of North Carolina enacts: 6

SECTION 1. G.S. 115C-249 reads as rewritten:

"§ 115C-249. Purchase and maintenance of school buses, materials and supplies.

8 To the extent that the funds shall be made available to it for such purpose, a local (a) 9 board of education is authorized to purchase from time to time such additional school buses and 10 service vehicles or replacements for school buses and service vehicles, as may be deemed by 11 such board to be necessary for the safe and efficient transportation of pupils enrolled in the 12 schools within such local school administrative unit. Any school bus so purchased shall be 13 constructed and equipped as prescribed by the provisions of this Article and by the regulations 14 of the State Board of Education issued pursuant thereto. Any school bus so purchased that is 15 capable of operating on diesel fuel shall be capable of operating on diesel fuel with a minimum biodiesel concentration of B-20, as defined in G.S. 143-58.4. At least two percent (2%) of the 16 17 total volume of fuel purchased annually by local school districts statewide for use in school bus 18 diesel engine motor vehicles shall be biodiesel fuel of a minimum blend of B-20, to the extent 19 that biodiesel blend is available and compatible with the technology of the vehicles or 20 equipment used.

21 The tax-levying authorities of any county are hereby authorized to make provision (b) 22 from time to time in the capital outlay budget of the county for the purchase of such school 23 buses or service vehicles.

24 Any funds appropriated from time to time by the General Assembly for the purchase (c) 25 of school buses or service vehicles shall be allocated by the State Board of Education to the 26 respective local boards of education in accordance with the requirements of such boards as 27 determined by the State Board of Education, and thereupon shall be paid over to the respective 28 local boards of education in accordance with such allocation.

29 In determining which school buses in the statewide fleet are to be replaced with (c1) 30 State funds in a given year, the State Board of Education shall consider the mileage of the bus, 31 the safety and condition of the bus, the availability of funds to replace buses, unique 32 circumstances about a given bus, and damage to or destruction of a bus. The Board shall not consider the age of the bus. 33

34 If a school bus is operated for 250,000 miles or more but not more than 300,000 (c2)35 miles before it is replaced with State funds, the State Board of Education shall allocate a bonus of two thousand dollars (\$2,000) to the local school administrative unit that owned and 36



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operated the bus. If a school bus is operated for 300,000 miles or more before it is replaced 1 2 with State funds, the State Board of Education shall allocate a bonus of five thousand dollars 3 (\$5,000) to the local school administrative unit that owned and operated the bus. The local 4 school administrative unit may use these bonus funds for the additional maintenance costs of 5 operating buses with higher mileage or for any other school purpose. 6 The title to any additional or replacement school bus or service vehicle purchased (d)7 pursuant to the provisions of this section, shall be taken in the name of the board of education 8 of such local school administrative unit, and such bus shall in all respects be maintained and 9 operated pursuant to the provisions of this Article in the same manner as any other public 10 school bus. 11 (e) It shall be the duty of the county board of education to provide adequate buildings 12 and equipment for the storage and maintenance of all school buses and service vehicles owned

13 or operated by the board of education of any local school administrative unit in such county. It 14 shall be the duty of the tax-levying authorities of such county to provide in its capital outlay 15 budget for the construction or acquisition of such buildings and equipment as may be required 16 for this purpose.

17 In the event of the damage or destruction of any school bus or service vehicle by (f) 18 fire, collision, or otherwise, the board of education of the local school administrative unit which shall own or operate such bus or service vehicle may apply to the State Board of Education for 19 20 funds with which to replace it. If the State Board of Education finds that such bus or service 21 vehicle has been destroyed or damaged to the extent that it cannot be made suitable for further 22 use, and if the State Board of Education finds that the replacement of such bus or service 23 vehicle is necessary in order to enable such local school administrative unit to operate properly 24 its school bus transportation system, the State Board of Education shall allot to the board of 25 education of such local school administrative unit from the funds now held by the State Board 26 of Education for the replacement of school buses or service vehicles, or from funds hereafter 27 appropriated by the General Assembly for that purpose, a sum sufficient to purchase a new 28 school bus or service vehicle to be used as a replacement for such damaged or destroyed bus or 29 service vehicle and upon such allocation such sum shall be paid over to or for the account of 30 the board of education of such local school administrative unit for such purpose.

31 Repealed by Session Laws 2003-147, s. 3, effective for a local school administrative (g) 32 unit when the unit is certified as being E-Procurement compliant, or April 1, 2004, whichever 33 occurs first.

34 It is the intent of the General Assembly to appropriate sufficient funds for the annual (h) 35 purchase of school buses to replace (i) fifteen percent (15%) of the buses in operation for more 36 than 200,000 miles, (ii) all buses in operation for 250,000 to 300,000 miles that are identified by local school administrative units for replacement, and (iii) all buses in operation for 300,000 37 38 miles or more. In addition, it is the intent of the General Assembly to appropriate sufficient 39 funds to pay bonuses in accordance with subsection (c2) of this section.

40 Appropriations by the General Assembly for the purchase of public school buses shall not 41 revert to the General Fund. Any unexpended portion of those appropriations shall at the end of 42 each fiscal year be transferred to a reserve account and be held, together with any other funds 43 appropriated for the purpose, for the purchase of public school buses." 44

SECTION 2. This act becomes effective July 1, 2013.