

Student Transportation Advisory Council - AZPOST Boardroom - 2025/08/13 10:00 MST

Attendees Online

Akira Kenshin1, Chuck Essigs, Cori Radford, Cynthia Holmes, Dale Wyman, Eric Kissel, Lacey Elefant, Margaret Snider, Mashayla D Kleinman, Michele Parmley, POST AV Service, Reagan Priest, Rico Yanez, Robert Baransaka, Tommy McCabe

Nick Franklin: call to session the second meeting of the stack advisory council. It is 10:00 the time. It is 10:00 a.m. on 8:13 August 13th. we have a full agenda today. Thank you to everybody that was able to attend. It looks as though we have one person online. Everybody else is present and accounted for. Mr. Essex is online. Can you hear us? Okay, Mr. Essex.

Chuck Essigs: Yes, I can. Thank you. Did you hear me? All right.

Nick Franklin: Yes, sir. We can hear you live loud and clear.

Chuck Essigs: Thank you.

Nick Franklin: All right. So, we got a few things to office cleaned up a little bit from our last meeting. Some clerical paperwork. we are going to go back and start with the advisory council, the chairman ballot. So, we needed it documented on who everybody voted for. So, everybody up here has a ballot. I need you guys to please sign who you vote for your ballots and then turn them back in so we can have it documented on who everybody voted for. So, it's a documented procedure. So, if you guys can do that now, please fill it out. Then, we'll move on to the rest of the procedures. Please also sign or print your name on the form.

Kimberly Thomas: Mr. Chair, please let Mr. Chuck Essex know he can do a verbal vote

Nick Franklin: okay did you hear that Mr.Essigs

Chuck Essigs: Yes.

Nick Franklin: Who was your vote for? So, we can capture that.

Chuck Essigs: Is this for the chair?

Nick Franklin: That was for the chair. Correct. We're just cleaning up some old paperwork from last time.

Chuck Essigs: I vote for Nick.

Nick Franklin: You need to clarify which is Mr. we have two nicks up here. Which Nick do you vote for?

Chuck Essigs: The person who we approved at our last meeting, ...

Nick Franklin: All right. We're going to go with Nick Franklin on that one. Is that correct?

Chuck Essigs: that's correct.

Nick Franklin: All right. Is everybody voted? Ms. Thomas, do you want to grab the ballots?

Nick Franklin: All right. Now that we've got kind of some cleanup work done, we're going to go back to section C for call to public statements regarding matters of the agenda. Those of you that have a few people here present today. I'm not sure if you guys like to speak or not. please get with Miss Thomas and let her know your intent that you'd like to speak, you guys will be allowed to speak up to five minutes on any one agenda item. We have a time later in the agenda, you'll be able to do that. and if the item is not on the agenda, there will be no discussion taken on the action.

Nick Franklin: And any items requiring further discussion or action will be included on a future commission meeting agenda. All right, moving on to section D. Do I have an approval of the minutes? Anybody like to motion is seconded for approval minutes from July 9th.

Nick Franklin: Moving on to section E. we're going to vote on approval of the minutes. All in favor I. All opposed. Mr. Essigs, did you hear that?

Chuck Essigs: All right.

Nick Franklin: Okay, 100%. Thank you, guys.

Nick Franklin: Okay, moving on to section E, vice chair's election. who is there any people that would not be interested in, running for vice chair? Down here on the right, was your name again? Ashley Bird. Okay. And Chuck Essex.

Chuck Essigs: I would not be interested.

Nick Franklin: Tom Hartman would not be interested. And over here, Nick, what's that? Kella Powers would not be interested. and Nicholas Lloyd would not be interested. Did everybody understand and Captain Havens is Everybody aware of who is running for vice chair? Everybody square, Tom Hartman would not be interested. Kela Powers would not be interested. Nicholas Lloyd would not be interested. Did everybody understand? Everybody aware of who is running for vice chair? Everybody square.

Nick Franklin: So, we're going to go through the people that are listed that are eligible that who would like to run for the position. Mr. Jason Nelson, Mr. Trace Tolby, Miss Denise Hall, and Mr. Shawn Ross. Is that no further discussion. Please vote for vice chair.

Nick Franklin: I thought Sean Ross was here I guess I didn't see him down there. he is not here. How do we proceed on that one since he is not here and he's not on the call?

Erik Cooper: You still have a quorum. just proceed with the voting.

Nick Franklin: we will leave him on as stated. Please proceed with your vote and then turn them in to Miss Thomas.

Nick Franklin: And we must put our signatures on them, good luck everybody.

Nick Franklin: Online vote with Mr. Essigs, have you made your vote?

Chuck Essigs: I vote for Denise Hall.

Nick Franklin: We will give Ms. Thomas a minute to calculate the votes and find out who the vice chair is. While we're waiting on that, guys, I'd like to thank everybody that's signed up for this council. There's a few of us up here that have been on this council before.

Nick Franklin: last time we had this there's a lot of information for, some of you guys out here that have been in the industry for a few years. this has probably been 20 years in getting us to this point. So, I was on the council last time, we never got to see it across the finish line. So, I'm super excited with the group we have up here. We have quite the variety of people to make sure we make good recommendations to DPS on some good recommendations. thank you, guys, all for your service. It's going to be a lot of work but it's going to be well worth it.

Kimberly Thomas: So, it looks like by popular vote, Trace Tolby is the new vice chairman. it looks like Denise had two, Jason had three, and Trace had five.

Nick Franklin: Congratulations, Mr. Tolby

Trace Tolby: Thank you very much, guys.

Nick Franklin: moving on to section F. Mr. Paul Swietek is going to give some presentation kind of some background behind the rule of writing and all the information on what we must do to get all these recommendations we're going into rule. So, he's going to kind of give a presentation here for a bit to let us know how we proceed the correct way.

Paul Swietek: Hi, good morning. Thank you, Mr. Chairman. Good morning, members of the council. My name is Paul Swietek with Arizona DPS. I wear several different hats in my job at probably four or five different hats. One of them is administrative rulemaking and that's the function that you will all get to know me with. I do not work for the student transportation unit, and I also do not work for the school bus inspections unit. So, I am independent of them, and I work within the director's office at DPS. So, last meeting I talked with a few members after the meeting and, a few of you have some extensive rulemaking experience and then I also know there's some members on the council that have never heard of rulemaking ever before. So, what I'm going to go over here is the extreme basic portion of rulemaking. So, those of you that have extensive experience, you're probably notice, everything's here. Not every element that we're going to talk about. that's okay. Hey, it's just meant to be very basic for those who don't know anything and a lot of it is my job so therefore I'll be taking care of a lot of things in the background that you won't see. But what I want you to know is a few important terms so that when we're having discussions here about rules and the different parts of the rule making process and what must be done, why it must be done, all those good things, you'll have a clue or an idea of what we're discussing. So, it won't be so totally unfamiliar. You're sitting there wondering, gee, what's my actual role in this? What am I supposed to be doing or why are we doing this? Right? So, that's kind of the basic idea that I have here. I didn't throw together any fantastic PowerPoint presentation or anything like that. I didn't think that was really warranted. Kim is just going to scroll through what I put in front of all of you up here. So, you have two different documents in front of you. One of them is exactly what you see on the screen. We're just going to go down these bullet points quick. This isn't going to be a two-hour presentation or anything like that. It's going to go a little quicker. The other packet that I gave you is the actual current rules that are in effect today. and I'll show you where you can find those online. And I think Kim may have emailed everyone on the council a whole treasure trove of different rulemaking documents in the last month. the first part is where the rules come from. It's the first section here. It's under the Administrative Procedures Act. If you're having insomnia one night and you'd like to fall asleep, you can go to the ARS website and

