

## DEPARTMENT OF EDUCATION

### Colorado State Board of Education

## COLORADO RULES FOR THE OPERATION, MAINTENANCE, AND INSPECTION OF SCHOOL TRANSPORTATION VEHICLES

### 1 CCR 301-26

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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#### 1.0 Statement of Basis and Purpose

- 1.1 Colorado law provides for the State Board of Education to adopt and enforce regulations governing the safe operation of school buses and school transportation vehicles used for the transportation of students pursuant to Sections 22-51-108 and 42-4-1904, C.R.S.
- 1.2 The purpose of these rules is to adopt and enforce regulations governing the reasonable and adequate standards of safety for the operation, maintenance, and inspection of school transportation vehicles that promote the welfare of the students and afford reasonable protection to the public. These rules are designed to align with federal laws and standards, state laws and standards, reflect current industry practices, and incorporate recommendations from school districts, charter schools, and service provider transportation professionals.
- 1.3 The Commissioner, or designee, may provide an exemption to the Rules for the Operation, Maintenance, and Inspection of School Transportation Vehicles to the extent the Commissioner finds an exemption to be appropriate.

#### 2.0 Applicability of Rules

- 2.1 These rules and regulations apply to the operation, maintenance, and inspection of all public school transportation conducted by:
- 2.01(a) A school district, charter school, or service provider for routes (home to school, school to school, and school to home); and
- 2.01(b) A school district, charter school, or service provider for activity trips (school- related events);
- 2.01(c) As used in these Rules, "service provider" means a company or individual that exclusively transports students from home to school, school to school, and school-related events that is hired by a school district or charter school.
- 2.2 These rules are not intended to include:
- 2.02(a) Private motor vehicles used exclusively to carry members of the owner's household.
- 2.02(b) Transportation arrangements not authorized by the school district, charter school, or service provider, including but not limited to sharing of actual gasoline expense or participation in a car-pool;
- 2.02(c) The operations of vehicles in bona fide emergencies consistent with policies of the local board of education;

2.02(d) Transportation conducted by an individual for activity trips (school-related events), including parent volunteers and coaches or teachers using a private motor vehicle; or

2.02(e) Transportation provided by a company or individual as part of their operation as a common carrier (RTD, taxi, limousine, etc.) or transportation network company operating pursuant to Section 40-10.1-602, C.R.S, under the jurisdiction of the US Department of Transportation or the Public Utilities Commission; except that such service providers (other than public transit) that are contracted to provide route transportation carrying 12 or more students per route shall comply with these Rules without regard to the operator's status as a common carrier.

**2.3** These rules shall not preclude a school district, charter school, or service provider from establishing a more rigid standard or policy when deemed necessary by the local board of education or service provider.

### **3.0 Non-Compliance**

**3.1** CDE will perform periodic School Transportation Advisory Reviews (STAR) of school districts, charter schools, and service providers to evaluate and assist with compliance with these rules.

3.01(a) CDE will provide school districts, charter schools, and service providers with written notification of the STAR findings.

3.01(b) Upon receipt of the written notification of STAR findings, school districts, charter schools, and service providers shall respond in writing to outline corrective actions if necessary.

**3.2** CDE shall revoke or suspend the certificate for a school transportation annual inspector, school transportation annual inspector hands-on tester, school transportation entry-level driver instructor, CDE ELDT hands-on trainer, or inspection site under the following circumstances:

3.02(a) A school transportation annual inspector, school transportation annual inspector hands-on tester, school transportation entry-level driver instructor, CDE ELDT hands-on trainer, or inspection site does not meet the requirements outlined in these rules; or

3.02(b) School transportation annual inspections, school transportation entry-level driver instruction, or hands-on training and tests have not been properly conducted.

### **4.0 School District, Charter School, and Service Provider Responsibilities**

**4.1** School districts, charter schools, and service providers shall outline job responsibilities and develop job qualification standards for each school transportation vehicle operator and school transportation paraprofessionals, annual inspector, and school transportation entry-level driver instructor, consistent with federal and state regulations. A copy of these requirements shall be provided to each school transportation vehicle operator, annual inspector, school transportation entry-level driver instructor, and paraprofessional upon employment. A signed copy shall also be maintained in the applicable qualification file.

