

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1452
Commerce, Small Business and Entrepreneurship Committee Substitute Adopted
5/23/07
House Committee Substitute Favorable 7/25/07

Short Title: Diesel School Buses to Use Minimum B-20 Fuel.

(Public)

Sponsors:

Referred to:

March 26, 2007

1 A BILL TO BE ENTITLED

2 AN ACT TO REQUIRE PUBLIC SCHOOL BUSES OR OTHER VEHICLES FOR
3 STUDENT TRANSPORTATION THAT ARE CAPABLE OF OPERATING ON
4 DIESEL FUEL TO BE CAPABLE OF OPERATING ON DIESEL FUEL WITH A
5 MINIMUM BIODIESEL CONCENTRATION OF B-20.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 115C-240(c) reads as rewritten:

8 "(c) The State Board of Education shall from time to time adopt such rules and
9 regulations with reference to the construction, equipment, color, and maintenance of
10 school buses, the number of pupils who may be permitted to ride at the same time upon
11 any bus, and the age and qualifications of drivers of school buses as it shall deem to be
12 desirable for the purpose of promoting safety in the operation of school buses. Every
13 school bus that is capable of operating on diesel fuel shall be capable of operating on
14 diesel fuel with a minimum biodiesel concentration of B-20, as defined in
15 G.S. 143-58.4. No school bus shall be operated for the transportation of pupils unless
16 such bus is constructed and maintained as prescribed in such regulations and is
17 equipped with adequate heating facilities, a standard signaling device for giving due
18 notice that the bus is about to make a turn, an alternating flashing stoplight on the front
19 of the bus, an alternating flashing stoplight on the rear of the bus, and such other
20 warning devices, fire protective equipment and first aid supplies as may be prescribed
21 for installation upon such buses by the regulation of the State Board of Education."

22 **SECTION 2.** G.S. 115C-249(a) reads as rewritten:

23 "(a) To the extent that the funds shall be made available to it for such purpose, a
24 local board of education is authorized to purchase from time to time such additional
25 school buses and service vehicles or replacements for school buses and service vehicles,
26 as may be deemed by such board to be necessary for the safe and efficient transportation
27 of pupils enrolled in the schools within such local school administrative unit. Any

1 school bus so purchased shall be constructed and equipped as prescribed by the
2 provisions of this Article and by the regulations of the State Board of Education issued
3 pursuant thereto. Any school bus so purchased that is capable of operating on diesel fuel
4 shall be capable of operating on diesel fuel with a minimum biodiesel concentration of
5 B-20, as defined in G.S. 143-58.4. At least two percent (2%) of the total volume of fuel
6 purchased annually by local school districts statewide for use in school bus diesel
7 engine motor vehicles shall be biodiesel fuel of a minimum blend of B-20, to the extent
8 that biodiesel blend is available and compatible with the technology of the vehicles or
9 equipment used. "

10 **SECTION 3.** G.S. 115C-253 reads as rewritten:

11 "**§ 115C-253. Contracts for transportation.**

12 Any local board of education may, in lieu of the operation by it of public school
13 buses, enter into a contract with any person, firm or corporation for the transportation by
14 such person, firm or corporation of pupils enrolled in the public schools of such local
15 school administrative unit for the same purposes for which such local school
16 administrative unit is authorized by this Article to operate public school buses. Any
17 vehicle used by such person, firm or corporation for the transportation of such pupils
18 shall be constructed and equipped as provided in rules and regulations promulgated by
19 the State Board of Education, and the driver of such vehicle shall possess all of the
20 qualifications prescribed by rules and regulations promulgated by the State Board of
21 ~~Education: Education. Provided, that where~~Where a contract for transportation of pupils
22 is entered into between a local board of education and any person, firm or corporation
23 which contemplates the use of an automobile or vehicle other than a bus for the
24 transportation of 16 pupils or less, the automobile or vehicle shall not be required to be
25 constructed and equipped as provided for in G.S. 115C-240(c), but shall be constructed
26 and equipped pursuant to rules and regulations promulgated by the State Board of
27 Education. In the event that any local board of education shall enter into such a contract,
28 the board may use for such purposes any funds which it might use for the operation of
29 school buses owned by the board, and the tax-levying authorities of the county or of the
30 city may provide in the county or city budget such additional funds as may be necessary
31 to carry out such contracts."

32 **SECTION 4.** This act becomes effective June 1, 2008, and applies to
33 vehicles transferred or purchased on or after that date.