you can read title 41, chapter 6, and there's about two dozen different statutes there that describe rules and why they exist. Now, informally referred to them as admin rules. The official title is Arizona Administrative Code, AAC abbreviated. there are a couple of things that we have to keep in mind that the APA requires us to do and one is we are always required to find the least burdensome and least costly method to implement the rules and in order to achieve the objective that we're going to they will know at DPS that I've often told them they think about what you're doing it has to be least burdensome and you'll notice that the title of all of these rules each chapter starts the word minimum. So, these are maximum standards, right? We'll talk about that a little bit more. where does AAC or administrative code fit underneath Arizona revised statutes? So, the legislature creates Arizona revised statutes. And for the most part, statutes tend to be rather vague. So, the legislature will say, "Hey, agency X, you need to create this program over here." There might be a few little things in the statute, but generally vague. and administrative code it falls underneath that statute. It is the exact prescribed procedures for how the department will interact with the regulated community. So, it carries the same weight as an Arizona revised statute. but it lays out the exact program details. So how we at DPS will communicate with the schools and how the schools will communicate with us. What is not within the rule so when you're thinking about what you're going to put into these, it is not internal procedure to DPS. So, anything Kim's group does internally to their unit is not a part of rulemaking. I did include a URL there. You can find this APA if you'd like to go read it. Next one underneath is the Governor's Regulatory Review Council. even though this council may make recommendations to DPS and DPS will do certain rulemaking things, none of that is valid until the governor's regulatory review council hears the rule making and they have vast statutory authority to either approve or deny rules at different stages in the process, including making rule amendments, sending us back to do supplemental rulemaking to redo rules, a whole bunch of things. They hold two different public meetings as well on any rule making packages that we send to them. So, you'll hear me at some point in the process tell you that we must go see this council. We just refer to it as GRRC. And so, if I mention GRRC that's who they are. I will point out that their primary function is to protect the regulated community. They do not protect the agency or this council. They are always looking out for those who are regulated first. So, keep that in mind. the Secretary of State's office. We have very little interaction with them. They're simply the official filing authority. All rules are filed with On the Secretary of State's website, you can find the administrative code for every agency and every chapter that agency has. and final rules that we'll be submitting aren't finalized until they're filed with the Secretary of State or published in the Administrative Register depending on the administrative register, depending on what type of rule it is. the administrative register is issued every single week, but if you go to that website address, you can see all those final rules that have become actual code or law. They've been codified now like law. underneath school bus rules, I have that packet in front of you were title 13, chapter 13, and I gave you the printout. We are prohibited from exceeding our statutory authority. So, we have a couple of different statutes like 28-900, 28-3228, 15-925, 28-3053. and there's some other little ones in there when you read the statutes as well. We can only do things that statute says that we can do. Okay? And it's very specific. When you go to read those statutes, it will say the department shall create rules that or do or something like that and it'll outline what that is. And so, when we go to create rules, we must operate within those bounds. So, you can't come back and say we think all school bus drivers should have pilots' licenses, right? Because that's going to be outside of our statutory authority. So, we must keep it narrowly bound within that. And then I mentioned again remember these are maximum standards. So, to give you an example we're looking at u adding a rule for the length of how long you can have a tire on a bus. So, there's a date stamp on a tire when that tire was made. And we have some federal studies that say that a tire should never be in use more than six years beyond that date stamp, the minimum standard would be six years. If a school wanted to make say four years, they're going to get rid of it that's a higher maximum standard, but we can't really do that. We have to look at minimum standard, but schools are always more

than welcome to exceed the minimum standards that we have in these rules if they want to be more strict with their employees or more strict with their vehicles. think that. and we have a very interesting carve out here that doesn't really exist at a lot of other agencies anywhere. in normal rulemaking, you are not allowed to be more strict than federal law. However, under ARS 28-900C, we have a specific carve out just for us that says we can be more strict than federal law for school buses and drivers with justification. So, if there's anything that as we go through this process, you say federal law says this, but what, we want to tighten that up a little bit, we can with justification. That's a unique carve out that you don't see anywhere else. And all the other chapters of rules I have at DPS has no such carveout to be more strict than federal law. the departments and this council's relationship. the department is the principal statutory owner of these rules, and this council is here to give rulemaking guidance and consultation with the department. as the department is statutory owner of the rules the department can decide whether to adopt the council's recommendations or not adopt the council's recommendations. However, keep in mind if we from the department side not to adopt a council recommendation, there's all kinds of different parts of rulemaking where we must justify our decisions, So, if you guys recommend something as the council, we decide not to adopt it or amend it in some way. We must provide our own justification in our rulemaking documents to say why that took place because we also must hold our own public comment hearings as well. jump to the next page. History. the history is a little bit longer than what I put here. So, the school bus rules when they were created way back in 1999 early 2000s belong to the Department of Transportation. For whatever reason sometime in the more mid later part of the 2000s statutorily it got moved away from DOT and over to the Arizona Department of Administration and under ADOA, DPS, DOT and this council were consulting partners to ADOA, but ADOA had statutory authority for it. In 2014, legislature again changed statutory authority, made DPS the sole owner, removed DOT from removed ADOA from the statutes, and then just added this council as the consultant to DPS since 2014. we have only made very minor upgrades to the rules, just little things that would just come up occasionally. Scissor doors were one. we did a rule making to remove the number of g gallons a fuel tank was required to have because it wasn't a minimum safety standard. but I would call it just little technical fixes along the way that we worked with the council. However, in 2018 the council prior to this had wanted to start rulemaking and we had formed some working groups. Some of the people up here now were on those working groups and that works began in 2019. Unfortunately, the council's activity begins to fall off at the back point. it wasn't as active as it was in the past. there were a lot of terms of members that began to expire and then of course we all know what happened in 2020 and with COVID and that kind of shut everything down for two years and then by the time that was over all the members on the council were basically expired. I think they held one meeting sometime after that but that was the end of it and then we went into this dormant period for a couple of years where there were no members on this council at all I think it took about three years to finally get all of you here. So, we have not been able to do anything with the rules for the last three years. Although at DPS from all those documents that got sent to you, we've been working on them as much as we could over the last three years in preparation for a council. But however, we recognize that we are not the foremost experts in every single one of those categories and we certainly don't know the answers in every single one of those things. so, we're going to rely a lot on the council and the different expertise from different members on the council to help us fill in the s. identify areas that maybe we didn't get right. let us know areas we got right. let us know if there's anything missing, anywhere we could do better, those type of things. So, it's going to be a close partnership in working through these, It's not an us versus It's more of a partnership. the next part is five-year review reports that's statutorily required under ARS 41-1056. Every 5 years GRRRC requires an agency to do a review of its rules. Now this is not a rule making. It's just a cursory analysis of where you think your rules are failing and where you need to make them better. We did one last year in 2024 and that should have been in your list of packet stuff that Kim had sent to you, so you're go ahead and read through that. What

