

Indiana State Police

Indiana State Police

Program to Inspect Private Buses

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The Indiana State Police Private Bus Inspection Program represents the policy applicable to private buses in Indiana that are registered or reregistered with the Indian Bureau of Motor Vehicles after December 31, 2015.



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ARTICLE I

Definitions

SECTION 1. Indiana Code 9-13-133 defines a Private Bus as:

I.C. 9-13-22

Private Bus

Sec. 133.(a) "Private bus" means a motor vehicle designed and constructed for the accommodation of passengers and that is used for transportation of passengers by any of the following: (1) A religious, fraternal, charitable, or benevolent organization. (2) A youth association. (3) A public or private postsecondary educational institution. (b) The term includes either the chassis or the body of the vehicle or both the body and the chassis of the vehicle. (c) The term does not include the following: (1) A vehicle with a seating capacity of not more than fifteen (15) persons. (2) A school bus or a bus used to carry passengers for hire.

ARTICLE II

Statutory Authority of the Indiana State Police to Establish a Private Bus Inspection Program

SECTION 1. Private buses in Indiana must be operated in a safe mechanical condition. During the 2014 legislative session, the Indiana Legislature passed Public Law 160-2014 (Senate Bill 238, Codified at IC 9-19-22 *et. seq.*) This provision provides that the Superintendent of the Indiana State shall establish a program to inspect private buses under this chapter.

ARTICLE III

Purpose of the Inspection Program

SECTION 1. The purpose of the Indiana State Police Private Bus Inspection Program is to create an efficient and effective procedure that ensures all Private Buses operating on Indiana

highways are inspected annually and found to be in compliance with state and federal equipment requirements and are in a safe mechanical condition.

ARTICLE IV

Individual who may Conduct Inspections Under the Program

SECTION 1. Inspector Qualifications must be consistent with 49 CFR 396.19 and 49 CFR 396.19 (see below).

§ 396.19 Inspector qualifications

(a) Motor carriers and intermodal equipment providers must ensure that individuals performing annual inspections under § 396.17(d) or (e) are qualified as follows:

(1) Understand the inspection criteria set forth in part 393 and appendix G of this subchapter and can identify defective components;

(2) Are knowledgeable of and have mastered the methods, procedures, tools and equipment used when performing an inspection; and

(3) Are capable of performing an inspection by reason of experience, training, or both as follows:

(i) Successfully completed a Federal-or State-sponsored training program or have a certificate from a State or Canadian Province that qualifies the individuals to perform commercial motor vehicle safety inspections, or

(ii) Have a combination of training or experience totaling at least 1 year. Such training or experience may consist of:

(A) Participation in a commercial motor vehicle manufacturer-sponsored training program or similar commercial training program designed to train students in commercial motor vehicle operation and maintenance;

(B) Experience as a mechanic or inspector in a motor carrier or intermodal equipment maintenance program;

(C) Experience as a mechanic or inspector in commercial motor vehicle maintenance at a commercial garage, fleet leasing company, or similar facility; or

(D) Experience as a commercial motor vehicle inspector for a State, Provincial or Federal government.

(b) Motor carriers and intermodal equipment providers must retain evidence of that individual's qualifications under this section. They must retain this evidence for the period during which that individual is performing annual motor vehicle inspections for the motor carrier or intermodal equipment provider, and for one year thereafter. However, motor carriers and intermodal equipment providers do not have to maintain documentation of inspector qualifications for those inspections performed either as part of a State periodic inspection program or at the roadside as part of a random roadside inspection program.

§ 396.25 Qualifications of brake inspectors

(a) Motor carriers and intermodal equipment providers must ensure that all inspections, maintenance, repairs or service to the brakes of its commercial motor vehicles, are performed in compliance with the requirements of this section.

(b) For purposes of this section, brake inspector means any employee of a motor carrier or intermodal equipment provider who is responsible for ensuring that all brake inspections, maintenance, service, or repairs to any commercial motor vehicle, subject to the motor carrier's or intermodal equipment provider's control, meet the applicable Federal standards.

