MONTANA
ADMINISTRATIVE
REGISTER

BOARD OF PUBLIC EDUCATION

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2026-177.1

Summary

Amendment of ARM 10.64.301 pertaining to the Montana School Bus Standards

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Hearing Date and Time

Tuesday, November 10, 2026, at 10:00 a.m.

Virtual Hearing Information

Please click the link below to join the webinar:

https://mt-gov.zoom.us/j/84143141109

Comments

Comments may be submitted using the contact information below. Comments must be received by Friday, November 13, 2026, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Friday, October 30, 2026, at 5:00 p.m.

Contact

McCall Flynn
(406) 444-6576
bpe@mt.gov

General Reasonable Necessity Statement

The Board of Public Education is responsible for adopting and enforcing standards for the design, construction, and operation of school buses in Montana pursuant to 20-10-111, MCA. The current rule incorporates the *Standards for School Buses in Montana – 2022*, which are based in part on the National Congress on School Transportation (NCST) National School Transportation Specifications and Procedures.

The proposed amendments update the *Standards for School Buses in Montana* to reflect current federal motor vehicle safety requirements, recommendations of the National Congress on School Transportation where appropriate, technological advancements in school bus equipment, and operational best practices identified through collaboration with the Office of Public Instruction, the Montana Highway Patrol, school transportation professionals, and the Montana Pupil Transportation Advisory Council.

The revisions are necessary to ensure Montana's school bus standards remain current, promote consistency in the procurement, inspection, and operation of school buses statewide, and enhance the safety of students, drivers, and the public. The amendments also clarify existing requirements, remove outdated provisions, and improve the usability of the standards for school districts, school bus contractors, manufacturers, and enforcement personnel.

A complete summary of the proposed revisions to the *Standards for School Buses in Montana* are available for public review on the Board of Public Education's website at bpe.mt.gov. Specific revisions include adding a provision encouraging schools districts to create policies and procedures for home parking of school buses, differentiation of the requirements for bus use for activity trips, and the inclusion of electronic vehicle provisions.

Rulemaking Actions

AMEND

The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

10.64.301 SCHOOL BUS REQUIREMENTS

(1) The Board of Public Education adopts and incorporates the Standards for School Buses in Montana – ~~2022~~2026. A copy of this document is available from the Office of Public Instruction, Pupil Transportation Division, P.O. Box 202501, Helena, Montana 59620-2501 and is available at the following web address: www.bpe.mt.gov .

(2) The Board of Public Education adopts standards for school buses in Montana in part from the National School Transportation Specifications and Procedures, as adopted in ~~2015~~2025 by the ~~Sixteenth~~Seventeenth National Congress on School Transportation (NCST). The NCST occasionally issues an interpretation on its adopted specifications and procedures. Any interpretation adopted by the NCST shall be the official interpretation of the corresponding Montana standard unless that interpretation is specifically redefined or preempted by a corresponding Montana standard, law, or regulation. The National School Transportation Specifications and Procedures and additional information regarding the NCST are available at www.NCSTOnline.org .

Authorizing statute(s): Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, MCA

Implementing statute(s): Mont. Const. Art. X, sec. 9, 20-2- 121, 20-3-106, 20-7-101, 20-10-111, MCA

Small Business Impact

The Board of Public Education adopts rules that primarily impact teachers, administrators, and school district operations. The board works in cooperation with public schools across the state to implement the rules that are adopted. Given that the board does not work directly with small businesses, the small business impact analysis performed as required under 2-4-111, MCA, indicates that no small businesses are likely to be directly impacted by the proposed rule changes.

Bill Sponsor Notification

The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

Interested Persons

The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, email, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by email unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person above or may be made by completing a request form at any rules hearing held by the board.

Rule Reviewer

McCall Flynn

Approval

Dr. Tim Tharp
Board Chair