**4.2** School districts, charter schools, and service providers shall maintain separate files for each school transportation vehicle operator, school transportation paraprofessional, school transportation entry-level driver instructor, and school transportation annual inspector with written documentation evidencing all listed requirements indicated in Rule 5.00, Rule 6.00, Rule 7.00, and Rule 8.00, as applicable. Training documentation shall include the trainer's name, date of the training, description of the training, duration of each topic covered, and the signature of all attendees.

- 4.02(a) If a school transportation vehicle operator, school transportation paraprofessional, or school transportation annual inspector works for more than one school district, charter school, service provider, or operator of an inspection site, each employer shall maintain a file with documentation in accordance with this rule.
- 4.3** Pursuant to 49 CFR, Part 382, school districts, charter schools, and service providers shall ensure that all employees required to possess a commercial driver's license (CDL) are enrolled in the Federal Motor Carrier Administration Drug and Alcohol Clearinghouse and in a US DOT-approved drug and alcohol substance abuse testing program. Supervisor Reasonable Suspicion Training is also required.
- 4.4** School districts, charter schools, and service providers shall not permit a school transportation vehicle operator to transport students while the operator's ability or alertness is so impaired, through fatigue, illness, or any other cause, as to make it unsafe for the operator to transport students.
- 4.5** School districts, charter schools, and service providers shall have written emergency procedures and/or contingency plans to be followed in the event of a traffic accident, vehicle breakdown, unexpected school closing, unforeseen route change, or relocation of a student stop in an emergency.
- 4.6** School districts, charter schools, and service providers shall ensure that documentation outlining transportation-related services and requirements, including required use of Child Safety Restraint Systems and medical and behavioral information as it relates to student transportation, is available to applicable school transportation vehicle operators and paraprofessionals prior to providing transportation services.
- 4.06(a) Any paraprofessional assigned to support IDEA-eligible students must be appropriately and adequately prepared and trained to implement relevant provisions of a student's individualized education program, which may include behavioral intervention, Personalized Learning Systems (PLS), or individualized health care plans pursuant to 34 CFR 300.156.
- 4.7** Pursuant to 49 CFR, Part 380, 380.601, effective February 7, 2022, school districts, charter schools, and service providers shall ensure that all entry-level school transportation operators required to possess a commercial driver's license (CDL) receive pre-service training in compliance with the FMCSA theory and behind-the-wheel training curricula via an entity listed on the FMCSA Training Provider Registry (TPR).
- 4.8** Service providers shall register with the Colorado Department of Education, School Transportation Unit, certifying that only school transportation vehicles meeting or exceeding Colorado Minimum Standards will be leased, rented, or used in contracted service to a school district, or charter school, providing transportation from home to school, school to school, and to school-related events in Colorado. There shall be no fee to register. Service providers are required to renew their registration every five years.
- 4.9** School districts, charter schools, and service providers shall require all transportation directors or other supervisory position(s) responsible for direct oversight of any aspects of transportation personnel, training, record keeping, fleet operations and maintenance, general operations, and policies to attend the CDE New to Transportation Class within the first 12 months of employment.
- 4.10** School districts, charter schools, and service providers shall conduct criminal background checks pursuant to Section 22-32-122(4), C.R.S. on all supervisors, trainers, drivers, paraprofessionals, technicians, and dispatchers. Additionally, backgrounds may be checked through driving records and employment history as applicable.

- 4.11 School districts, charter schools, and service providers are encouraged to utilize cameras on school transportation vehicles. When cameras are in use, districts, charter schools, and service providers should develop policies and procedures for reviewing, storing, retaining, and requesting access to the recordings.