you mostly see in that is what you see in a lot of the draft rules that we've already done. the next report is going to be due in 2029 and that report will need council approval at that point since we do have a council. you know that I will not be here for that one. This will be the first one I will not be here for and I'm very happy about it because I will be retiring in two years and 10 months with my 30-year retirement. So that's totally on my successor now. You have no idea how happy I am about that. So, the next one is the governor's rulemaking restrictions, ARS 411039. So, when Governor Ducey took office back in, 2015, he issued an executive order that said before you can do any rule making, you must comply with each of these steps and justify this rulemaking. And the governor's office issues a waiver. before that agencies can just go off into rulemaking however, they wanted to. But when Ducey left office in his last year and the legislature, they turned that executive order into state statute and its now ARS 41-1039. There's a list of things in there that we're going to have to justify our rules under. It's not going to be that hard to do. Don't worry about it. I'll write the letter for you then we must send to the governor's office. They give us an initial rulemaking waiver. and then at a later part in the process, when we're getting ready to file final rules, we must file again for this waiver so that the governor's office can review all the work that we did. I will say that there's a good part to this is that we already at DPS did some of that preliminary work. We already have our initial waiver, and we already have a docket opening on file with the secretary of state when was TAA June. it went into effect right before the TAA conference in Flagstaff. I think it was June. So, we have a year on that, but we'll talk about what adopted opening is. But the good part about it is we can do anything we want for rulemaking now because that's in place and that waiver's there and I got the dates in here for you. Yeah, it was granted on May 22nd, 2025. It'll expire a year after that. So, back to the Secretary of State's office. On the next page, there's something called a docket opening. it's nothing more than a filing that goes into the administrative register that gives notice to the public that, hey, we're doing a rulemaking. That's all it does. It just says, "Hey, we're doing this." And it has contact information as to where the public can contact us about it if they want to or not. It's good for one year. I do it in conjunction with the governor's rulemaking waiver. So, they're going to expire at the same time. the docket opening is you just refile another one. There's no penalty if it expires or anything like that. So, when its year comes up, don't worry about it. I administratively handle it for the council. But if you ever hear me mention docket opening, it's just a notice to the public. underneath that, I have different types of rulemaking. I have regular expedited rule making, and emergency rule making. The regular process that we're going to go through these rules to do is the regular rule making process. So, the short way to say what this process is that I get the waiver from the governor's office. We open the docket, both of which are done. Then, this council and DPS will work in conjunction to write draft rules. You'll make your recommendations to us. We'll draft the rules, work together. When that's done, I will file rules in the administrative register at the Secretary of State. We will have a public meeting at DPS, which is a public meeting different than the public meetings that you're holding because we're required to have one. and after that, then we will go through the Governor's Regulatory Review Council process. We'll get on their agenda. We'll go through both of their First being a study session, followed by the meeting where they will vote on the rules, yes or no. Then after that we will go file that with the secretary of state and then regular rulemaking rules become effective 60 days after filing with the secretary of state. Now regular rulemaking has another component to it called an economic impact statement. I think its official title is economic and small business consumer impact statement. In short, we just call it EIS economic impact statement. I have a draft one already that Kim had sent to you in those documents. there are a lot of portions of that that I don't know the answers to. I need a lot of help with the economic information that's in there. So, I'm always looking for if you have any sources or they can feed us some economic information that would be great for the work that we do. We don't know anything about the actual budget impact on schools for a lot of what's in this rule. So, I mean we can take some guesses. We have some ideas, but we don't know exactly. I did do some reach out to some schools directly and at the TAA conference in Flagstaff. but I

never got anything back from anybody. So, if the council has sources for economic info, I'd appreciate it. It's probably one of the more complex things, but in short, what it says is any of the changes you make in these rules and anything that you add, or you take away, there's going to be an economic impact that takes place. There's going to be an economic impact to the schools, whether public or private. There's going to be an economic impact to those that maybe ride on the bus. there's going to be an economic impact to Kimberly's group or Will's group, whether it be inspections or driver training. And just keep in mind when we talk about economic impact that it can be very broad, right? So, it's also going to include the bus manufacturers, mechanic shops or, secondary outfitters anything along those lines. the next one down is called expedited rulemaking under ARS 41-1027. The word expedited is a little bit of a misnomer. It's not that much faster. the legislature recognized that going through the regular rule making process every time to do small technical fixes wasn't the most efficient thing to do. And I included a list here of some of the things that you can do with it. But just think of it as non-substantive policy technical fixes you need to change a website address, an incorporated reference change to a federal statute, some of those different things. Maybe there's language cleanup that you need to do that's the positive to this one is that it does not require an economic impact statement to do this. I do not expect us to do an expedited rule right now because these rules are 20 years out of date. So, we're going to be doing regular rulemaking, but after this in future years with the council, I expect us for the most part to be doing smaller rulemakings and cleanup rulemakings and that's where the expedited will come into a play. Now, you don't save a lot of time, and it adds some extra steps in there that I must take care of. Requires three different letters to the legislature that are just notifications, but really you only save three weeks out of a total rule making process. So, if you go back and you look at a regular rulemaking, if you're wondering how long does that take? I don't think I've ever had one take less than six months. So, when you get to expedited, you may only knock three weeks off it, and that's assuming that the regular rule making went perfect, that you didn't have any dissent from the members of the public or the regulated community. requires three different letters to the legislature that are just notary just notifications, but really you only save three weeks out of a total rule making process. So, if you go back and you look at a regular rule making, if you're wondering how long that takes, I don't think I've ever had one take less than six months. So, when you get to expedite it, you may only knock three weeks off it, and that's assuming that the regular rule making went perfect that you didn't have any dissent from the members of the public or the regulated community coming in wanting changes and things like that, but there's a way to do that. We'll cover it when we get there. And then the last one is emergency rulemaking. And we do have later the agenda an emergency rule making topic related to the 15-925 vehicles. This is simply because this statute went into effect, we'll cover a little bit later but went into effect three years ago. So, we're looking at doing emergency rulemaking. There's a couple of things to this that goes along with it. First off, an economic impact statement is the public meetings are not required. The rule making once you get council's recommendation, it comes to DPS, we must send expedited rulemaking to the attorney general's office for approval. If the attorney general's office approves it, then we file it with the secretary of state, and it becomes effective immediately. However, an emergency rulemaking is only valid for 180 calendar days. After 180 calendar days, we must go back to the attorney general's office and there's a couple of things in the statute that says we must do. I outlined them here, but effect basically say the situation still exists and we have engaged in regular rulemaking to where we have a notice of proposed rulemaking in place before the end of the 180 days. If we meet both of those conditions, we can get a 180day extension on that while we finish the regular rule making on the 15-925 vehicles. in my decades with DPS, I've never done emergency rulemaking before. We've never had a need to, but again, this is a special case because the council didn't exist for three years. And I know L will cover exactly why we want to go through emergency rule now. But my recommendation is and if we do emergency rulemaking, we need to do the regular rule making for 15-925 simultaneously at the same time. And I think that's rulemaking in 30

