

**WAC 392-142-265 Improper maintenance and operation.** (1) If a school bus is otherwise eligible for reimbursement payments and is determined to have been improperly maintained or operated, the superintendent shall discontinue reimbursement system payments effective the first of the month following the initial determination. The superintendent shall use the following process for any future payments:

(a) For school buses that are restored to operational condition, the superintendent shall:

(i) Return the school bus to the reimbursement system effective the first of the month following the date of the Washington state patrol inspection; and

(ii) Not provide reimbursement for any months the school bus was determined to have been improperly maintained or operated. However, such months shall be included as eligible months in the calculation of the system lifetime of the vehicle.

(b) For school buses that the district disposes of without returning the vehicle to operational condition, the superintendent shall:

(i) Divide the total number of eligible months by the system life;

(ii) Multiplying the result by the current state-determined purchase price;

(iii) Subtract the total of all previous school bus replacement payments;

(iv) Subtract the total assumed interest earnings; and

(v) Subtract the salvage value.

(2) Such factors as fire, flood, explosion, storm, earthquake, or volcanic eruption shall not result in a school bus being determined to have been improperly maintained or operated. However, reimbursement payments shall be discontinued effective the first of the month following any such occurrence. Any future payments shall be calculated using the procedures listed in subsection (1) of this section. The superintendent shall assume any such school bus will be returned to service until such time as the district disposes of the school bus.

(3) If a district disposes of a school bus prior to the end of its useful lifetime, the superintendent shall discontinue reimbursement system payments as of the month of the sale of the school bus and adjust any final payment using the process in subsection (1) of this section.

(4) If a district operates a school bus without an operation permit, the superintendent shall not provide reimbursement for that time period. However, any such months shall be included as eligible months in the calculation of the system lifetime of the vehicle.

[Statutory Authority: RCW 28A.150.290. WSR 15-11-076, § 392-142-265, filed 5/19/15, effective 6/19/15; WSR 12-19-098, § 392-142-265, filed 9/19/12, effective 10/20/12; WSR 08-19-016, § 392-142-265, filed 9/5/08, effective 10/6/08; WSR 05-19-072, § 392-142-265, filed 9/16/05, effective 10/17/05. Statutory Authority: 1995 1st sp.s. c 10, RCW 28A.150.290 and chapter 28A.160 RCW as amended in ESSB 5408, section 1(6). WSR 95-17-011, § 392-142-265, filed 8/4/95, effective 9/4/95. Statutory Authority: RCW 28A.41.170 and 28A.41.540. WSR 90-02-077 (Order 21), § 392-142-265, filed 1/2/90, effective 2/2/90.]