

Regulation 3542: School Bus Drivers

Status: DRAFT

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Authority

Students transported in a school bus or in a **Qualifications**

All drivers employed to operate school buses or student activity buses shall possess, and shall retain in their immediate possession while operating the bus, the following documents: (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

The Superintendent or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an initial certificate to drive a school bus or student activity bus. (Vehicle Code 12517.3)

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 Board policy and the requirements of federal law.

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. (Vehicle Code 1808.8, 13376)

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.

Authority

Students transported in a school bus or 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)

A bus

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

Administrative regulations related to bus driver authority

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

Qualifications, Training and Monitoring

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)

1. A valid driver's license for the appropriate class of vehicle to be driven
1. A certificate which permits the 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 drive a school bus or student activity bus. (Vehicle Code 12517.3)

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

1. First aid practices (Vehicle Code 12522)
1. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)
1. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

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

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)

Responsibilities

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

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 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) **(Vehicle Code 22112)**

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 shall report the following to the Superintendent or designee:

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.

1. The driver shall immediately report all school bus accidents to the California Highway Patrol **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 not limited to, the number of hours on and off duty (13 CCR 1213)**
3. **Any traffic accident involving the bus (13 CCR 1219)**

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

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

1. Recurring and serious student misbehavior
1. Parental and student complaints
4. Traffic violations
5. Consistently late school dismissals which cause transportation delays
6. Overload runs
1. Mechanical or other problems with buses and equipment
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**

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

13 CCR 1200-1294	Motor carrier safety - https://simbli.eboardsolutions.com/SU/yQSHDNRNieMnhAVA3MDcgQ==
13 CCR 1212-1228	School bus driver requirements - https://simbli.eboardsolutions.com/SU/F4wEpay66Fwj3JvJr5QX4A==
13 CCR 1234	Reports regarding school buses and bus drivers - https://simbli.eboardsolutions.com/SU/SQau3DbO6CrkhKYsUmPVoA==
13 CCR 2480	Vehicle idling, limitations - https://simbli.eboardsolutions.com/SU/fsf0ysaXD9tFEJN0131FOw==
5 CCR 14103	Authority of the driver
5 CCR 14104	School bus driver instructor
Ed. Code 39800.5	Qualifications of driver of 15-passenger van
Ed. Code 39830-39842	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
H&S Code 39640-39642	Vehicle idling, penalties
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	Schoolbus drivers; dismissal for safety-related cause
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 415	Definition of motor vehicle
Veh. Code 545	School bus, definition
Veh. Code 546	Definition of student activity bus

Federal References

- 49 CFR 382.101-382.727
- 49 CFR 40.1-40.413
- 49 CFR 571.222

Description

- 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

- Dept. of Motor Vehicles Publication
- Nat'l Highway Traffic Safety Admin. Pub.

Website

Description

- California Commercial Driver Handbook
- School Bus Driver In-Service Safety Series, October 2011

California Air Resources Board -
<https://simbli.eboardsolutions.com/SU/16lVd7MM9WuFABzfzZXyPA==>

Website

California Department of Motor Vehicles -
<https://simbli.eboardsolutions.com/SU/l0fZ9slshVVfMPPxgClslshmou5w==>

Website

National Transportation Safety Board -
<https://simbli.eboardsolutions.com/SU/XoFpw5gksfFWCnsqLJRwww==>

Website

U.S. Department of Transportation, National Highway Traffic Safety Administration -
<https://simbli.eboardsolutions.com/SU/L41plusES8B7xhBk0UUYqoPZQ==>

Website

California Department of Education, Office of School Transportation -
<https://simbli.eboardsolutions.com/SU/BUVwhqXhrozcn9eKo18dw==>

Website

California Attorney General's Office -
<https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>

Website

California Highway Patrol -
<https://simbli.eboardsolutions.com/SU/VrAIT7Su2t1yBbvext1plusdg==>

Cross References

0430

Comprehensive Local Plan For Special Education -
<https://simbli.eboardsolutions.com/SU/v4RslshNgwalreHoj7ZVXWm7w==>

0430

Comprehensive Local Plan For Special Education -
<https://simbli.eboardsolutions.com/SU/9boBGUTIBZ4DgJFW4QQULQ==>

3513.1

Cellular Phone Reimbursement -
<https://simbli.eboardsolutions.com/SU/BpWBRxX7LeLYaEswAZCbqg==>

3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/shlp06OGQEIJcPeXKe3pluA==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/9cYjplusPqlvVli7eaOJH77og==
3516.5	Emergency Schedules - https://simbli.eboardsolutions.com/SU/plusFpbrKLFOWD9KslshU3yRTj7Q==
3540	Transportation - https://simbli.eboardsolutions.com/SU/oHIB8FMU3wvBplusClxqkkoGg==
3540	Transportation - https://simbli.eboardsolutions.com/SU/pjEuL7zEoSZe6Exf5UeCpQ==
3541	Transportation Routes And Services - https://simbli.eboardsolutions.com/SU/pRnghpy2WvRLpluszmg8gC7aw==
3541.1	Transportation For School-Related Trips - https://simbli.eboardsolutions.com/SU/r9ZDPidpU7WAlbw4DmcgKQ==
3541.2	Transportation For Students With Disabilities - https://simbli.eboardsolutions.com/SU/3bYidvdrFaCplusZzQhhXplus2sg==
3541.2	Transportation For Students With Disabilities - https://simbli.eboardsolutions.com/SU/sswtR2ITm2oZ2jw2WQJiQA==
3543	Transportation Safety And Emergencies - https://simbli.eboardsolutions.com/SU/3h3co6oeaQVFPUwobu8KQA==
3580	District Records - https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==
4111	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/4REAQQIwxXgwcOAHPKwPjA==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/x8sXygV8J5UslshmpimkS4osA==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vNtVvfMZsbLOfaouJ74H0g==
4112.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/k3JxZLYs4Qu9bUOSH7p5dg==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/TOwynt27j11e84Ed9go0cQ==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqYgzA==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==
4200	Classified Personnel - https://simbli.eboardsolutions.com/SU/C90JPJ3boOQpjmslshG7vAdEQ==
4200	Classified Personnel - https://simbli.eboardsolutions.com/SU/CqrCbB5TOJA30vio8CB6gQ==
4211	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/1QyhISbz3gqFplusbhfpq4IEQ==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/JwrEm3toQqx4wVyDcBm6Bw==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/w6JNlrrt2PSYipX7plus9i1UQ==

4212.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/AeBTEtGslshWKpwzQnauieUqQ==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/0ZJcXM1TTrTf1O5E1AArg==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/cXGwH831aenCNbQC6jA3hQ==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/9plusF9V6WiAoDtbVijXcJb8Q==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==
4311	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/S1DtM6q4nxCUkFJdgUiurg==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/bslshMGq1I2YgZP7pluspaaHXLeA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/bjHLFe6dTslshJctTxXirH31Q==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/np6PFoVqPCIBtzi2ZLlLg==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/s7slshgH4vgyvIStF0p9iUWHA==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==
5131.1	Bus Conduct - https://simbli.eboardsolutions.com/SU/plus9AfCMLa6PRmXjw9fKtd1A==
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