

28 is required to pass a safety inspection annually and the Highway Patrol shall:

29 (i) perform safety inspections at least [~~twice~~] once each school year on all school buses
30 operated by each school district and each private school in the state for the transportation of
31 students, except as otherwise provided in Subsection (1)(b); [~~and~~]

32 (ii) annually, at a time during the school year other than the time of the inspection
33 described in Subsection (1)(a)(i), perform safety inspections on 20% of the school buses
34 operated by a school district or private school, selected randomly, except as otherwise provided
35 in Subsection (1)(b); and

36 [~~(ii)~~] (iii) cause to be removed from the public highways any vehicle found to have
37 mechanical or other defects under this Subsection (1)(a) endangering the safety of passengers
38 and the public until the defects have been corrected.

39 (b) (i) A school district or private school may perform the safety inspections of a
40 school bus that it operates in accordance with rules made by the division under Title 63G,
41 Chapter 3, Utah Administrative Rulemaking Act, and after consultation with the State Board of
42 Education.

43 (ii) The rules under Subsection (1)(b)(i) shall include provisions for:

44 (A) maintaining school bus drivers' hours of service records;

45 (B) requiring school bus drivers to maintain vehicle condition reports;

46 (C) maintaining school bus maintenance and repair records; and

47 (D) validating that defects discovered during the inspection process have been
48 corrected prior to returning a school bus to service.

49 (iii) (A) The division shall audit school bus safety operations of each school district
50 and private school performing inspections under Subsection (1)(b)(i) to ensure compliance
51 with the rules made under that subsection.

52 (B) The audit may include both a formal examination of the district's or school's
53 inspection records and a random physical inspection of buses that have been safety inspected
54 by the district or the school.

55 (iv) A school district or school must have a comprehensive school bus maintenance
56 plan approved by the division in order to participate in the safety inspection program.

57 (v) A school district or private school may not operate any vehicle found to have
58 mechanical or other defects that would endanger the safety of passengers and the public until

59 the defects have been corrected.

60 (2) Motor vehicles operated by private schools or school districts, and not used for the
61 transportation of students, are subject to Section [53-8-205](#).

Legislative Review Note
Office of Legislative Research and General Counsel