

AMENDED NOTICE OF PROPOSED RULEMAKING

Public Hearing

The hearing date and public comment period previously published in Issue 19 on Oct. 10, 2023, is being changed and this rule will now be heard on Monday, December 18, 2023, along with the proposed rules being heard at the same meeting listed in the previous Public Education Department Notice of Proposed Rulemaking, published in this Issue 21.

The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing for the following proposed rulemaking on Monday, December 18, 2023, from 1:30 p.m. to 2:30 p.m. (MDT) in Mabry Hall, located in the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, New Mexico 87501:

Amendment of 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students

The PED will give a verbal summary statement, on record, at the hearing.

The purpose of the public hearing is to receive public input on the proposed rulemaking. Attendees who wish to provide public comment on record will be given three minutes to make a statement concerning the proposed rulemaking. To submit written comment, please see the Public Comment section of this notice.

Explanation of Purpose of Rulemaking, Summary of Text, and Statutory Authority, by Proposed Rule

6.41.4 NMAC, Standard for Providing Transportation for Eligible Students

Explanation: The purpose of the proposed rulemaking is to provide for the safety of students during extreme heat conditions and to modify the pre-trip inspection requirements to include electric buses.

Summary: The proposed amendment of the emergency rule places in permanent rule new requirements for loading and unloading school buses during heat advisories or excessive heat warnings. The rule also includes appropriate exceptions for electric buses in the pre-trip bus inspection checklist.

Statutory Authority: Sections 1111g(1)(E) and 1112c(5)(B) of ESEA, Section 722g(J)(iii) of the McKinney-Vento Act, and Sections 22-2-1, 22-2-2, 22-8-26, 22-10A-5, 22-16-2, 22-16-4, and Subsection D of Section 9-24-8 NMSA 1978.

No technical information served as a basis for this proposed rule change.

Public Comment

Interested parties may provide comment at the public hearing or may submit written comments by mail or e-mail.

Mailing Address

Policy and Legislative Affairs Division
New Mexico Public Education Department
300 Don Gaspar Avenue, Room 121
Santa Fe, New Mexico 87501

E-Mail Address

Rule.Feedback@ped.nm.gov

Written comments must be received no later than 5 p.m. (MDT) on Monday, December 18, 2023. The PED encourages the early submission of written comments.

Public Comment Period

The public comment period is from Tuesday, November 7, 2023, to Monday, December 18, 2023, at 5:00 p.m. (MDT). The PED will review all feedback received during the public comment period and issue communication regarding a final decision of the proposed rulemaking at a later date.

Copies of the proposed rule may be obtained from Denise Terrazas at (505) 470-5303 during regular business hours or may be accessed through the PED Policy and Legislative Affairs webpage titled, "Proposed Rules," at <http://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>.

Individuals with disabilities who require the above information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Denise Terrazas at (505) 470-5303 as soon as possible before the date set for the public hearing. The PED requires at least 10 calendar days advance notice to provide any special accommodations requested.