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SENATE BILL 605

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Patrick H. Lyons

AN ACT

RELATING TO SCHOOL BUS SERVICE CONTRACTS; PROVIDING FOR STATUS
CHANGES FOR ONE-BUS CONTRACTORS; AMENDING A SECTION OF THE
NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-16-3 NMSA 1978 (being Laws 1967,
Chapter 16, Section 221, as amended) is amended to read:

"22-16-3. SCHOOL BUS SERVICE CONTRACTS. --

A. A school district may provide transportation
services to students through the use of school bus service
contracts. School districts may enter into school bus service
contracts with individual school bus owner-operators or with
school bus fleet owners or with both. A school district shall
not enter into any school bus fleet service contract with any
person who is simultaneously employed by that school district

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1 as an individual school bus owner-operator.

2 B. All contracts entered into by a school district
3 to provide school bus service to students attending public
4 school within the school district shall be approved by the
5 local school board. The contracts shall be in writing on
6 forms approved by the state board.

7 C. In addition to approving the form of the
8 contract, the state board shall, by regulation, establish the
9 parameters of school bus service contracts to include
10 recognition of fuel costs, operation and maintenance costs and
11 employee salary and benefits costs. In entering into school
12 bus service contracts, school districts shall give preference
13 to in-state service providers and the use of multiple
14 providers. Upon request, the department of education shall
15 provide assistance to local school districts in the
16 negotiation and award of school bus service contracts.

17 D. A school district may enter into a school bus
18 service contract for a term not to exceed five years. A
19 school bus service contract may provide, at the expiration of
20 the term of the contract, for annual renewal of the school bus
21 service contract on the same terms and conditions at the
22 option of the local school board.

23 E. In the event a contract with a school bus
24 operator is terminated, the buses owned by the operator that
25 are used pursuant to his school bus service contract shall be

1 appraised by three qualified appraisers appointed by the local
2 school board and approved by the state transportation
3 director. The operator succeeding to the contract shall
4 purchase, with the approval of the operator whose contract was
5 terminated, all of the buses owned by the former operator at
6 their appraised value.

7 F. Notwithstanding any provisions in the
8 Procurement Code or any other provision of law to the
9 contrary, a person who has a service contract as an individual
10 school bus owner-operator may exercise an option to convert
11 his contract to a fleet operator contract without being
12 required to submit to a competitive bidding process. "

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5 March 2, 1999

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7 Mr. President:

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9 Your EDUCATION COMMITTEE, to whom has been referred

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11 SENATE BILL 605

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13 has had it under consideration and reports same with
14 recommendation that it DO PASS.
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17 Respectfully submitted,

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Adopted _____ Not

Adopted _____

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(Chief Clerk)

(Chief Clerk)

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Date _____

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The roll call vote was 6 For 0 Against

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Yes: 6

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No: 0

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Excused: Adair, Boitano, Gorham, Jennings

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Absent: None

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 16, 1999
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8 Mr. Speaker:
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10 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
11 been referred
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13 SENATE BILL 605
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
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22 Fred Luna, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

3 HBIC/SB 605

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4 Adopted _____ Not Adopted _____
5 (Chief Clerk) (Chief Clerk)

7 Date _____

9 The roll call vote was 12 For 0 Against

10 Yes: 12

11 Excused: None

12 Absent: None

14 J: \99BillSWP\S0605

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