

House Bill 2456

Sponsored by Representative HUNT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits use of school buses manufactured before April 1, 1977. Provides that operation of prohibited school bus is Class B traffic violation, punishable by maximum fine of \$360.
Declares emergency, effective August 1, 2007.

A BILL FOR AN ACT

1
2 Relating to school buses; amending ORS 820.100 and 820.180; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 820.100 is amended to read:

5 820.100. (1) The State Board of Education shall adopt and enforce such reasonable standards
6 relating to school bus and school activity vehicle construction and school bus and school activity
7 vehicle equipment as the board deems necessary for safe and economical operation, **except that the**
8 **board may not authorize the use of school buses manufactured before April 1, 1977.**

9 (2) The State Board of Higher Education may adopt and enforce separate rules of the type de-
10 scribed under this section for school buses and school activity vehicles that are under *[its]* **the**
11 **board's** jurisdiction, **except that the board may not authorize the use of school buses manu-**
12 **factured before April 1, 1977.**

13 (3) The State Board of Education shall adopt and enforce standards for school bus stop arms
14 authorized by ORS 820.105.

15 (4) Rules adopted under this section:

16 (a) Must be consistent with requirements established by statute or by rule adopted under stat-
17 utory authority that relate to the same subject.

18 (b) Shall be consistent with minimum uniform national standards, if such standards exist.

19 (c) May include different requirements for different classes or types of school buses or school
20 activity vehicles.

21 (d) May include any exemptions determined appropriate under ORS 820.150.

22 **SECTION 2.** ORS 820.180 is amended to read:

23 820.180. (1) A person commits the offense of unsafe school vehicle operation if:

24 (a) The person operates or owns and causes or permits to be operated a school bus or school
25 activity vehicle in a manner that is in violation of any rules applicable to the vehicle that are
26 adopted under ORS 820.100 to 820.120; *[or]*

27 (b) The person owns or leases and causes or permits to be operated for school purposes a school
28 bus or school activity vehicle containing more passengers than the vehicle is designed to
29 transport; **or**

30 **(c) The person operates or owns and causes or permits to be operated a school bus**
31 **manufactured before April 1, 1977.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (2) A person is not in violation of subsection (1)(b) of this section if a bus or vehicle contains
2 more passengers than it is designed to transport due to unforeseen or unusual circumstances.

3 (3) The offense described in this section, unsafe school vehicle operation, is a Class B traffic
4 violation.

5 **SECTION 3.** **This 2007 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
7 **August 1, 2007.**

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