

TESTIMONY ON SB 2097
HOUSE TRANSPORTATION COMMITTEE
04 MAR 2021

By: Steve Snow, Assistant Director, School Approval and Opportunity
701-328-2236
North Dakota Department of Public Instruction

Chairman Ruby and Members of the Committee:

My name is Steve Snow and I am the Assistant Director, School Approval and Opportunity with the North Dakota Department of Public Instruction (NDDPI). I am here to provide information regarding Section 1 of SB 2097

The updated language clarifies the definition of a school bus. The term ‘commercial’ motor vehicle limits the definition of school bus to only those that require the Commercial Driver’s License (CDL) (sixteen passenger and above). Removing the term ‘commercial’ allows the definition to expand to include ten passenger and above. The inclusion of ten passenger and above aligns with the National Highway Traffic Safety Administration’s (NHTSA) definition of bus found in 49 Code of Federal Regulations (CFR) Part 571. NDDPI adopted the body and chassis standards found in 49 CFR, Part 571 in North Dakota Administrative Code (NDAC) 67-12-01 (enacted July 2003) under authority of NDCC 39-21.27.1. The updated definition of school bus proposed in this legislation removes contradictions between federal and state definitions.

NDAC 67-12-01 (enacted July 2003) also provided a timeframe for schools to transition away from the use of noncomplying vans (10-15 passenger) by Jun 2008 for transporting school children to and from school and school related activities.

In 2003 the NHTSA also ruled that a school may use a Multifunction School Activity Bus for purposes other than transportation between home and school.

Chairman Ruby and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.