

## **Business and Noninstructional Operations**

### **SCHOOL BUS DRIVERS**

#### Qualifications

All drivers employed to operate school buses or student activity buses shall possess, at a minimum, both of the following documents issued by the state Department of Motor Vehicles: (Education Code 39830.1; Vehicle Code 12517, 12517.4)

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 of school buses or student activity buses, as applicable.

(cf. 3540 - Transportation)  
(3541.1 – Transportation for School-Related Trips)  
(cf. 4200 - Classified Personnel)  
(cf. 4211/4211/4311 - Recruitment and Selection)

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 drive a school bus or student activity bus. (Vehicle Code 12517.3)

(cf. 4212.5 - Criminal Record Check)

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. (Vehicle Code 12517.2; 13 CCR 1234)

The Superintendent or designee shall notify each driver of the expiration date of his/her driver's license, certificate, and medical certificate and shall ensure each document is renewed prior to expiration. (13 CCR 1234)

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

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

The Superintendent or designee shall notify the Department of Motor Vehicles within five days whenever any school bus driver has tested positive for drugs or alcohol, is dismissed for a cause related to student transportation safety, or whenever a driver so dismissed has been reinstated. (Vehicle Code 1808.8, 13376)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Training

The Superintendent or designee shall ensure that school bus drivers receive 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. (Vehicle Code 12522)
2. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)
3. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

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.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

## 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. (5 CCR 14103)

(cf. 5131.1 - Bus Conduct)

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

(cf. 3516.5 - Emergency Schedules)  
(cf. 3543 - Transportation Safety and Emergencies)

This regulation and AR 5131.1 – Bus Conduct shall be made available to parents/guardians, students, teachers and other interested parties. (5 CCR 14103)

## Responsibilities

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

## AR 3542 (c)

The driver shall stop to load or unload students only at school bus stops designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

(cf. 3541 - Transportation Routes and Services)

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.

The driver shall not require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

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.

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

1. The condition of the bus at the completion of each work day (13 CCR 1215)
2. His/her duty status for each 24-hour period, including, but limited to, the number of hours on and off duty (13 CCR 1213) Parental and student complaints
3. Any accidents involving the bus (13 CCR 1219)

In addition to notifying the Superintendent or designee, the driver shall immediately notify the California Highway Patrol of any traffic accident and, if the bus is operated under contract, his/her employer. (13 CCR 1219)

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 complaints

### Vehicle Idling

The driver of a school bus or student activity bus shall: (13 CCR 2480)

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

(cf. 3514 - Environmental Safety)

However, vehicle idling may be allowed under limited conditions, including, but not limited to, occasions when idling is necessary to: (13 CCR 2480)

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 enforcement
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
6. Recharge a battery or other energy storage unit of a hybrid electric bus or vehicle

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. (13 CCR 2480)

#### Reports

The Superintendent or designee shall retain records of: (13 CCR 1234)

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 1234.
4. Daily vehicle inspection reports prepared by drivers pursuant to (13 CCR 1215).  
(cf. 3580 - District Records)

*Legal Reference:*

EDUCATION CODE

39800.5 Qualifications for driver of 15-passenger van  
39830-39842 School buses  
40080-40090.5 Training required to obtain or renew bus driver certificate  
45125.1 Criminal background checks for contractors  
56195.8 Training in installation of mobile seating devices

HEALTH AND SAFETY CODE

39640-39642 Vehicle idling, penalties

PENAL CODE

241.3 Assault against school bus driver  
243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle  
545 Definition of school bus  
546 Definition of student activity bus  
1808.8 Dismissal for safety-related cause  
2570-2575 Transportation of students  
125176-12517.4 Certification requirements  
12522 First aid training for school bus drivers  
13370-13371 Suspension or revocation of bus driver certificate  
13376 Driver certificates; revocation or suspension; sex offense prosecution  
22112 School bus signals; roadway crossings  
23123-23125 Prohibitions against use of wireless telephone and text communications while driving; exceptions  
25257-25257.7 School bus equipment  
34501.6 School buses; reduced visibility  
CODE OF REGULATIONS, TITLE 5  
14103 Authority of the driver  
14104 School bus driver instructor  
CODE OF REGULATIONS, TITLE 13  
1200-1228 General provisions, school bus regulations  
1234 Reports regarding school buses and bus drivers  
2480 Vehicle idling  
CODE OF FEDERAL REGULATIONS, TITLE 49  
40.1-40.413 Transportation drug and alcohol testing programs  
382.101-382.605 Controlled substance and alcohol use and testing  
571.222 Federal motor vehicle safety standard #222

*Management Resources:*

DEPARTMENT OF MOTOR VEHICLES PUBLICATIONS

California Commercial Driver Handbook

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PUBLICATIONS

School Bus Driver In-Service Safety Series, October 2011

WEB SITES

California Air Resources Board: <http://www.arb.ca.gov>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

California Department of Motor Vehicles: <http://www.dmv.ca.gov>

California Department of Justice <http://oag.ca.gov>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration:  
<http://www.nhtsa.dot.gov>

Regulation Approved: 10/11/2013

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California