## 5.0 School Transportation Vehicle Operations Requirements

- 5.1 School transportation vehicle operators driving any vehicle with a capacity of 16 or greater passengers (counting the driver) shall meet or exceed the following requirements:
- 5.01(a) The operator shall possess a valid commercial driver's license (CDL) with the proper class and endorsement for the size and type of vehicle(s) to be driven and the associated Medical Examination Report required pursuant to the Federal Motor Carrier Safety Regulations, 49 CFR 391.43.
  - 5.01(b) The operator shall be a minimum of 18 years of age.
  - 5.01(c) School districts, charter schools, and service providers shall obtain a motor vehicle record of each operator prior to transporting students and annually thereafter. Upon review, the reviewer shall initial the motor vehicle record.
  - 5.01(d) The operator shall be given and/or have access to the CDE School Bus/Multifunction Bus/Motor Coach Bus Operator Guide prior to transporting students. A copy of the Certificate of Receipt, signed by the operator, shall be placed in the driver qualification file.
  - 5.01(e) The operator shall receive a minimum of six hours of in-service training annually. A portion of this annual in-service requirement may occur during the school year.
  - 5.01(f) The operator shall successfully pass a CDE School Bus/Multifunction Bus/Motor Coach Bus Operator written test for the current school year prior to transporting students and annually thereafter.
  - 5.01(g) The operator shall successfully pass a driver performance test, including a pre-trip inspection, prior to transporting students and annually thereafter. This test shall be conducted in a vehicle that is similar in type and size to the vehicle the applicant is assigned to operate. School districts, charter schools, and service providers have the option to re-test at their discretion.
  - 5.01(h) The operator shall receive pre-service training on the type of vehicle(s) to be driven, the type of duties they may be required to perform, mountain and adverse weather training pursuant to Section 42-4-1902, C.R.S., mandatory reporter training pursuant to Section 22-32-109(1)(z), C.R.S, and student confidentiality laws under Sections 22-1-123 and 22-32-109.3, C.R.S., prior to transporting students.
  - 5.01(i) The operator shall have written documentation evidencing that they have received first aid training, including cardiopulmonary resuscitation and universal precautions, within 90 calendar days after initial employment. If the operator holds a current first aid and cardiopulmonary resuscitation certificate, it will meet the requirements of this section. Operators shall receive first aid training and/or recertification training every two years thereafter

- 5.01(j) The operator shall receive training regarding the proper use of physical restraint and intervention of students, the proper use and maintenance of Child Safety Restraint Systems (CSRS), and proper wheelchair securement when the operator is engaged in transportation involving these systems and devices, prior to transporting students.
- 5.01(k) Effective February 7, 2022, entry-level commercial operators shall have a copy of their training certificate(s) and training syllabus from a training provider listed on the FMCSA Training Provider Registry (TPR) placed in their qualification file, indicating that they have passed all required FMCSA pre-service training.

**5.2** School transportation vehicle route operators (transporting students to and from school or from school to school) driving vehicles with a capacity of 15 or fewer passengers (counting the driver), including Type A Multifunction Bus and Small-Capacity Vehicles, shall meet or exceed the following requirements:

- 5.02(a) The operator shall possess a valid driver's license. A commercial license is not required for this class of vehicle.
- 5.02(b) The operator shall be a minimum of 18 years of age.
- 5.02(c) The operator shall annually complete the CDE Vehicle Operator's Medical Information Form (STU-17). Any yes annotations shall require a doctor's release.
- 5.02(d) School districts, charter schools, and service providers shall obtain a motor vehicle record of each operator prior to transporting students and annually thereafter. Upon review, the reviewer shall initial the motor vehicle record.
- 5.02(e) The operator shall be given and/or have access to the CDE Type A Multifunction Bus/ Small-Capacity Vehicle Route Driver Guide prior to transporting students. A copy of the Certificate of Receipt, signed by the operator, shall be placed in the driver qualification file.
- 5.02(f) The operator shall receive a minimum of six hours of in-service training annually. A portion of this annual in-service requirement may occur during the school year.
- 5.02(g) The operator shall successfully pass a CDE Type A Multifunction Bus/Small-Capacity Vehicle Route Operator written test for the current school year prior to transporting students and annually thereafter.
- 5.02(h) The operator shall pass a driving performance test, including a pre-trip inspection, prior to transporting students and annually thereafter. This test shall be conducted in a vehicle that is similar in type and size to the vehicle the applicant is assigned to operate. School districts, charter schools, and service providers have the option to re-test at their discretion.
- 5.02(i) The operator shall receive pre-service training on the type of vehicle(s) to be driven, the type of duties they may be required to perform, mountain and adverse weather training pursuant to Section 42-4-1902, C.R.S., mandatory reporter training pursuant to Section 22-32-109(1)(z), C.R.S. and student confidentiality laws under Sections 22-1-123 and 22-32-109.3, C.R.S., prior to transporting students.