(c) No motor carrier or intermodal equipment provider may require or permit any employee who does not meet the minimum brake inspector qualifications of paragraph (d) of this section to be responsible for the inspection, maintenance, service or repairs of any brakes on its commercial motor vehicles.

(d) The motor carrier or intermodal equipment provider must ensure that each brake inspector is qualified as follows:

(1) Understands the brake service or inspection task to be accomplished and can perform that task; and

(2) Is knowledgeable of and has mastered the methods, procedures, tools and equipment used when performing an assigned brake service or inspection task; and

(3) Is capable of performing the assigned brake service or inspection by reason of experience, training, or both as follows:

(i) Has successfully completed an apprenticeship program sponsored by a State, a Canadian Province, a Federal agency or a labor union, or a training program approved by a State, Provincial or Federal agency, or has a certificate from a State or Canadian Province that qualifies

the person to perform the assigned brake service or inspection task (including passage of Commercial Driver's License air brake tests in the case of a brake inspection); or Code of Federal Regulations499

(ii) Has brake-related training or experience or a combination thereof totaling at least one year. Such training or experience may consist of:

(A) Participation in a training program sponsored by a brake or vehicle manufacturer or similar commercial training program designed to train students in brake maintenance or inspection similar to the assigned brake service or inspection tasks; or

(B) Experience performing brake maintenance or inspection similar to the assigned brake service or inspection task in a motor carrier or intermodal equipment provider maintenance program; or

(C) Experience performing brake maintenance or inspection similar to the assigned brake service or inspection task at a commercial garage, fleet leasing company, or similar facility.

(e) No motor carrier or intermodal equipment provider may employ any person as a brake inspector unless the evidence of the inspector's qualifications, required under this section, is maintained by the motor carrier or intermodal equipment provider at its principal place of business, or at the location at which the brake inspector is employed. The evidence must be maintained for the period during which the brake inspector is employed in that capacity and for one year thereafter. However, motor carriers and intermodal equipment providers do not have to maintain evidence of qualifications to inspect air brake systems for such inspections performed by persons who have passed the air brake knowledge and skills test for a Commercial Driver's License.

ARTICLE V

Prescribed Safety Requirements and Conditions for Certain Equipment on a Private Bus

SECTION 1. Brakes: Brakes must comply with [49 CFR 393.40-393.55](#).

SECTION 2. Lights: Lights must comply with [49 CFR 393.9 – 393.33](#)

SECTION 3. Steering and Suspension: Steering and Suspension must comply with [49 CFR 393.201 – 393.209](#)

SECTION 4. Exhaust System: Exhaust System must comply with [49 CFR 393.83](#)

SECTION 5. Body: Body must comply with [49 CFR 393.75](#)

SECTION 6. Tires: Tires must comply with [49 CFR 393.75](#)

ARTICLE VI

Inspection Certificate

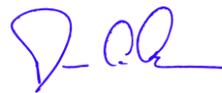
SECTION 1. If an inspection conducted by a qualified inspector under Article IV Section 1 of this program, reveals that a private bus meets or exceeds the safety requirements prescribed under Article V Sections 1-6 of this program, the individual who inspected the private bus shall issue the owner of the private bus a BMV certificate stating that the private bus was inspected and met the prescribed safety requirements.

SECTION 2. An inspection that complies with 49 CFR Part 396 satisfies the requirements of this program. Anyone qualified to conduct an inspection under 49 CFR Part 396 is authorized under Ind. Code 9-19-22-3(b)(1) to perform an Indiana safety inspection for private buses.

ARTICLE VII

Adoption of the Policy

SECTION 1. By virtue of Public Law 160-2014 (Senate Bill 238, Codified at IC 9-19-22 *et. seq.*, on this 31st day of December 2015 I hereby adopt the above policy as the Indiana State Police Program to Inspect Private Buses.



Douglas G. Carter,
Superintendent
Indiana State Police