

Executive Order 2000-25

(September 6, 2000)

WHEREAS, on September 5, 2000 the South Carolina Department of Education received notice from school bus manufacturer Thomas Built Buses of Recall 00V-232, issued August 31, 2000, for certain brake systems installed by the manufacturer that may have a defect which could cause a malfunction possibly resulting in a temporary loss in braking capability; and

WHEREAS, the South Carolina Department of Education owns and operates approximately 56 15-passenger mini-buses manufactured by Thomas Built Buses that are subject to the recall, with most, if not all, utilized to transport children with special needs or disabilities; and

WHEREAS, various local public school districts in South Carolina also own and operate a total of approximately 30 buses subject to the recall notice, with most used as activity buses; and

WHEREAS, precautionary measures are warranted to prevent or minimize danger to the safety and wellbeing of South Carolina's school children and motoring public and to ensure that students, parents, and educators are confident in the safety of school bus transportation; and

WHEREAS, Sections 1-3-410 through 1-3-460 of the Code of Laws of South Carolina 1976, as amended, confer upon the Governor extraordinary powers to take measures necessary to prevent danger to life, limb, or property; and

WHEREAS, Section 25-1-440(3) specifically authorizes the Governor to order the discontinuance of any public transportation when necessary.

NOW, THEREFORE, by virtue of the power and authority vested in me as Governor, pursuant to the Constitution and Statutes of the State of South Carolina, I direct that the following measures be taken at the individual, local, and state levels to protect against the possible effects of faulty brakes on public school buses as follows: Every school bus subject to the brake system recall issued by Thomas Built Buses which is operated by the South Carolina Department of Education or a local public school district must be identified and immediately removed from service, and must remain out of service until such time as all brakes on the applicable buses are thoroughly inspected, any necessary repairs or replacements are completed, and the brakes are approved as safe for operation by a certified brake mechanic.

This Order shall take effect immediately.