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HOUSE BILL 504

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

W. Ken Martinez

AN ACT

**RELATING TO SCHOOL TRANSPORTATION; DESIGNATING THE STATE
TRANSPORTATION DIVISION OF THE STATE DEPARTMENT OF PUBLIC
EDUCATION AS AN APPROVED ACCIDENT INVESTIGATION UNIT FOR SCHOOL
BUS CRASHES; PROVIDING FOR CONFIDENTIALITY OF RECORDS;
ENACTING A NEW SECTION OF THE NMSA 1978.**

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

**Section 1. A new section of Chapter 22, Article 16 NMSA
1978 is enacted to read:**

**"[NEW MATERIAL] SCHOOL BUS CRASH INVESTIGATIONS--
CONFIDENTIALITY OF RECORDS. --**

**A. The state transportation division of the state
department of public education is designated as an "approved
accident investigation unit" for school bus crashes. The
division shall collect and analyze data related to school bus**

underscored material = new
[bracketed material] = delete

1 crashes and their causes in order to make improvements to
2 school bus safety operations.

3 B. The state transportation division shall receive,
4 upon its request, assistance and data from any department,
5 division, board, bureau, commission or other agency of the
6 state, any political subdivision of the state or any public or
7 private hospital that will enable the division to carry out
8 investigations relating to school bus crashes and their causes.

9 C. The privacy of crash victims shall be protected
10 in a disclosure to the state transportation division that is
11 related to its operations as an approved accident investigation
12 unit. The division shall identify a crash victim by a case
13 number and not by name.

14 D. All records of the state transportation division
15 that are related to its operations as an approved accident
16 investigation unit shall be confidential and shall not be
17 available to any person other than an employee of the division.
18 An employee of the division charged with the custody of the
19 records shall not be required to produce those records or
20 evidence of anything contained in them in a legal action or
21 other proceeding. "

22 Section 2. EFFECTIVE DATE. --The effective date of the
23 provisions of this act is July 1, 2003.