minutes, it is more complex. We'll get through it. But hopefully that gave you a little bit more of an idea. So, if the council has any questions, I'm more than happy to take any questions.

Nick Franklin: Mr. Swietek, thank you for your service. I'm really hoping that we can get this done way less than the two years and 10 months. So, our hope is we can get it done in much less time than that because we certainly want you on our side of the team to make sure we help get this stuff addressed.

Paul Swietek: For sure. Yeah. Thank you, Mr. Chair.

Nick Franklin: All right, moving on next to section G. It looks as though we have Mr. Lunt to discuss 15-925 and emergency rule writing and kind of where we got to and where we're at now and where we're going.

Sgt. Will Lunt: Thank you. yeah, I'm Sergeant Lunt. I've been with the department for approximately just over 21 years. I've been in the state regulated vehicle squad as a supervisor since May of 2021. Back in the legislative session in 2022, they passed Senate Bill 1630. which made changes and created ARS 15-925.

Sgt. Will Lunt: So, just as far as terminology, when you hear people in the school bus industry refer to 925 vehicles, they're referring to vehicles that are used for school bus use that have 11 to 15 occupant capacity as designed by the manufacturer. when we talk about 925 drivers, those are non CDL school bus drivers that are certified through the Department of Public Safety, based on the statutes that we're going to go over. as it says there, it passed in July of 2022, went into effect in the fall of 2022. The purpose was to allow schools as you all know there's a nationwide school bus driver shortage. we met with the governor's office starting in 2021 and leading into 2022 legislative session. we met with several organizations from the private or public sector I guess different school organizations that were basically saying hey we can't get it done with the current buses we need a solution. we talked about different solutions. What we came up with was there's people that feel comfortable driving the type A school buses which are the cutaways what people refer to as short buses. They've got a van chassis but then a school bus box on the back. and there were people willing to drive those that didn't feel comfortable driving the traditional larger buses. the type C's and D's which type C's they've got a nose to them. type D's are the flat fronted buses. and so that's how SP 1630 got moving forward. The intention when we were working with both the sponsor of the bill was we didn't want to lower the standard of bus drivers, but by creating a non-CDL bus driver classification, it allowed those people that were willing to drive the standard the 11 to 15 passenger type buses protection from the school pressuring them into driving a bigger bus that they didn't want to drive. So, the requirements that they are required to meet are the same as a CDL bus driver, but they don't have to hold a CDL license. They don't have the S and P endorsements, which is school bus endorsements and passenger endorsements because you can't attach a commercial endorsement to a non-commercial license. When student transportation unit DPS issues a certification for that, those 925 drivers, it's designated as 925 only, so they can only drive those smaller buses. the advantage of that was more route flexibility. there are schools that don't that at the GRRC hearing testified that it was saving them significant amounts of money using 925 drivers driving 925 vehicles versus having to pay third-party transportation providers to supplement their school bus fleet that wasn't meeting the needs of the schools. As far as safety and compliance, they've got to meet all school buses got to get inspected at least once a year by my unit. and so currently there's no standards for non-school bus. There's I guess I'll save that for later. but anyways, my unit goes in every year and inspects all the buses, whether they're the type A's the larger buses. They inspect them every year standard. kind of the discussion questions that needs to happen here is how this vehicle class can improve the transportation

efficiency and what policies and procedures should be implemented for safe and compliant use. On October 1st, 2022, the department authored and implemented the substantive policy statement that basically gave the bare bones requirements for implementing the program. the law said that these vehicles should be used, but DPS would have to regulate them, create rules. due to the council not being existence, we couldn't make the rules because we didn't have the council to consult with as required by statute. So, we implemented the substantive policy statement which basically outlined for drivers. Like I said, they've still got to do the drug tests both annually and randomly. they've got to go get the fingerprint clearance card to make sure they're safe to be around kids. They've got to be certified in CPR and first aid. They've got to go through the 20 hours behind the wheel training in their bus as well as the 14 hours of classroom training to basically be taught and instructed and make sure they know how to safely operate the bus and transport kids from home and school. we got good compliance with that. as far as the vehicles went, type A school buses were automatically brought in because there were already standards for them. They were already meeting the federal safety requirements that made sure and protected the kids. we did come up with some standards for non-school bus vehicles. at this point, we have not been presented with one of those vehicles to inspect. Mainly because they don't comply with the occupant protection requirements that a school bus has to. currently there are 130ish certified 925 drivers that are actively driving the type A buses. it was advisory only. We did have some push back and the substantive policy statement got rescinded by the governor's regulatory review council this last April and so currently there's nothing that was regulating that. We did get an opinion from the attorney general's office recently that allows us to continue with the driver side. Basically, because in 925 it says that drivers must meet certain requirements. They must physically qualified and be certified in first aid and CPR and have a fingerprint clearance card. and like I said, we've got approximately 130 currently that are certified and functioning quite well. that policy, it would have expired when the rules were implemented, but since it was quashed, it doesn't exist. The current functionality is the 925 drivers are still functioning in the type A buses that have been inspected by my troopers. In section B basically it said that was just clarifying because what happens sometimes is for the 925 buses. some of those can have up to 30 occupant maximums on those if they were that big one. Anything that has 16 or more occupants is automatically classified as a bus by federal standards and therefore would not qualify for just a type D driver's license. So that's where that no seat removal comes in. to reclassify, the manufacturers can reconfigure the seating and recertify the bus to driver plus 14 and it complies. the safety specifications that must be met is 49 CFR 571.222. That's basically the passenger protection rule in the federal standards. and if you look at the construction of the school buses, they've got reinforced roofs. the seats are spaced at a certain distance to protect those kids in the occurrence of a collision. These are stuff that these are what was in the substantive policy statement. it's got to be marked up like school bus. It's got to have the name of the school. be labeled for student transportation. They've got to add some conspicuity reflective tape material to the outside of the vehicle to make it more visible. seat belts had to function and be installed at all locations. there was also a strobe light requirement on the top rear of the vehicle to be used at stops and then also at railroad crossings. driver requirements. I've kind of gone all over this already, but basically, they've got to meet all the same requirements as a normal CDL bus driver with the exception of not having the CDL itself. And this was some of the guidelines as far as and this is again for the non-type A bus. if it's a non-type it's a vehicle other than a type A school bus. These were some operating guidelines that were in the substantive policy statement. they couldn't stop and load and unload on any street that had a speed limit higher than 35 miles per hour. they had to use their flashers and their rear amber strobe light during their stops. there was a process for the railroad crossing like a school bus, but without the same equipment. It couldn't be the exact a requirement that all occupants had to be wearing their seat belts before the vehicle could move. if it was going to be a special needs vehicle other than a school bus, it had to have proper wheelchair restraints if the wheelchair passenger was getting

