

LODI UNIFIED SCHOOL DISTRICT

REVISION

Rule 3542

Business and Non-Instructional Operations

School Bus Drivers

Authority

Students transported in a school bus or in a student activity bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway, or road.

A notice placed at the entrance of each bus warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without proper authorization.

A bus driver shall have the authority to discontinue the operation of a school bus whenever ~~he/she~~ the driver determines that it is unsafe to continue.

Administrative regulations related to bus driver authority shall be made available to parents/guardians, students, teachers, and other interested parties.

Qualifications, Training and Monitoring

All drivers employed to operate school buses or student activity buses shall possess, ~~and shall retain in their immediate possession while operating the bus, at a minimum, both of the following~~ documents: ~~issued by the state Department of Motor Vehicles:~~

1. A valid driver's license ~~issued by the California Department of Motor Vehicles (DMV)~~ for the appropriate class of vehicle to be driven ~~and endorsed for school bus and/or passenger transportation.~~
2. A certificate ~~issued by the California Highway Patrol (CHP)~~ which permits ~~the operation for school buses, or driver to operate either school buses~~ or student activity buses, as applicable.

The Superintendent or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an original certificate to driver a school bus of student activity bus.

When initially applying for or renewing a license or certificate to drive a school bus or student activity bus, and annually upon reaching age 65 years, the driver shall submit to the DMV and to the Superintendent or designee a report of a medical examination conducted in accordance with the timelines and procedures specified in Vehicle Code 12517.2.

The Superintendent or designee shall notify each driver of the expiration date of the driver's license, certificate, and medical certificate and shall ensure each document is renewed prior to expiration.

The Superintendent or designee shall notify the DMV within five days whenever any driver refuses, fails to comply, or receives a positive test result on a drug or alcohol test; is dismissed for a cause related to student transportation safety; or is reinstated after being dismissed for a cause related to student transportation safety.

The Superintendent or designee shall ensure that school bus drivers receive training that includes:

Training

In addition to any other training required to obtain or renew the certificate authorizing operation of a school bus or student activity bus, drivers shall receive training which includes, but is not limited to:

1. First aid practices deemed necessary for school bus drivers, through a course of instruction that prepares drivers to pass the related DMV examination.
2. The proper actions to be taken in the event that a school bus is hijacked
3. The proper installation of mobile seating devices in the bus securement systems.

School bus drivers and student activity bus drivers shall be subject to drug and alcohol testing in accordance with Board of Education Policy and the requirements of federal law.

To determine any other needs for professional development, the Superintendent or designee shall periodically review accident reports involving district drivers and may seek input from drivers, district and school administrators, students, and/or other stakeholders on desired topics for professional development.

Responsibilities

The school bus driver's primary responsibility is to safely transport students to and from school and school activities. **He/she The driver** shall follow procedures contained in the district's transportation safety plan and **regulations pertaining to transportation safety.**

Drivers shall not require any student to leave the bus en route between home and school or other destinations.

Drivers shall stop to load or unload students only at a school bus stop designated by the Superintendent or designee or authorized by the Superintendent or designee for school activity trips.

The driver shall activate the amber warning light system, flashing red signal lights, and stop arm signal and shall escort students in accordance with Vehicle Code 22112

Drivers shall activate the flashing amber light warning system, if the bus is so equipped, beginning 200 feet before any bus stop where students are loading or unloading. Drivers are required to deactivate the amber warning light system after reaching a bus stop. They shall operate the flashing red signal lights and stop signal arm at all times when the bus is stopped to load or unload students. The flashing amber warning lights, flashing red signal lights and stop signal arm shall not be operated at any other time, or at any place where traffic is controlled by a traffic officer or official traffic control system.

When the bus is stopped on a highway or private road to load or unload students and traffic is not controlled by a traffic officer, the driver shall:

1. Check for approaching traffic in all directions and activate the flashing red light signal system and, if the bus is so equipped, the stop signal arm.
2. Before opening the door, ensure that the flashing red signal lights and stop signal arm are activated and that it is safe to exit the bus.

When the bus is stopped on a highway or private road to load or unload students and traffic is not controlled by a traffic officer or official traffic control system, the driver shall:

1. Escort all students in grades pre-kindergarten through 12 who need to cross the highway or private road, using an approved hand-held "STOP" sign while so doing.

2. Require all students to walk in front of the bus as they cross the road or highway.
3. Ensure that all students who need to cross the road or highway have crossed safely and that all other unloaded students and pedestrians are a safe distance from the bus before setting the bus in motion.

The driver shall activate the amber warning light system, flashing red signal light and stop arm signal and shall escort students in accordance with Vehicle Code 22112

The driver shall immediately report all school bus accidents to the California Highway Patrol, the superintendent or designee, and the drivers' employer.

The driver shall not drive a school bus or student activity bus while using a wireless telephone or using a wireless communications device for text-based communication, except when otherwise authorized by law and AR 3543 - Transportation Safety and Emergencies.