- 5.02(j) The operator shall have written documentation evidencing that they have received first aid training, including cardiopulmonary resuscitation and universal precautions, within 90 calendar days after initial employment. If the operator holds a current first aid and cardiopulmonary resuscitation certificate, it will meet the requirements of this section. Operators shall receive first aid training and/or recertification training every two years thereafter.
- 5.02(k) The operator shall receive training regarding the proper use of physical restraint and intervention of students, the proper use and maintenance of Child Safety Restraint Systems (CSRS), and proper wheelchair securement when the operator is engaged in transportation involving these systems and devices, prior to transporting students.
- 5.3** School transportation vehicle operators, other than route operators, driving vehicles with a capacity of 15 or fewer passengers (counting the driver), including Type A Multifunction Bus and Small-Capacity Vehicle, shall meet or exceed the following requirements:
- 5.03(a) The operator shall possess a valid driver's license. A commercial license is not required for this class of vehicle.
- 5.03(b) The operator shall be a minimum of 18 years of age.
- 5.03(c) School districts, charter schools, and service providers shall obtain a motor vehicle record of each operator prior to transporting students and annually thereafter. Upon review, the reviewer shall initial the motor vehicle record.
- 5.03(d) The operator shall be given and/or have access to the CDE Type A Multifunction Bus/ Small-Capacity Vehicle Operator Guide prior to transporting students. A copy of the Certificate of Receipt, signed by the operator, shall be placed in the driver qualification file.
- 5.03(e) The operator shall successfully pass a Type A CDE Multifunction Bus/Small-Capacity Vehicle Operator written test for the current school year prior to transporting students and annually thereafter.
- 5.03(f) The operator shall annually complete the CDE Vehicle Operator's Medical Information Form (STU-17). Any yes annotation shall require a doctor's release.
- 5.03(g) The operator shall receive pre-service training on the type of vehicle(s) to be driven, the type of duties they may be required to perform, mountain and adverse weather training pursuant to Section 42-4-1902, C.R.S, mandatory reporter training pursuant to Section 22-32-109(1)(z), C.R.S, and student confidentiality laws under Sections 22-1-123 and 22-32-109.3, C.R.S, prior to transporting students.
- 5.03(h) The operator shall be given and/or have access to first aid information, including cardiopulmonary resuscitation and universal precautions.
- 5.03(i) The operator shall pass an initial driving performance test, including a pre- trip inspection, prior to transporting students. This test shall be conducted in a vehicle that is similar in type and size to the vehicle the applicant is assigned to operate. School districts, charter schools, and service providers have the option to re-test at their discretion.
- 5.03(j) Prior to driving a school transportation vehicle pursuant to Rule 14.11, of these rules, operators shall receive training or provide verifiable experience of towing a trailer.