transported. and child safety locks had to be disengaged. We didn't want them getting locked in in case of a collision and the driver couldn't get them out. this is just a list of the three Arizona statute that govern school bus use and operation. ARS 28-900 is what brings in the requirement that DPS make and maintain the rules in consultation the STAC with 28-3228 governs the requirements for school bus drivers. Then ARS 15-925 is the new statute that was created back in 2022 creating this different carving out a different category of vehicles. under the substantive policy statement, standard 11 to 15 passenger vans like your Chevy and Ford vans that we probably all were transported to in sports growing up were not allowed since they don't have the structural integrity of a school bus. they take a lot more damage in a collision. They don't protect the occupants as well as a school bus does. We did allow a provision. So, for those that aren't in transportation industry directly, obviously school buses are yellow with the black stripes. at the schools, they have what's called white fleet. That's a generic term. Most of them are white, but some of them are going to be painted in the school's colors. those are going to be your buses that are for football trips, sports trips, extracurricular. field trips, that kind of stuff that aren't specifically school bus use. when we say school bus use, that by statute, it's transportation from home to school and school to home on a regularly scheduled basis. and that's when we think of a school bus, you go to the bus stop, kids get on, they go to school, get dropped off to school, and at the end of the day it happens in reverse. White buses because a lot of schools had these 15 passenger white buses that weren't qualified to be school buses because they weren't the right color. they can be retrofitted with the overhead four in front and back, the amber and reds that are activated at school bus stops, plus install the stop arm on the left side. And due to the economic impact, we allowed the 5-year window, and it's good until July 1st, 2027, for them to use those white type A school buses for school bus use and for white fleet use without painting them yellow and black with the understanding that they've got five years to budget if they choose to get those things retrofitted. As far as a color, the overhead lights and the stop arm had to be immediately, and they had to pass an inspection from my inspectors prior to being used for school bus use. but we had several schools that went and basically retrofitted their entire white fleet of type A and are using them currently quite effectively. and then again, vehicles couldn't be operated by 925 drivers until they were certified. And this is just a list these are all the things that a normal school bus driver passes. I won't go through them. we've mentioned them already. but it's basically the same requirements just with a class D license. When we look at that top vehicle, that's what federally is classified as an allowable alternative vehicle. It's been retrofitted. It's got the extra mirrors up there on the nose. It's got different windows down the side that allow for emergency exits. It's got enhanced roll cage that enforces the integrity of the side panels and the roof of that van. it's got higher back seats. the standard ones are they're just generally low back, no headrest or anything. and it's got the retroreflective tape around the outside. And that's federally what's called an allowable alternative vehicle. Currently, we have not been presented with any of these in Arizona. When this whole thing was started back in 2021, I called the three main manufacturers, Dodge, Ford, and Chevy and asked them if they had any vehicle that could qualify for this. they referred me to RWC, Canyon State Bus Sales, and at the time ABC bus sales, which is our three main bus vendors here in Arizona, which then they say we give the chassis to them, and they convert them into what that next vehicle is down below, which is a Type A school bus, sometimes called a cutaway. but it's the front of it and the chassis is a van chassis. They've got the school bus box that's welded or bolted or affixed to it. that gives it that passenger protection and it's got the different seats in it and whatnot that, you standardly think of as a school bus. currently those are the 925 vehicles that are being used effectively in Arizona and we're having good effect. That last one is just your standard van. It doesn't have any upgrades. there's nothing been done. it's off the lot. back in 2004, federally those were banned from being purchased by schools. there is a kind of a loophole. The law said that schools could not purchase new vans with the intent of they were going to allow the schools to use the vans they currently had to use them for the lifetime of the van and then once they were gone not be replaced. what's

happening is schools are buying used vans with very low mileage and putting in their fleets and so our fear is that their schools are wanting to use and are using these for school bus use to transport kids on a regular basis from home to school and school to home without having any of the safety features that are going to protect those kids. and this is just examples. These are actual pictures the one on the left is that type A school bus has since been painted yellow and black. and so white fleet the actual term is multi-function school activity bus but, in the industry, they'll call them just the white fleet. And both of those can be driven with a class D license. And we get asked, why don't we want them using the standard vans? they are cheaper than Type A buses obviously, but they just don't have the safety protection. So, the next series of slides is going to be pictures of wrecked vehicles from different things. If you go to the internet and I just pulled these off the internet and these are from news articles. but what you'll notice there's a lot of damage to the front of those buses but there's no damage on the back. And if you read the little clips underneath nobody died and nobody was seriously injured. Some were transported and whatnot. but there were no serious injuries on these collisions. These next ones again, you read the one with the white van there, five dead, six injured in a crash, 15 passenger van. The one on the right, 12 occupants of a van hospitalized after an I-20 crash. If you look at those, there's a lot of intrusion into the passenger compartment of those vans. As I said prior, I've got just over 21 years' experience. We didn't like going to wrecks with vans involved. the likelihood of injury on those versus even normal passenger cars is greater just because of the rollover propensity that they have and the lack of integrity as far as being able to take an impact on these rollovers and side impacts. Here's a couple more. the one on the silver one, that was a college rowing team in which one of their star athletes was killed in that collision. As you can see, there's massive intrusion into the front right portion of that vehicle. with a body being at that location, it doesn't bode well for the occupant. This next slide is a news article that just came out this week that we found. it's got a video. I'm hoping it'll show up, but it really illustrates why we want school buses versus standard vans. Kim, can you do that we might have to switch screens. As you can see, there's a lot of damage there. Fortunately, even for the driver of the truck, he was not seriously injured. the kids received bumps and bruises in this. And basically, this bus was stopped. It just dropped off some kids in front of the house. And this video, I believe, was picked up either by a security system or a Ring doorbell. But it's illustrative of how the integrity of this bus held up. whereas that truck got crushed like a beer can. I started my career out in Salome at that time. Okay its up let's watch. So, scroll down the video and then if you click on it, it'll go full screen and show the full thing. So, if you watch that truck and trailer went full tilt into the back of that bus with no braking at all. that's a full-size pickup truck. like I said, the truck bore the brunt of it. if you look at the picture on the back of that bus, it's got some bumper damage. Obviously going to have somebody damage and stuff, but the body damage isn't my concern so much as the fact that all the kids walked away without having to get hospitalized. Had that been a 15-passenger standard van, we'd have had serious injuries and more than likely deaths coming out of that vehicle. because the buses are built like tanks. They're build to take that impact and absorb it and protect the passengers. The ceiling is designed to protect the passengers. The padding in those seats, we check that every year to make sure that it's not getting worn out so that when this happens, the kid's head's not getting banged off a piece of metal in the seat. it's getting cushioned. Now, I won't say that people don't get injured in bus wrecks, but the severity is greatly reduced. And we've shown that in multiple just examples of wrecks during my career that I've been able to experience. When I was out in Salome, going back to my story, there was a school bus stop that was on US 60, which is 65 mph zone. there was a cement truck that was heading eastbound, driving into the sun in the morning didn't see the bus, end up rear ending it. the driver of the cement truck was dead and all the kids in the bus walked away without going to the hospital. That's because is kind of like what we see illustrated in this video that was just shown. that's why we want school buses used versus non-school buses. This is a wreck that happened back in 2020 this one for me hits close to home. This was a field trip that these kids went on. there were some gifted kids that were