Restrictions

1. For emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department or other emergency service agency or entity.

The driver shall report the following to the Superintendent or designee:

1. The condition of the bus at the completion of each work day.
2. Duty status for each 24-hour period, including, but not limited to, the number of hours on and off duty
3. Any traffic accident involving the bus.

In addition to notifying the Superintendent or designee, the driver shall immediately notify the CHP of any traffic accident and, if the bus is operated under contract, the drivers' employer.

4. Traffic violations
5. Consistently late school dismissals which cause transportation delays
6. Overload runs

7. Recurring and serious student misbehavior
8. Parent/guardian and student complaint

Vehicle Idling

The driver of a school bus or student activity bus shall:

1. Turn off the bus engine upon stopping at a school or within 100 feet of a school and not restart the engine more than 30 seconds before beginning to depart.
2. Not cause or allow the bus to idle at any location greater than 100 feet from a school for more than five consecutive minutes or for an aggregated period of more than five minutes in any one hour.

However, vehicle idling may be allowed under limited conditions, including, but not limited to, occasions when idling is necessary to:

1. Stop for an official traffic control signal or device, for traffic conditions under which the driver has no control, or at the direction of law enforce
2. Ascertain that the bus is in safe operating condition and properly equipped.
3. Operate equipment designed to safely load, unload, or transport students with disabilities.
4. Operate a heater, air conditioner, defroster, or other equipment as necessary to ensure the safety or health of passengers.
5. Cool down a turbo-charged diesel engine before turning off the engine.

The Superintendent or designee shall notify all drivers, upon employment and at least once per year thereafter, of the requirements specified above and the potential legal and employment consequences of failure to comply. All complaints of noncompliance shall be reviewed, and remedial action taken, as necessary. The Superintendent or designee shall retain records of the training and of any complaints and enforcement actions for at least three years.

Reports

The Superintendent or designee shall retain records of:

1. Each driver's duty status and supporting documents provided pursuant to 13 CCR 1201 and 1213. Such records shall be retained for six months and made available to the CHP upon request.
2. The different types of vehicles and vehicle combinations each driver has demonstrated capability to operate.
3. Records of each driver's license, certificate, medical certificate, first aid certificate, and training as specified in 13 CCR.
4. Daily vehicle inspection reports prepared by drivers pursuant to 13 CCR 1215.

State References

Description

13 CCR 1200-1294	Motor carrier safety
13 CCR 1212-1228	School bus driver requirements
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling; limitations
5 CCR 14103	Authority of the
5 CCR 14104	School bus driver instructor
	EDUCATION CODE
Ed. Code 39800.5	Qualifications of driver of 15-passenger
Ed. Code 39830-39843	School buses
Ed. Code 40080-40090.5	Training required to obtain or renew bus driver certificate
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 56195.8	Adoption of policies
	HEALTH AND SAFETY CODE
H&S Code 39640-39642	Vehicle idling; penalties
	PENAL CODE
Pen. Code 241.3	Assault against school bus drivers
Pen. Code 243.3	Battery against school bus drivers
Veh. Code 12516-12517.4	Certification requirements
Veh. Code 12522	First aid training for school bus drivers
Veh. Code 13370-13371	Suspension or revocation of bus driver certificate
Veh. Code 13376	Driver certificates; revocation or suspension
Veh. Code 1808.8	School bus drivers; dismissal for safety-related cause
Veh. Code 22112	School bus signals; roadway crossings
Veh. Code 22112	School bus signals; roadway crossings
Veh. Code 23123-23125	Prohibitions against use of wireless telephone and text communications while driving; exceptions
Veh. Code 25257-25257.7	School bus equipment
Veh. Code 2570-2574	Contracts with private school bus contractors
Veh. Code 34501.6	School buses; reduced visibility
Veh. Code 4	Definition of motor vehicle

Veh. Code 545

Definition of student activity bus

Federal References

Description

49 CFR 382.101-382.727

49 CFR 40.1-40.413

49 CFR 571.222

Controlled substance and alcohol use and testing
Procedures for transportation workplace drug and alcohol testing programs
Federal motor vehicle safety standard #222

Management Resources References

Description

Dept. of Motor Vehicles Publication

California Commercial Driver Handbook

Nat'l Highway Traffic Safety Admin. Pub.

School Bus Driver In-Service Safety Series, October 2011

Website CSBA

CSBA District and County Office of Education Legal Services
Legalservices.csba.org

Website

California Department of Motor Vehicles
dmv.ca.gov

Website

National Transportation Safety Board
Ntsb.gov

Website

U.S. Department of Transportation, National Highway Traffic Safety Administration

Website

California Air Resources Board
Ww2.arb.ca.gov

Website

California Department of Education, Office of School Transportation

Website

California Attorney General's Office
Oag.ca.gov

Website

California Highway Patrol
chp.ca.gov