

**53-8-211 Safety inspection of school buses and other vehicles.**

- (1)
- (a) The Highway Patrol shall:
    - (i) perform safety inspections at least twice each school year on all school buses operated by each school district and each private school in the state for the transportation of students, except as otherwise provided in Subsection (1)(b); and
    - (ii) cause to be removed from the public highways any vehicle found to have mechanical or other defects under Subsection (1)(a) endangering the safety of passengers and the public until the defects have been corrected.
  - (b)
    - (i) A school district or private school may perform the safety inspections of a school bus that it operates in accordance with rules made by the division under Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and after consultation with the State Board of Education.
    - (ii) The rules under Subsection (1)(b)(i) shall include provisions for:
      - (A) maintaining school bus drivers' hours of service records;
      - (B) requiring school bus drivers to maintain vehicle condition reports;
      - (C) maintaining school bus maintenance and repair records; and
      - (D) validating that defects discovered during the inspection process have been corrected prior to returning a school bus to service.
    - (iii)
      - (A) The division shall audit school bus safety operations of each school district and private school performing inspections under Subsection (1)(b)(i) to ensure compliance with the rules made under that subsection.
      - (B) The audit may include both a formal examination of the district's or school's inspection records and a random physical inspection of buses that have been safety inspected by the district or the school.
    - (iv) A school district or school must have a comprehensive school bus maintenance plan approved by the division in order to participate in the safety inspection program.
    - (v) A school district or private school may not operate any vehicle found to have mechanical or other defects that would endanger the safety of passengers and the public until the defects have been corrected.
- (2) Motor vehicles operated by private schools or school districts, and not used for the transportation of students, are subject to Section 53-8-205.

Amended by Chapter 382, 2008 General Session