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TO: State Board of Education

FROM: Scott Summers, Legal Counsel III, Commissioner's Appointed Staff Person to Conduct a Rule Hearing on Title 92, Nebraska Administrative Code, Chapter 92, Regulations Governing the Minimum Equipment Standards and Safety Inspection Criteria for Pupil Transportation Vehicles *SS*

DATE: March 18, 2015

RE: Summary of rule-making hearing on Proposed Revisions to 92 NAC 92

On February 6, 2015 the State Board of Education granted the Commissioner the authority to approve a hearing draft and set a hearing date and location as well as designate a staff person to conduct a hearing on the adoption of proposed revisions to Title 92, Nebraska Administrative Code, Chapter 92. By a memorandum dated February 11, 2015, the Commissioner appointed me to conduct the hearing on this Rule on March 18, 2015, commencing at 10:00 a.m. After the proper legal notice was published, the hearing was held at the Nebraska State Office Building, Nebraska Department of Education, State Board Room, 301 Centennial Mall South, Sixth Floor, Lincoln, Nebraska. Pursuant to State Board of Education Policy B9, what follows is a written summary of the hearing testimony.

An audio recording of the hearing is available if any members of the Board wish to hear the recording.

**SUMMARY OF TESTIMONY ON THE PROPOSED REVISIONS TO 92 NAC 92,
Nebraska Department of Education Minimum Equipment Standards and Safety Inspection
Criteria for Pupil Transportation Vehicles**

Scott Summers, Legal Counsel III and the hearing official, called the hearing to order, read into the record the name of the newspaper in which a legal notice of the hearing was published and the date the notice appeared, outlined the procedures for the hearing and introduced **Bryce Wilson, Administrator, Nebraska Department of Education, School Finance and Organization Services.**

Mr. Wilson introduced and explained the reason for the revisions to Title 92, Nebraska Administrative Code, Chapter 92. Mr. Wilson testified that new technology has been developed by manufacturers utilizing a smaller fuel tank for better fuel efficiency in Type A school buses. Current language in Rule 92 would not permit Nebraska schools to use new Type A school buses equipped with this new technology because the smaller size of the fuel tank. Thus, it is recommended to remove language regarding the specific size of a fuel tank that can be used in school buses in Section 005.25A.

No other oral or written testimony was received.