coming back from the valley from an academic competition. The driver drifted off the road, rolled over single vehicle. All three eventually died. Two on scene and one later at the hospital. these kids were from three different schools in southeast Arizona. when I go back there because that's close to where I was raised and one of them was from my alma mater. I still get people coming up and commenting on this and this is an example of how the kids weren't protected. they should have been wearing seat belts. but too, this was in the grand scheme of things, this was a minor collision. they went off the road and overcorrected and rolled over. Had they been in seat belts, outcomes probably had they been in a bus, they would have been better because they wouldn't have been ejected. the windows are constructed differently than what's in these standard vehicles. the windows in school buses are obviously constructed differently to prevent that. do we have any questions?

Captain Vern Havens: Thank you, Sergeant. I know that we've been responded to multiple different bus collisions in which most always the students are walking away. I know it's been a sticking point, and I just wonder if you or Paul could maybe have a discussion regard it in 1630 it talks about substantially different that has been a talking point in some of the conferences that we've been to. Can you give just a discussion, so the council understands the interpretation of substantially different as far as the rule making?

Sergeant Will Lunt: so, in 920 there's 28-900. Yeah, 28-900. it says that we got to make rules for these 925 vehicles that are substantially different than the school buses. we interpret that as the vehicles because we've had some push back from some schools that have said that the rules must be substantially different. Our interpretation is the rules need to be for vehicles that are substantially different. whether it's a bus or a van, it's got tires. They need to be inflated and properly have proper tread. whether it's a school bus seat or a non-school bus seat, need to be properly working to protect those passengers obviously, most school buses don't have seat belts. If it's a non-school bus vehicle, that eventually gets approved by DPS, the seat belt mandate will need to be there. we don't expect push back on that when you read ARS 28-900, that's DPS's position is that the way that reads is that we must develop rules for vehicles that are substantially different from buses versus the interpretation that we must develop rules that are substantially different from school bus rules for these 925 vehicles.

Nick Franklin: you mentioned earlier that the AG had given a recommendation that you can proceed now with the drivers in proceeding with the 925. So, is there a hold currently on the 925 certifications and getting them completed and being able to drive with the recent interpretation?

Sergeant Will Lunt: No. and Kim can correct me, but I believe there was 19 applicants that were in the holding pattern that are currently now certified. is that the right number, Kim?

Kimberly Thomas: So, we currently certified 16 out of 19 the other 3 were no longer employed.

Sgt. William Lunt: Gotcha.

Jason Nelson: So, Nick Franklin and Mr. Lunt again, I guess my question is we kind of put it in the agenda. We talked about it. So, we were referring to emergency rule. So that interpretation, do we still need to move forward? Are we still in a holding pattern with some of the rule I guess for the 925 based off the AG's interpretation?

Sgt. Will Lunt: Yes, we need to address the vehicle side of it. currently there's no rules and some schools are interpreting that since there's no rules, we can use whatever we want and there's nothing DPS can do

because there's no rule to back us. And so, we need to move forward to make sure that the vehicles they're using are meeting the safety standards that are approved for children in school bus use.

Nick Franklin: So as far as the rules you say so you guys DPS has implemented rules back in 2022. So that the rules are but they can't be implemented until the STAC gives recommendation for that. is that what I'm understanding?

Paul Swietek: Mr. Chair, Paul from DPS. No, we did not institute rules in 2022 because there was no STAC. We tried an administrative function to issue a policy statement that we were going to attempt to regulate these vehicles in this way. because there was no council to consult with to do formal rules. So, we operated under that interim policy for a couple of years. However, other legal action earlier this year we were ruled against, and that interim policy went away. So, we're trying to implement rules currently to make the policy we want to put into place actual administrative code. So, while there are some things that they can do with certifying drivers, the emergency rule and the regular rule that will go along with it more strictly outlines driver certification requirements. specifically they don't have to do everything that a regular CDL bus driver would have to do but the two rulemakings also outline not only design construction of the vehicle but the type of markings it's required to have the type of exterior lighting it's required to have and as well as it also enumerates several things regarding the operation of the bus as well where they can stop can't stop how they can't unload passengers a lot of technical things so that's all encompassed into these two rulemakings just beyond

Nick Franklin: So, my question is if the chair was to make a recommendation to give the emergency rule back to you for the 925 then you could put the policy in place temporarily until we get the official rule written in place.

Paul Swietek: So, no think of that policy is gone. We're never going to use that word policy again. So, we're only going to use the terms emergency rulemaking and regular rulemaking going forward. but we did take the contents that was within that interim policy and basically just transcribed it into these emergency rulemakings. But we did add a few additional things into these that was not in the original interim policy statement.

Jason Nelson: over time you look at things and you clean things up, make them a little bit better, add things you would have forgotten, those types of things for the council. I guess it sounds like we need to move the direction. just my opinion, I'd like to get some input from you guys. right now, it's kind of an open-ended thing where anybody can use whatever vehicle they want. And, as far as student safety, that's certainly not what we want. I would probably like to move to give recommendation back to DPS to proceed with emergency rule writing until we can get something in place formally. any discussion?

Ashley Berg: Member Berg absolutely want to make sure that students are safe and that we put provisions in place to ensure that. if I'm understanding correctly, there's already proposed rules that have been drafted. Is that correct?

Sergeant Lunt: That is correct.

Ashley Berg: Currently, I have not received those rules. is there any way that I could get a copy of it?

Nick Franklin: I think Miss Thomas sent them out this week to everybody who is on council several weeks ago.

