



Air Resources Board



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Mail-Out #MSC 10-19

TO: All Interested Parties

SUBJECT: LOWER-EMISSION SCHOOL BUS PROGRAM MAIL-OUT --
REPLACEMENT OF SCHOOL BUSES WITH CHP SAFETY
CERTIFICATION DOCUMENTATION OPTIONS

This mail-out provides guidance to air districts and public school districts participating in the Lower-Emission School Bus Program (LESBP) to assist in expediting the replacement of school buses that have California Highway Patrol (CHP) safety certification documentation issues.

Background

The 2008 LESBP Guidelines require a bus eligible for replacement to have a current CHP safety certification (CHP form 292 - Inspection Approval Certificate) as of December 31, 2005, and to have continuous safety certification from that point forward. This requirement was established to ensure unused buses are not revived in order to get funding. Currently, if a school district is unable to obtain copies of CHP form 292 that demonstrate continuous safety certification as of December 31, 2005, then the air district must require the school district to provide alternative documentation along with a copy of the current CHP form 292. Acceptable alternative forms of this documentation are described in LESBP Advisory 08-002 available at:
<http://www.arb.ca.gov/bonds/schoolbus/advisory/adv08-002.pdf>.

In addition to the process described above, Air Resources Board has identified two additional safety certification categories in which Air Districts have requested case-by-case approvals to use State funds to replace school buses: those school buses not continuously certified and those that are continuously certified but are having operational issues. Each category has specified requirements listed below.

Requirements for Non-Continuously Certified School Buses:

This option applies to school buses that have had a gap in their safety certifications previously, but are now currently in service. Air districts that wish to use AB 923 funds to fund a bus scheduled for replacement that has a gap in its safety certificate for any

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reason, may use this option without obtaining a case-by-case approval from the ARB if the following requirements are met:

- 1) The school bus must have a current CHP safety certification,
- 2) A determination must be made by the air district that the bus is being used regularly by the school district,
- 3) If a bus is scheduled for replacement and its current safety certificate will not be renewed, the school district must notify the local air district of the reason for non-certification so that the local air district can determine if funding is still allowable,
- 4) If the air district approves funding for a bus with a lapse in the safety certificate, the local air district staff must notify the school district that their approval of funding for the bus in no way releases them from any other legal requirements. A school district's transportation director must document that the school district acknowledges and agrees that if the school bus does not have the required CHP safety certificate; it cannot be operated to transport school children. A copy of this statement must be sent to the local air district, and
- 5) Once a determination is made, the local air district must document their decision and the steps outlined above in the project file.

Requirements for Continuously Certified School Buses with Operational Issues:

This option applies to school districts with school buses that have had no gaps in CHP certification but have had recent operational issues. If a bus previously approved for replacement by a local air district has been continuously certified since December 31, 2005, but then experienced irreparable mechanical issues, such that it is not operational and cannot be certified. The local air district must be notified immediately that the safety certificate will not be renewed. The local air district may replace this bus using State LESBP bond funds.

It is important that air districts maintain in their project files detailed documentation of the entire decision process for both options described above. If you have questions regarding this mail-out, please contact Janet Page, Air Pollution Specialist, at (916) 324-1988 or via email at jpage@arb.ca.gov.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: See next page.

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cc: Janet Page
Air Pollution Specialist
Planning and Regulatory Development Section