- 5.03(k) The operator shall receive training regarding the proper use of physical restraint and intervention of students, the proper use and maintenance of Child Safety Restraint Systems (CSRS), and proper wheelchair securement when the operator is engaged in transportation involving these systems and devices before transporting students.
- 5.4** A school transportation paraprofessional is a person assigned to assist a school transportation vehicle operator in controlling behavior of students on the bus and/or ensuring safety of students getting on and off the school transportation vehicle.
- 5.04(a) The school transportation paraprofessional shall possess a state, government, district, charter, or service provider valid photo identification card.
- 5.04(b) The school transportation paraprofessional shall receive pre-service training for the type of duties they may be required to perform prior to assisting with transporting students. This shall include mandatory reporter training pursuant to Section 22-32-109(1)(z), C.R.S. and student confidentiality laws under Sections 22-1-123 and 22-32-109.3, C.R.S.
- 5.04(c) The school transportation paraprofessional shall be given and/or have access to the CDE Colorado School Transportation Paraprofessional Guide prior to assisting with transporting students. A copy of the Certificate of Receipt, signed by the paraprofessional, shall be placed in the paraprofessional qualification file.
- 5.04(d) The school transportation paraprofessional shall annually complete the CDE Vehicle Operator's Medical Information Form (STU-17). Any yes annotations shall require a doctor's release.
- 5.04(e) The school transportation paraprofessional shall have written documentation evidencing that they have received first aid training, including cardiopulmonary resuscitation and universal precautions, within 90 calendar days after initial employment. If the paraprofessional holds a current first aid and cardiopulmonary resuscitation certificate, it will meet the requirements of this section. School transportation paraprofessionals shall receive first aid training and/or re-certification every two years thereafter.
- 5.5** School transportation vehicle operators and school transportation paraprofessionals are required to be able to perform all essential functions including emergency evacuations when transporting students as determined by the school district, charter school, or service provider job qualification standards.
- 5.05(a) The employing school district, charter school, or service provider has the authority to require at any time a medical evaluation of a school transportation vehicle operator or school transportation paraprofessional for any condition that could impair the employee's ability to operate a vehicle safely, assist the student(s) as required by their position, and/or perform other required job duties, and may take appropriate action on the outcome of such evaluation.
- 5.05(b) School transportation vehicle operators and school transportation paraprofessionals that have medical conditions that result in temporary loss of performance abilities shall provide return-to-work documentation from their physician, and any other requirements per school district, charter school, or service provider policy to the employing school district/service provide prior to returning to their assigned duties.
- 5.6** School transportation vehicle operators and paraprofessionals transporting students with special needs, when transportation is listed as a related service per the student's Individual Education Plan (IEP) or 504 Plan, shall meet the following requirements:

- 5.06(a) Federal mandates pursuant to the Individuals with Disabilities Education Act (IDEA) 34 CFR 300.323(d), and the Family Educational Rights and Privacy Act (FERPA) 34 CFR 99.3(a)(1) require transportation staff that have received confidentiality training to receive information regarding transportation as a related service on an IEP or 504 Plan, as well as other pertinent medical or behavioral information.
- 5.06(b) The operator and paraprofessional shall receive pre-service training specific to transporting students with special needs. Training shall include characteristics of disabling conditions, the utilization of required equipment, techniques for behavior modification and de-escalation, and legal requirements related to special education transportation, in addition to district, charter, and service provider policies and procedures before transporting students with special needs.
- 5.06(c) The operator and paraprofessional shall receive training on emergency evacuation procedures for students with special needs and assistive devices.
- 5.06(d) The operator and paraprofessional shall receive training on the operation of the power lift, and the proper placement and securement of a wheelchair or mobility device on the power lift.
- 5.06(e) The operator and paraprofessional shall receive training on selecting the correct securement point(s) on wheelchairs, the proper use of the wheelchair tie-down occupant restraint system (WTORS), the proper use of restraints on students, and the proper use of all Child Safety Restraint Systems (CSRS), including the proper maintenance and storage of all assistive and securement devices.

## **6.0 School Transportation Entry-Level Driver Instructor Requirements**

- 6.1** A CDE school transportation entry-level driver instructor is a person qualified to teach either the theory and/or the behind-the-wheel curriculum, pursuant to 49 CFR, 380, Appendix B, C, and D.
- 6.2** Pursuant to 49 CFR, 380.605, the CDE school transportation entry-level theory instructor shall (1) possess a valid commercial driver's license with a Class B (or higher), School Bus and Passenger endorsements; and (2) have two years of verifiable experience operating a school transportation vehicle requiring a commercial operator's license with a Class B (or higher), School Bus and Passenger endorsements in the State of Colorado.
- 6.02(a) Exception: A theory instructor is not required to hold a CDL of the same (or higher) class, and with all endorsements necessary to operate the CMV for which training is to be provided, if the instructor previously held a CDL of the same (or higher) class and complies with the other requirements set forth in this section.
- 6.3** The CDE school transportation entry-level driver theory instructor shall successfully complete the CDE entry-level theory instructor program initially, and every three years thereafter pass the CDE School Transportation Entry-Level Theory Instructor Recertification Written Test.
- 6.4** Pursuant to 49 CFR, 380.605, the CDE school transportation entry-level behind-the-wheel instructor shall (1) possess a valid commercial driver's license with a Class B (or higher), and School Bus and Passenger endorsements; and (2) have two years of verifiable experience operating a school transportation vehicle requiring a commercial operator's license with a Class B (or higher), and School Bus and Passenger endorsements in the State of Colorado.



