

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Minimum Safety Standards for Construction of Type I School Buses
- 2) Code Citation: 92 Ill. Adm. Code 440
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
440.160	New Section
440.410	Repeal
440.420	Amend
440.510	Repeal
440.520	Amend
- 4) Statutory Authority: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Article VIII]
- 5) A complete description of the subjects and issues involved: By this Notice, the Department is proposing to amend this Part pursuant to 625 ILCS 5/12-815.2 that requires school buses manufactured on or after January 1, 2006 to be equipped with a noise suppression switch capable of turning off noise producing accessories. Those accessories include, but are not limited to, heater blowers, defroster fans, auxiliary fans and radios. The requirements for the noise suppression switch are being included in Section 440.420(vv), wiring.

The Department is also proposing to repeal Sections 440.410 and 440.510, Incorporation by Reference of Federal Motor Vehicle Safety Standards, and combine them into one new Section at Section 440.160. The new Section will incorporate by reference the 2005 edition of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.1 through 49 CFR 571.404), the federal standards governing certification of vehicles (49 CFR 567) and the federal standards for vehicles manufactured in two or more stages (49 CFR 568). The new Section will also incorporate by reference the 2005 edition of the Society of Automotive Engineers (SAE) Standards and Recommended Practices.

In addition, the Department is proposing to update, clarify, and correct standards throughout this Part. The following standards are being updated at Sections 440.420 and 440.520:

Color and Paint – Adding an exception at Section 440.420(g)(9) to allow yellow retroreflective tape to be located on a rear bumper or rub rail.

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Emergency Exits – Adding an exception at Section 440.420(j)(2) to allow yellow retroreflective tape to be located on a rear bumper or rub rail.

Heaters – Adding a new subsection at Section 440.420(p)(4) to provide standards for auxiliary fuel-fired heating systems.

Lamps and Signals – Adding a statement at Section 440.420(s) declaring that Light Emitting Diodes (LED) lights that meet either FMVSS or SAE Standards/Recommended Practices are acceptable equipment on school buses manufactured for use in Illinois.

Interior Lighting and Side Turn Signals – Clarifying language at Section 440.420(s)(2) and (s)(4) for consistency with provisions on side turn signals that requires buses that are designed to transport 33 or more passengers to be equipped with two interior lamps and side turn signals.

Lettering – Amending a requirement at Section 440.420(t)(1) that prohibits all signs, numbers or lettering not required by statute or permitted by the this Part from being displayed on both the exterior and interior of the bus. Prior to this amendment, signs, numbers or lettering, not required or permitted, were allowed on the interior of the bus provided they were not visible from the exterior of the bus. Adding an optional provision that allows vehicle identification numbers to be located on the roof top of a school bus.

Seat Belt, Driver – Updating terminology at Section 440.420(dd)(1) by replacing an automatic locking type retractor with an emergency locking type retractor.

Steps, Body Front – Providing an exception at Section 440.420(gg) for Type I-A school buses concerning a front body step that is used for washing the bus' windshield. The Type I-A bus does not have the same front end as a standard Type I school bus. The windshield is more accessible on a Type I-A school bus which makes the step unnecessary.

Stop Signal Arm Panel – Deleting Section 440.420(hh)(2) that requires the panel to be 16-guage metal which conflicts with the incorporated federal standard that does not require 16-guage metal or its equivalent. Deleting language that allowed stop signal arm panels to be operated either manually or mechanically. Newly manufactured buses are always equipped with mechanically-operated stop signal arm panels and manually operated panels are no longer offered by school bus manufacturers. The option is no longer necessary in this Part.

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Warning Devices – Correcting language at Section 440.420(nn) to clarify provisions regarding optional emergency warning devices pursuant to 625 ILCS 5/12-702 (a) and (c).

Wiring – Adding a requirement at Section 440.420(vv) for a noise suppression switch pursuant to 625 ILCS 5/12-815.2. Including electronic circuit protection as an option in the requirement that each circuit be protected by either a separate fuse or a circuit breaker.

Instruments – Replacing "ammeter" at Section 440.520(n) with the correct term "ampere meter" and adding "volt meter" as synonymous with "ampere meter."

Throughout this rulemaking, the Department is correcting statutory citations to the Illinois Vehicle Code. The Department is also updating and correcting references to the SAE Standards and Recommended Practices pursuant to the most recent standard dates provided in the 2005 edition of SAE Standards and Recommended Practices.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning these proposed amendments. Written submissions shall be filed with:

By U.S. Mail:

Ms. Catherine Allen
Illinois Department of Transportation

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Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212

217/785-3031

By Messenger or Inter-Agency Mail:

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Ms. Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
Office of Chief Counsel
2300 South Dirksen Parkway, Room 311
Springfield, Illinois 62764

217/782-3215

Comments received within 45 days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking will affect small businesses that manufacture Type I school buses for use in Illinois.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance with this rulemaking.