

321.373 Required construction — rules adopted.

1. Every school bus except private passenger vehicles used as school buses shall be constructed and equipped to meet safety standards prescribed in rules adopted by the state board of education. Such rules shall conform to safety standards set forth in federal laws and regulations and shall conform, insofar as practicable, to the minimum standards for school buses recommended by the national conference on school transportation administered by the national commission on safety education and published by the national education association.

2. Rules prescribed for school buses shall provide standards for structural strength, materials, and insulation of the school bus body; color; seat and aisle arrangement; dimension and construction of service door; control of the front door or doors; emergency door and its location and construction; windows; roof ventilators; heaters; location, filling, and draining of the fuel tank; bumpers and how they shall be attached to the bus; lettering and identification of the bus; stop signal arm; warning lights and flashing lights.

3. *a.* The rules prescribed for school buses shall include special rules for passenger automobiles, and other vehicles designed to carry ten or fewer persons, including the driver, when used as school buses.

b. The rules shall allow pickups designed to carry nine passengers or less, including the driver, and weighing ten thousand pounds or less, to be used as school buses if the pickup does not carry more passengers than there are safety belts or safety harnesses in the pickup as installed by the manufacturer and if the pickup is not operated while any passenger is present in the bed of the pickup. The operator of the pickup shall comply with the qualification, licensing, and instruction requirements set forth in [sections 321.375](#) and [321.376](#), other than the requirement to obtain a commercial driver's license. However, the rules shall allow the board of directors of a school district to prohibit the use of pickups as school buses by the school district.

c. The rules shall allow used passenger vans designed to carry twelve or fewer passengers, including the driver, and weighing ten thousand pounds or less, to be used as school buses if the van does not carry more passengers than there are safety belts or safety harnesses in the van as installed by the manufacturer. The operator of the van shall comply with the qualification, licensing, and instruction requirements set forth in [sections 321.375](#) and [321.376](#).

d. A pickup or passenger van operated pursuant to rules described in paragraph “*b*” or “*c*” is subject to the limitations set forth in [section 321.1](#), [subsection 69](#), paragraph “*d*”.

4. Every school bus shall be equipped with a comfortable seat for each child.

5. Vehicles owned by private parties and used as school buses shall have reversed or covered the words “school bus” wherever they appear on the vehicle when the vehicle is not in use as a school bus. It shall be unlawful to operate flashing stop warning signals on such privately owned vehicles except as provided in [section 321.372](#).

6. No vehicle except a school bus shall be operated on a public highway if the vehicle is painted the color known as national school bus glossy yellow. A school bus which has been permanently converted for a purpose other than transporting pupils to or from school shall be painted a color other than national school bus glossy yellow, and shall have the “school bus” signs, stop arm, and the special signal lamps removed.

7. A school bus may be equipped with a white flashing strobe light mounted on the roof of the bus to afford optimum visibility during periods of inclement weather. The light shall be installed and operated in accordance with rules promulgated by the department of education. Each new school bus put into initial service after January 1, 1977, shall be equipped with such a light.

8. A person who violates [this section](#) commits a simple misdemeanor.

[C31, 35, §5079-c9, -c10, -c11; C39, §5032.02; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.373]

[97 Acts, ch 108, §19](#); [2010 Acts, ch 1140, §10](#); [2019 Acts, ch 146, §2](#)

Referred to in [§282.8](#), [321.378](#), [321.379](#), [321.380](#), [321.423](#), [331.653](#)