

**281—44.6 (285) Repair, replacement of school bus body and chassis components following original equipment manufacture.****44.6(1) *Body and chassis repair following an accident.***

*a.* A school bus that has been involved in an accident in which there is damage to the body or chassis components may be repaired to the extent that such repair is possible and that the damaged component can be returned to the original equipment manufacturer's specification and function.

*b.* The individual or company making the repairs shall certify to the vehicle's owner that all repairs have been made in accordance with the original vehicle or component manufacturer's recommendations using original equipment manufacturer's materials and parts, or their guaranteed equal.

*c.* Repairs shall not cause the vehicle to no longer comply with any FMVSS in effect and applicable at the time the vehicle or component was manufactured.

**44.6(2) *New technology and equipment approval procedure.*** It is the intent of these rules to accommodate new technologies and equipment which will better facilitate the transportation of students to and from school and related activities. A new technology, piece of equipment or component that meets the following criteria may be adopted under the following conditions pending formal rule adoption:

*a.* The technology, equipment or component shall not compromise the effectiveness or integrity of any major safety system, unless it completely replaces the system.

*b.* It shall not diminish the safe environment of the interior of the bus.

*c.* It shall not create additional risk to students who are boarding or exiting the bus or are in or near the school bus loading zone.

*d.* It shall not create undue additional activity or responsibility for the driver.

*e.* It shall not generally decrease the safety or efficiency of the bus.

*f.* It shall generally provide for a safer or more pleasant experience for the occupants and pedestrians in the vicinity of the bus or generally assist the driver or make the driver's many tasks easier to perform.

*g.* A pilot test for the purpose of evaluating the performance of the new technology, product or vehicle component may be conducted at the direction of the school transportation consultant with the approval of the director of the department of education. The pilot test shall include a minimum of five, but not more than ten, applications of the technology, product or component at locations and over a period of time to be mutually agreed upon by the department and the manufacturer of the product.

*h.* The cost of the technology, product or vehicle component and its installation shall be the responsibility of the manufacturer unless other arrangements are made prior to testing or evaluation.

*i.* An evaluation of the product's performance shall be conducted by department staff, and if the product is determined to meet the criteria listed in paragraphs 44.6(2) "a" to "f," measures shall be taken as soon as practicable to formally approve the product.

*j.* A technology, product or component not recommended for approval by the department shall immediately be removed from vehicles upon which pilot tests were being conducted; and its use shall be discontinued by schools or individuals serving as pilot test sites, upon receipt of written notice from the department of education.