

#### **IC 8-2.1-25**

### Chapter 25. Inspection of Commercial Buses Used in Organizational Activities

#### **IC 8-2.1-25-1**

##### **"Motor bus" defined**

Sec. 1. As used in this chapter, "motor bus" means any motor vehicle:

- (1) weighing more than eleven thousand (11,000) pounds; and
- (2) being operated in furtherance of a commercial enterprise.

*As added by P.L.86-1997, SEC.1.*

#### **IC 8-2.1-25-2**

##### **"Motor carrier" defined**

Sec. 2. As used in this chapter, "motor carrier" has the meaning set forth in IC 8-2.1-17-10.

*As added by P.L.86-1997, SEC.1.*

#### **IC 8-2.1-25-3**

##### **"Organization" defined**

Sec. 3. As used in this chapter, "organization" means an entity that is not an individual. The term includes a public or private school, a business firm or corporation, a labor organization, a religious organization, a political club, or any other type of association or group of individuals.

*As added by P.L.86-1997, SEC.1.*

#### **IC 8-2.1-25-4**

##### **"Organizational activity" defined**

Sec. 4. As used in this chapter, "organizational activity" means any activity:

- (1) that is sponsored, controlled, or supervised by an Indiana public or private organization; and
- (2) to, for, or from which a motor carrier will provide transportation to the organization but not to the general public.

*As added by P.L.86-1997, SEC.1.*

#### **IC 8-2.1-25-5**

##### **Operation of motor bus; prohibitions**

Sec. 5. A motor carrier may not operate or permit the operation of a motor bus to transport a person to or from an organizational activity for compensation unless the motor bus has been inspected and meets the safety standards of this chapter within the twelve (12) months preceding the date of the organizational activity.

*As added by P.L.86-1997, SEC.1.*

#### **IC 8-2.1-25-6**

##### **Inspections and safety standards; impoundment of motor bus; notice to contractor**

Sec. 6. (a) A motor bus has not been inspected and does not meet

the safety standards of this chapter unless the motor carrier certifies to the state police department that the motor bus has:

- (1) been inspected by:
  - (A) an employee of the motor carrier;
  - (B) an employee of the department;
  - (C) an employee of a certified third party inspector; or
  - (D) another individual;

who meets the requirements of 49 CFR 396.19, is certified by the Commercial Vehicle Safety Alliance, or is certified as a commercial motor vehicle technician by Automotive Service Excellence; and

- (2) met the inspection requirements of the federal motor carrier safety regulations and this chapter.

(b) If the department determines that a motor carrier is not capable of carrying out an inspection under subsection (a), the state police department may:

- (1) inspect a motor bus of the motor carrier; or
- (2) request a compliance review of the safety management of the motor carrier by the Federal Highway Administration, if the carrier is an interstate carrier, or the motor carrier division of the state police department, if the carrier is an intrastate carrier.

(c) Before a motor bus that has been out of service due to safety violations may return to service, the state police department may require a motor carrier to present the bus for inspection if the safety violations were so severe as to call into question the maintenance capability of the carrier. Upon notification by the carrier to the state police department that the motor bus is ready to return to service, the state police department may inspect the bus not more than two (2) business days following the notification by the carrier. If the state police department does not inspect the bus within two (2) business days following the notification by the carrier, the carrier must have the bus inspected by:

- (1) an employee of the motor carrier;
- (2) an employee of the department;
- (3) an employee of a certified third party inspector; or
- (4) another individual;

who meets the requirements of 49 CFR 396.19, is certified by the Commercial Vehicle Safety Alliance, or is certified as a commercial motor vehicle technician by Automotive Service Excellence.

(d) If a motor bus is found in operation without correction of the safety violations that caused it to be placed out of service, the state police department shall immediately impound the bus and the state police department may request a compliance review of the safety management of the motor carrier by the Federal Highway Administration, if the carrier is an interstate carrier, or the motor carrier division of the state police department, if the carrier is an intrastate carrier.

(e) A motor carrier must notify a contractor for the use of a motor bus for an organizational activity of the following:

- (1) That the carrier will provide a motor bus that has been

inspected and meets federal safety inspection standards.

(2) The method by which the motor bus was inspected, whether the method was self-inspection, state police department inspection, or third-party inspection.

(3) That the contractor may call a toll free number to notify the Indiana state police if the contractor has concerns about operational safety problems during the trip or has reason to believe that the motor bus is being operated in need of repair in violation of federal motor safety regulations.

(f) The department must establish or maintain a toll free number that a contractor described under subsection (e) may call to notify the state police department about concerns regarding motor bus safety.  
*As added by P.L.86-1997, SEC.1. Amended by P.L.94-1998, SEC.1.*

### **IC 8-2.1-25-7**

#### **Violations**

Sec. 7. A motor carrier or bus driver who knowingly or intentionally operates or permits to be operated a motor bus in violation of this chapter commits a Class B misdemeanor.

*As added by P.L.86-1997, SEC.1.*

### **IC 8-2.1-25-8**

#### **Adoption of rules**

Sec. 8. The state police department may adopt rules under IC 4-22-2 to establish a certification program for third party inspection of motor buses.

*As added by P.L.94-1998, SEC.2.*