Ashley Berg: Yeah. I think I only received the economic impact statement.

Kimberly Thomas: So, you're Ashley Berg it looks like I did send that email on July 15th, but it came from the Student Transportation Advisory Council at DPS. if you didn't get it though, just let me know after this and I guess I can resend that email to you.

Ashley Berg: I appreciate that. Thank you.

Kimberly Thomas: No problem. You're welcome.

Nick Franklin: to Paul Swietek would it be possible to pull up the emergency rule writing document to pull that up so everybody can possibly see That possible?

Paul Swietek: We'll get it up on the screen here in just a moment. Okay.

Kimberly Thomas: I apologize about that. I think we have it up now.

Paul Swietek: While Kim's working on that, I forgot to mention one thing in my presentation. just for reference for the council, my position here as rule writer is much like Mr. Cooper's here as the attorney general. my role is to guide you through the rule making process, statutorily, tell you what you can and can't do. I will often give you some advice, pros and cons, best practices, those types of things. But I do want to point out for the council and the reminder for DPS, they already know this. I'm not the decision maker for any of this. I'm strictly the staff person to do it. I don't make any decisions on the program at the people run that, they make their decisions. They run the chair, and the council run their program.

Ashely Berg: Mr. Chair again, I did find it. thank you so much for sending it. It went to my spam. In looking at this, I just want to make sure I fully understand, having not been on the council last time, are these provisions consistent with what the council reviewed three years ago and is consistent with what DPS had in the policy statement just as a confirmation.

Nick Franklin: This is a new one for us because 925 was not in place last time the council was in place. So, this is a brand new one. That's kind of a difficult question to answer because it's new policy and council wasn't in place at the time that happened. and sounds like we have some vehicles being used around the state that are not up to what we refer to as safe vehicle transportation units. So, that's why we want to make sure that, all the kids are riding in safe vehicles. we just want to make sure the same for everybody's, riding, bus vehicles that are school bus rated with seat belts with all the information. until we can get the policy in place, like you say, Mr. Swietek mentioned, he's never done emergency rule before in his entire career with DPS and I think that's been a couple years. So, we're looking to put something in place just to make sure until we can get the official rule because we have some people and some entities that are kind of in limbo right now not having the officials. That's why we're trying to put something in place as a stop gap in between. Thank you.

Kela Powers: Hi, this is Kela from STAC. I just have a question for you, Sergeant Lunt. you had mentioned there was push back originally when this was kind of up to discussion and if I understood correctly, there were some public meetings. Is that correct on this matter?

Paul Swietek: Thank you, Member Powers. Paul DPS. Yeah, there was a discussion that came up with the governor's regulatory review council back in March. They did not rule on this issue because it was not a part of the overall complaint of an interim policy statement. But there was a school that mentioned in their brief to the council that what we had created in their mind did not meet the statutory definition of

substantially different. They had a belief that whatever we put could not have been in any way like a traditional school bus. Our interpretation of the statute is that as Sergeant Lunt had mentioned there are lots of components on these types of vans that are like buses. tires, brakes, lamps, all those types of things. Even down to the color of school bus yellow which has a very specific definition. We felt that, it didn't make any logical sense not to include those items for these types of vehicles, especially when it comes to color because that's what the motoring public is accustomed to. We looked at the statute and said substantially different, meaning these types of vans don't come with the same type of systems as a traditional bus in all areas. And so therefore, I think the example was a roof hatch that some of them don't come with roof hatches. So therefore, we wouldn't regulate it in the same manner requiring it or having a driver must perform that type of a function. So, we looked at it a little bit differently in that respect. Thank you.

Jason Nelson: Mr. Chairman Jason Nelson. Just for some additional information I think that might be being missed is going back to that there's federal guidance around these vans that most of the districts are trying to use or have been able to use over the course of a decade. Right? So, I think as it was already pointed out that they are illegal to be sold to a district if they know that they're being used for student transportation. Nothing regulates that says thou shalt not A district could buy a van 11-15 passenger van for their staff for their maintenance department or any of those types of things, but it does regulate around student transportation specifically. So, I think the issue here is that we're trying to the guidance originally in 2022 from the substantive policy statement was to outline essentially vehicles that could or couldn't be used. And you saw in Mr. Lunt's presentation was that they're trying to draft some rules around non-conforming vans that if a van was presented to DPS to say if it had all of these things, right, potentially they would look at that as an alternative vehicle that could be potentially used where it was landed in the initial statement was that the 11 to 15 passenger type A school bus, right? because it's 16 passengers or more, a CDL is required. So, that's where we're talking about. And then when you go 10 passengers or less, those become non-regulated vehicles. So, there are no rules that technically fall around like your typical minivan or SUV suburban. So, in that regard, this is where kind of again the substantive policy statement was kind of pushing into the 11 to 15 passenger type A school bus, right and the rules that kind of got drafted around that. So again, there were entities out there that were having maybe potentially taking issue wanting to utilize the van and kind of push that van narrative, and this is where the rules kind of came to be. So, I think if I'm understanding this correctly, in our emergency rule making draft, we have rules that are outlining again the types of vehicles that may or may not be used. Right? We're trying to push this through an emergency rule making so that we have 180 days to allow the districts who need this mostly. I would have liked to have seen this get done before the school year started, but here we are, school years already started, and people are still trying to overcome their driver shortage. They're trying to have people that they've hired last year that are still kind of in limbo trying to figure out, am I a driver? Am I employed? Am I not? and they're trying to figure out what are we're at this standstill. So I think if we can make a motion to institute our emergency draft rules or the emergency rule making in order to move forward with this, we have 180 days essentially to operate institute these rules and then 180 days for us to get a committee together to draft an additional rule or the actual rule set or at least a draft to come back to the council for us to be able to review and say yes, No, we don't agree. That's during the public comment period and then we can hopefully within that 180-day time set we don't have to ask for an extension we should be able to get a standpoint of agreeable rules for us to adopt as full rule making. So just for information I don't know if you want that recommendation, I'd be happy to make the recommendation if there's no other further conversations.

Nick Franklin: before, we proceed with that does anybody have any further questions? Has anybody got a chance to read the emergency rules and that kind of stuff and where we're at? I think a lot of it stems around the vehicles and just making sure they're limited to school bus type vehicles for transporting 11 to 15 aware of that.

Trace Tolby: This trace just to clarify it doesn't affect 10 or under 10 or 10 passengers and less.

Nick Franklin: It only affects the 11 to 15 and in the essence of what was written is just getting rid of the 11 to 15 passenger vans putting them in school buses for daily school routes come to school at home

Sgt. Will Lunt: that's correct the per rule and per statute anything that's less than 11 doesn't fall under the regulations. Up on the reservations, they're very effectively using suburban's to go out on these dirt roads 50 60 miles one way to pick up one or two families and they're utilizing that effectively and the only thing they got to worry about hitting is an elk a deer or a cow. So, they're not dealing with the same traffic concerns that we have down here in metro.

