

Effective 1/1/2021

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

- (1) For purposes of this section and Section 53-8-211.5, "education entity" means:
- (a) a school district;
 - (b) a charter school;
 - (c) a private school; and
 - (d) the Utah Schools for the Deaf and the Blind.
- (2)
- (a) A school bus operated by an education entity in this state is required to pass a safety inspection annually.
 - (b)
 - (i) An education entity shall 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.
 - (ii) The rules under Subsection (2)(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 education entity performing inspections under Subsection (2)(b)(i) to ensure compliance with the rules made under Subsection (2)(b)(i).
 - (B) The audit may include both a formal examination of the education entity's inspection records and a random physical inspection of buses that have been safety inspected by the education entity.
 - (iv) An education entity must have a comprehensive school bus maintenance plan approved by the division in order to participate in the safety inspection program.
 - (v) An education entity 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.
- (3) In addition to a safety inspection required under Subsection (2)(b), the Highway Patrol shall:
- (a) perform random safety inspections:
 - (i) annually on a minimum of 20% of the school buses operated by an education entity; and
 - (ii) on 100% of school buses operated by an education entity when inspections conducted pursuant to Subsection (3)(a)(i) result in an out-of-service failure rate as determined by the division;
 - (b) verify that defects discovered during an inspection under Subsection (3)(a) have been corrected; and
 - (c) make publicly available the results of inspections performed under Subsection (3)(a).
- (4) Motor vehicles operated by an education entity, and not used for the transportation of students, are subject to Section 53-8-205.

Amended by Chapter 71, 2020 General Session