

# 12-15 Passenger Vans

## Quick Reference Guide

### 1. Are 12-15 passenger vans allowable? **No**

#### **Why?**

- On August 10, 2005, President Bush signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. Law 109-59. <https://www.fhwa.dot.gov/safetealu/summary.htm>
- Section 10309, 15-passenger van is defined as: “a vehicle that seats 10 to 14 passengers, *not including the driver.*” *This means that a school district would be prohibited from purchasing a new 12-passenger van for school transportation purposes.*

### 2. What can I purchase?

**New van:** Schools must be certain the chassis is not a 15-passenger chassis.

- *Note: Some manufacturers are selling new vans as 10 or 11 passengers but are actually built on a 15-passenger chassis.*
- New 12-passenger van seating must be configured to seat a total of ten including the driver (in compliance with Federal Regulations) and be sure the vehicle has been certified as a “multi-passenger vehicle.”

**Used Van:** A used van can be modified under the following conditions.

- Modifying the seating of a used 12 passenger van to decrease the capacity to ten passengers plus the driver is acceptable.
- The vehicle can only be modified by a second stage manufacturer & it must be certified as a “multi-passenger vehicle.”

### 3. What is a second stage manufacturer?

- The definition of a second stage manufacturer can be found in the code of federal regulations 49 CFR Part 567 and 568. Part 595 for disability Modifications <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-V/part-568>

§ 568.1 Purpose and scope. The purpose of this part is to prescribe the method by which manufacturers of vehicles manufactured in two or more stages shall ensure conformity of those vehicles with the Federal motor vehicle safety standards (“standards”) and other regulations issued under the National Traffic and Motor Vehicle Safety Act, as amended ([49 U.S.C. §](#)

[30115](#)) and the Motor Vehicle Information and Cost Savings Act, as amended ([49 U.S.C. 32504](#) and [33108\(c\)](#)).

- Part 595 for disability Modifications which a lot of second stage manufacturers fall under also. <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-V/part-595?toc=1>
- NHTSA (National Highway Traffic Safety Administration) also has a database where you can look these up.  
**Search by state:** <https://vpic.nhtsa.dot.gov/mid/home/ModifierSearch> Note their disclaimer: NHTSA does not assess the abilities of any of the listed modifiers to perform any requested or represented modification services.

#### 4. Will this law change?

- In May 2025 National Congress will meet to discuss the revision of multiple federal laws. Based upon the data we have received; the National Congress does have 12-15 passenger vans on their agenda for review. While there is no guarantee of what will be decided at this point, it is our understanding the wheelbase for 12-15 passenger vans will be addressed. Once the National Congress has finalized their revisions, the NDE will review, address, and update Rule 91 and Rule 92 accordingly.