Jason Nelson: Chairman, Jason Nelson again maybe point for clarification maybe to Mr. Swietek These rules only apply to the regular routes and from school daily transportation. Do these same rule set apply to extracurricular activities?

Paul Swietek: So, I'll answer part of it, and I'll have Sergeant Lunt answer the other part on the extracurricular activity. So, we're going for school bus. We're going by the ARS definition under 28-101 number 69 which defines what a school bus is. There's also a federal code that also defines what a school bus is and that does include the component of to and from school on the route. but the other part I'll let you talk please.

Sgt. Will Lunt: Currently it does not affect the white fleet the multi-function school activity bus activities. It has been discussed whether that should be pulled into minimum standards, and I don't know legally if that would require legislative action or if it's something the council could recommend. that's where the AG's office is going to have to get involved as far as that opinion. But currently, White Fleet is not governed by anything. Thank you. Any further questions?

Nick Franklin: Mr. Mr. Nelson, would you like to make a recommendation to accept emergency rules?

Jason Nelson: Yes, I'd like to make a motion to adopt the emergency rule making as presented today, August 13th, for DPS to move forward with the 925-driver program for 180 days while we put together hopefully a subcommittee to review general rules.

Trace Tolby: I second.

Nick Franklin: All opposed.

Nick Franklin: Mr. Essex, how do you vote? Mr. Essex is muted right now. Mr. Essex, you're muted. We can't hear you right now. Okay.

Chuck Essigs: I'm sorry. I've got it. I vote aye

Nick Franklin: All right, motion passes.

Captain Vern Havens: Mr. Chairman, can I confirm one thing off the last motion? I think it was just motion that this is just the drivers. Are we talking drivers and vehicles in that?

Jason Nelson: Clarifying drivers and vehicles.

Trace Tolby: I would second that with drivers and vehicles.

Nick Franklin: All right, guys. Thank you very much. Big hall there. All right, moving on to section H. this is going to be kind of a lot of information to dive in. We're going to ask for some help from the council and from the public to have some study sessions to kind of break this up into little segments to get some inputs on some of these items. From some of you that have been up here before on the council last time, a lot of the work has been done already and it's documented. We have a lot of this work already prepared. So, it's not like we're completely going through the whole thing. We do have some items that are brand new, from electric buses to emerging technology to some of that stuff. So, I'm going to ask if some people up here would like to take on some subcommittees or not subcommittees but study groups to address some of these parts. We have some people in the industry that are very good at some of these sections. So, we certainly like to lean on them for some of their recommendations. Obviously, DPS is very well versed as far as the mechanical side, the inspections, that kind of stuff. like you said, they don't understand some of the other side the transportation, the students, the special needs, that kind of stuff to where some of you people in the industry are very good at that information and doing that. first, study session would be for special needs.

Nick Franklin: Do we have anybody up here on the council that would be interested in leading the charge on special needs? I can certainly take any of them. So, I'm okay with whatever. how about driver's requirements? Trace.

Trace Tolby: Yeah

Nick Franklin: guys, really quick. Also, we've had some committees reach out to us wanting to know where the group is going forward ASBO is one of the groups that reached out to us. maybe want to find out how they can get the schools involved and make sure the schools get all the information so people in the industry can help get recommendations on making this thing across the finish line. So, we might be reaching out to ASBO to help get the information out to some of the schools.

Nick Franklin: The driver requirements Mr. Tolby, you're going to take that on? alternative fuels, we're probably going to do alternative fuels and electric buses. We're probably going to group that into any recommendations on who would like to Chair.

Tom Hartman: I would take that one

Nick Franklin: Mr. Hartman works for one of the dealers. So obviously in doing so we'll probably want to make sure that we get some other dealers as well involved in that to make sure that it's fair and equitable across all the information. So, we'll put the two of those together. Thank you, Tom. And we'll send out some information on how to get a hold of everybody. training and instructors Nelson, that's kind of right up your alley right there. That'd be awesome and then obviously the one we just went over; we probably must start down the kind of the redoing now that we have emergency in place. We probably need to have somebody kind of tackle the whole thing of the 15-925 to look at the whole thing so we can put some recommendations in place, so we beat that 180-day deadline. Anybody interested in tackling that the 15-925

Jason Nelson: I will

Nick Franklin: Anybody else? Awesome. Thank you, guys, very much.

Jason Nelson: Mr. Chairman, Jason Nelson and will we be reinstituting the school bus body and chassis section from 2019 or can we group that into the alternative fuels and electric bus section or is it not necessary?

Sgt. Will Lunt: In our process, we do them separate because you've got the chassis, which part of it does, but then electric and alternative fuel because of their very specific it we pretty much on that section focuses just on the actual propulsion stuff. with electric is batteries with propane and stuff. It's obviously different than the standard. And then as far as the chassis, most of those are the same either way.

Nick Franklin: Since we did not include that in the agenda, we will probably have to add that to next time since that that one part is not added to the agenda. We can certainly add that into the next time. Mr. Nelson, since you and I were on the last council when we went over that you and I both know there's a lot of the work is already done. So, there should not be a big hall that can probably be a quick study session. I'm okay with tackling that to that point when we make a recommendation in the next meeting. Thank you. Any other questions?

Paul Swietek: Mr. Chair, Paul DPS just to give you some advice going forward for the council members Kim did send out all those documents. please look at all the rulemaking work that we've already done so you can see what our thought process was on something versus what your thought process was. And then I also included maybe some things that we hadn't gotten to yet like an alternative fuel we were looking at biodiesel, hydrogen fuel cell, all kinds of things that, preparing for the future in some way for those types of things. There were also large sections of the rules that we didn't have the expertise in. So, we did absolutely nothing the biggest category on that one has to do with the special needs' buses. We really weren't the experts on that. we didn't even touch them, amend them, do anything. And so, it needs a very thorough going over and to be looked at. Thank you.

Nick Franklin: there's also another section that we'll probably have to address in the next meeting or add to the next session would be emerging technologies. We know there's a lot of information out there to include tablets. There are now apps for u pre-trips that you can do on your phone that sends the information to the garage to down vehicles and send work order reports and that kind of stuff. Obviously, under the current rule, the driver cannot have their cell phone out. So, I mean that's obviously something we'll have to tackle eventually too and certainly look at all that information, but the technology is certainly coming fast.

Captain Vern Havens: Mr. Chairman Vern Havens DPS I'd also concur with what Paul just said all the three articles have already been sent out to the council. I would utilize that as a framework as a starting point so you're not trying to reinvent the wheel. I'd also like to recommend that if anybody wants to be a part of these steady sessions and I'm kind of looking at the special needs because I know that there's one person that is very up to speed on the background to make sure that they're sending an email to the student transportation advisory council

Nick Franklin: Meeting Adjourned