

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013**

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**SENATE BILL 672\***

Short Title:   Economical School Bus Replacement Criteria. (Public)

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Sponsors:    Senators Tucker (Primary Sponsor); and Meredith.

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Referred to:   Education/Higher Education.

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April 4, 2013

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH CRITERIA FOR SCHOOL BUS REPLACEMENT AND TO  
PROVIDE INCENTIVES TO LOCAL SCHOOL ADMINISTRATIVE UNITS THAT  
OPERATE BUSES WITH HIGHER MILEAGE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-249 reads as rewritten:

**"§ 115C-249. Purchase and maintenance of school buses, materials and supplies.**

(a) To the extent that the funds shall be made available to it for such purpose, a local board of education is authorized to purchase from time to time such additional school buses and service vehicles or replacements for school buses and service vehicles, as may be deemed by such board to be necessary for the safe and efficient transportation of pupils enrolled in the schools within such local school administrative unit. Any school bus so purchased shall be constructed and equipped as prescribed by the provisions of this Article and by the regulations of the State Board of Education issued pursuant thereto. Any school bus so purchased that is capable of operating on diesel fuel shall be capable of operating on diesel fuel with a minimum biodiesel concentration of B-20, as defined in G.S. 143-58.4. At least two percent (2%) of the total volume of fuel purchased annually by local school districts statewide for use in school bus diesel engine motor vehicles shall be biodiesel fuel of a minimum blend of B-20, to the extent that biodiesel blend is available and compatible with the technology of the vehicles or equipment used.

(b) The tax-levying authorities of any county are hereby authorized to make provision from time to time in the capital outlay budget of the county for the purchase of such school buses or service vehicles.

(c) Any funds appropriated from time to time by the General Assembly for the purchase of school buses or service vehicles shall be allocated by the State Board of Education to the respective local boards of education in accordance with the requirements of such boards as determined by the State Board of Education, and thereupon shall be paid over to the respective local boards of education in accordance with such allocation.

(c1) In determining which school buses in the statewide fleet are to be replaced with State funds in a given year, the State Board of Education shall consider the mileage of the bus, the safety and condition of the bus, the availability of funds to replace buses, unique circumstances about a given bus, and damage to or destruction of a bus. The Board shall not consider the age of the bus.

(c2) If a school bus is operated for 250,000 miles or more but not more than 300,000 miles before it is replaced with State funds, the State Board of Education shall allocate a bonus of two thousand dollars (\$2,000) to the local school administrative unit that owned and



1 operated the bus. If a school bus is operated for 300,000 miles or more before it is replaced  
2 with State funds, the State Board of Education shall allocate a bonus of five thousand dollars  
3 (\$5,000) to the local school administrative unit that owned and operated the bus. The local  
4 school administrative unit may use these bonus funds for the additional maintenance costs of  
5 operating buses with higher mileage or for any other school purpose.

6 (d) The title to any additional or replacement school bus or service vehicle purchased  
7 pursuant to the provisions of this section, shall be taken in the name of the board of education  
8 of such local school administrative unit, and such bus shall in all respects be maintained and  
9 operated pursuant to the provisions of this Article in the same manner as any other public  
10 school bus.

11 (e) It shall be the duty of the county board of education to provide adequate buildings  
12 and equipment for the storage and maintenance of all school buses and service vehicles owned  
13 or operated by the board of education of any local school administrative unit in such county. It  
14 shall be the duty of the tax-levying authorities of such county to provide in its capital outlay  
15 budget for the construction or acquisition of such buildings and equipment as may be required  
16 for this purpose.

17 (f) In the event of the damage or destruction of any school bus or service vehicle by  
18 fire, collision, or otherwise, the board of education of the local school administrative unit which  
19 shall own or operate such bus or service vehicle may apply to the State Board of Education for  
20 funds with which to replace it. If the State Board of Education finds that such bus or service  
21 vehicle has been destroyed or damaged to the extent that it cannot be made suitable for further  
22 use, and if the State Board of Education finds that the replacement of such bus or service  
23 vehicle is necessary in order to enable such local school administrative unit to operate properly  
24 its school bus transportation system, the State Board of Education shall allot to the board of  
25 education of such local school administrative unit from the funds now held by the State Board  
26 of Education for the replacement of school buses or service vehicles, or from funds hereafter  
27 appropriated by the General Assembly for that purpose, a sum sufficient to purchase a new  
28 school bus or service vehicle to be used as a replacement for such damaged or destroyed bus or  
29 service vehicle and upon such allocation such sum shall be paid over to or for the account of  
30 the board of education of such local school administrative unit for such purpose.

31 (g) Repealed by Session Laws 2003-147, s. 3, effective for a local school administrative  
32 unit when the unit is certified as being E-Procurement compliant, or April 1, 2004, whichever  
33 occurs first.

34 (h) It is the intent of the General Assembly to appropriate sufficient funds for the annual  
35 purchase of school buses to replace (i) fifteen percent (15%) of the buses in operation for more  
36 than 200,000 miles, (ii) all buses in operation for 250,000 to 300,000 miles that are identified  
37 by local school administrative units for replacement, and (iii) all buses in operation for 300,000  
38 miles or more. In addition, it is the intent of the General Assembly to appropriate sufficient  
39 funds to pay bonuses in accordance with subsection (c2) of this section.

40 Appropriations by the General Assembly for the purchase of public school buses shall not  
41 revert to the General Fund. Any unexpended portion of those appropriations shall at the end of  
42 each fiscal year be transferred to a reserve account and be held, together with any other funds  
43 appropriated for the purpose, for the purchase of public school buses."

44 **SECTION 2.** This act becomes effective July 1, 2013.