- 6.04(a) Exception: A behind-the-wheel instructor who provides training solely on a range that is not a public road is not required to hold a CDL of the same (or higher) class and with all endorsements necessary to operate the CMV for which training is to be provided, as long as the instructor previously held a CDL of the same (or higher) class, and with all endorsements necessary to operate the CMV for which training is to be provided and complies with the other requirements set forth in this section.
- 6.5** The CDE school transportation entry-level driver behind-the-wheel instructor shall successfully complete the CDE entry-level behind-the-wheel instructor program initially, and every three years thereafter, pass the CDE School Transportation Entry-Level Behind-the-Wheel Instructor Recertification Written Test.
- 6.6** If any of the above requirements become invalid, the school transportation entry-level driver theory, and/or behind-the-wheel instructor certificate is invalid until the requirement(s) is made valid.
- 6.7** An entity on the Training Provider Registry shall submit the CDE Entry-Level School Transportation Instructor Recertification Form (STU-5 and STU-6) to CDE, verifying that all applicable instructor requirements have been satisfied. CDE will then re-issue the applicable Instructor Certificate.
- 6.8** If a school transportation entry-level driver instructor has an expired certificate, the certificate can be recertified as follows:
- 6.08(a) If the certificate has been expired less than six months, then the applicable CDE School Transportation Entry-Level Driver Instructor Recertification Written Test(s) is required.
- 6.08(b) If the certificate has been expired between six and 12 months, then the applicable CDE School Transportation Entry-Level Driver Instructor Program Written Test(s) is required.
- 6.08(c) If the certificate has been expired for more than one year, then the instructor must retake and pass the applicable CDE School Transportation Entry-Level Driver Instructor Program(s).
- 7.0 CDE Entry-Level Driver Training (ELDT) Hands-On Trainer**
- 7.1** A CDE ELDT Hands-On Trainer is a person qualified to provide appropriate training and evaluation to prospective School Transportation ELDT Instructor candidates.
- 7.2** CDE ELDT Hands-On Trainers shall meet the following requirements:
- 7.02(a) The CDE ELDT Hands-On Trainer shall have maintained a CDE ELDT Instructor certificate for a minimum of two years.
- 7.02(b) The CDE ELDT Hands-On Trainer shall satisfactorily complete the CDE ELDT Hands-On Trainer instruction class.
- 7.02(c) The CDE ELDT Hands-On Trainer shall train at least two ELDT Trainers every three years or attend a CDE ELDT Hands-On Trainer class to recertify as a CDE ELDT Hands-On Trainer.
- 7.02(d) The CDE ELDT Hands-On Trainer candidate shall submit a CDE Application for Certification or Recertification of CDE ELDT Hands-On Trainer Form (STU-14 New form) verifying that the above criteria have been satisfied. CDE will then issue a CDE ELDT Hands-On Trainer Certificate.

7.3 If any of the above requirements become invalid, the Hands-On Trainer certificate is invalid until the requirement(s) are made valid by retaking the training class listed in 7.02(b).

**8.0 School Transportation Annual Inspector Requirements**

8.1 A school transportation annual inspector is a person qualified to perform annual inspections on a school transportation vehicle to confirm the vehicle complies with CDE regulations.

8.2 School transportation annual inspectors shall meet or exceed the following requirements:

8.02(a) The school transportation annual inspector shall possess a valid driver's license with the proper class and endorsements for the size and type of the vehicle(s) to be inspected.

8.02(b) The school transportation annual inspector shall provide to the school district, charter school, or service provider a Brake Inspector Qualification Certificate Meeting the requirements of the Federal Motor Carrier Safety Regulations, 49 CFR 396.25.

8.02(c) The school transportation annual inspector shall have at least two years of verifiable experience in the maintenance of light, medium, or heavy-duty vehicles.

8.02(d) The school transportation annual inspector shall successfully pass the CDE initial hands-on performance test proctored by a certified school transportation annual inspector hands-on tester.

8.02(e) The school transportation annual inspector shall successfully pass the CDE annual inspector qualification written test initially and every three years thereafter pass a CDE annual inspector recertification written test.

