



# Common Sense Initiative

Mike DeWine, Governor  
Jim Tressel, Lt. Governor

Joseph Baker, Director

## MEMORANDUM

**TO:** Joseph Kirk, Ohio Department of Public Safety

**FROM:** Michael Bender, Business Advocate

**DATE:** March 28, 2025

**RE:** **CSI Review – School Bus Minimum Standards (OAC 4501-5-01, 4501-5-02, 4501-5-03, and 4501-5-04)**

Pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Department as provided for in ORC 107.54.

### Analysis

This rule package consists of four amended rules proposed by the Ohio Department of Public Safety (DPS), Ohio State Highway Patrol (OSHP) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on February 14, 2025, and the public comment period was held open through February 28, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on February 14, 2025.

Ohio Administrative Code (OAC) 4501-5-01 specifies general provisions with respect to the construction and design of school buses. The rule also contains definitions for OAC Chapter 4501-5, incorporates materials by reference, and requires the Director of DPS to appoint an Ohio School Bus Construction Standards Advisory Group (Advisory Group). The rule is amended to update language, reflect the name of the Ohio Department of Education and Workforce (DEW), and remove references to requests for permission to install. OAC 4501-5-02 establishes minimum school bus construction standards. The rule is amended to update language, remove requirements concerning

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the storage of fusees, remove a requirement for audible electric warning devices to meet Federal Motor Vehicle Safety Standards (FMVSS) Section 571.112, require eight way lamp warning systems on buses manufactured after January 1, 2027, to be of light-emitting diode (LED) type, revise the standards for the high visibility appearance of the word “stop” on buses, remove a provision regarding standards that must be met by buses equipped with wheel chair lifts, and require electric powered school buses and factory build hybrid electric school buses to meet all FMVSS, Society of Automotive Engineers standards, and Ohio school bus construction standards at the time of manufacture. OAC 4501-5-03 sets forth requirements for school buses used to transport pupils with special needs. The rule is amended to update language and a citation. OAC 4501-5-04 provides for the evaluation of new equipment or changes to existing equipment on school buses. The rule is amended to update language and grammar as well as reflect the name of the DEW.

During early stakeholder outreach, DPS hosted a meeting on November 6, 2024, that included the Advisory Group and representatives from the DEW, the Ohio Association of Pupil Transportation, the Ohio School Bus Mechanics Association, the Ohio School Boards Association, Thomas Built Buses (TBB), Complete Bus, Navistar/IC Bus, Rush Truck Center, and Bluebird Bus. The stakeholders and DPS staff reviewed the rules paragraph by paragraph until a consensus was reached on all the proposed amendments. One notable outcome of the meeting was that the OSHP decided to keep ground wash lights as an approved option rather than a requirement at this time. The primary purpose of the revisions is to restructure the rules and adapt to changes in technology and updates in manufacturer/dealer processes. The rules incorporate changes as recommended by the Governor’s School Bus Safety Workgroup. On January 15, 2024, TBB submitted additional comments to DPS which resulted in a few technical corrections and the removal of the reference to FMVSS 571.112. No comments were submitted during the CSI public comment period, although DPS revised to rules to make technical and grammatical corrections.

The business community impacted by the rules includes three major manufacturers of school buses that serve Ohio and dozens of dealers. DPS notes that Ohio has approximately 20,142 school buses on the road each year across 614 school districts. The adverse impacts created by the rules include compliance with the standards for the construction, design, and maintenance of school buses. The proposed revisions include the new requirement for eight way lamp warning systems to be of LED type for buses manufactured after January 1, 2027, the new requirement for the word “stop” to be a high visibility marking on buses manufactured after January 1, 2027, and motor requirements for electric powered school buses that are mandatory rather than optional. According to DPS, the approximate cost of the eight-way LED warning system is \$600 per vehicle while the average cost of a high visibility “stop” marking is \$40 per vehicle. However, DPS points out that the requirement for school buses to carry six thirty-minute fusees has been eliminated. DPS states that the adverse impacts to business are justified to implement statutory requirements and provide a safe mode of transportation for schoolchildren.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that DPS should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.