8.02(e)(1) When the test is given in paper format, a representative of the school district, Charter school, or service provider, other than a school transportation annual inspector candidate, shall grade the written test.

8.02(f) The school transportation annual inspector shall have training on the maintenance of electric vehicles prior to inspecting an electric vehicle.

8.3 A school district, charter school, service provider, or operator of an inspection site may submit a CDE application for CDE Annual Inspector Qualification or Recertification form (STU-20) to CDE verifying that the above requirements have been satisfied. CDE will then issue an Annual Inspector Certificate.

8.4 If any of the above requirements become invalid, the annual inspector certificate is invalid until the requirement(s) is made valid.

8.5 If a school transportation annual inspector has an expired certificate, the certificate can be recertified as follows:

8.05(a) If the certificate has been expired for less than six months, then the CDE Annual Inspector Recertification Written Test is required.

8.05(b) If the certificate has been expired between six to 12 months, then the CDE Annual Inspector Qualification Written Test is required

8.05(c) If the certificate has been expired for more than one year, then both the CDE Annual Inspector Qualification Written Test and the CDE hands-on performance test are required.

**9.0 Annual Inspector Hands-On Tester**

**9.1** A School transportation annual inspector hands-on tester is a person qualified to proctor hands-on tests to annual inspector candidates.

**9.2** School transportation annual inspector hands-on testers shall meet or exceed the following requirements:

9.02(a) The School transportation annual inspector hands-on tester shall have a current CDE Annual Inspector certificate and maintained it for a minimum of two years.

9.02(b) The school transportation annual inspector hands-on tester shall have satisfactorily completed a CDE school transportation annual inspector hands-on tester training.

9.02(c) The school transportation annual inspector hands-on testers shall have completed a minimum of four hours of verifiable medium/heavy brake system training in the last three years or have maintained an ASE School Bus or Medium/Heavy Duty Truck or Transit Bus Brake Certification.

9.02(d) The school transportation annual inspector hands-on tester candidate shall submit a CDE Application for the Qualification/Recertification of a CDE Annual Inspector Hands-On Tester Form (STU-30) verifying that the above criteria have been satisfied. CDE will then issue an Annual Inspector Hands-On Tester Certificate.

9.02(e) The school transportation annual inspector hands-on tester shall conduct at least two hands-on tests every three years or attend a CDE school transportation annual inspector hands-on recertification training to recertify as a school transportation annual inspector hands-on tester.

**9.3** If any of the above requirements become invalid, the hands-on tester certificate is invalid until the requirement(s) is made valid by retaking the tester training class in Rule 9.02(b), of these rules.

**10.0 Pre-trip/Post-trip Vehicle Inspections**

**10.1** Each school transportation vehicle shall have a daily pre-trip and post-trip inspection performed and documented by the school transportation vehicle operator or other transportation employee authorized by the school district, charter school, or service provider. A daily pre-trip inspection shall be completed prior to a vehicle being placed in service. A daily post-trip inspection shall be completed at the end of the daily operation of each vehicle.

**10.2** The pre-trip and post-trip inspection requirements for school transportation vehicles, other than small-capacity vehicles, shall include, at a minimum, all items listed on the CDE School Transportation Vehicle (School Bus/Multifunction Bus/Motor Coach Bus) – Pre-Trip and Post-Trip Requirements Form (STU-9).

**10.3** The pre-trip and post-trip inspection requirements for school transportation small- capacity vehicles shall include, at a minimum, all items listed on the CDE School Transportation Vehicle (Small-Capacity Vehicle) - Pre-Trip and Post-Trip Requirements Form (STU-8).

**10.4** School districts, charter schools, and service providers shall have a procedure in place to verify that students are not left on an unattended school transportation vehicle.

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**11.0 Inspection Site Certification**

**11.1** A CDE Inspection Site Certificate is required at each facility/location where annual inspections for school transportation vehicles are performed.

**11.2** The inspection site shall meet or exceed the following criteria to acquire and maintain an inspection site certificate:

11.02(a) The inspection site shall be large enough to accommodate the vehicle, equipment, and tools necessary to perform the inspection.

11.02(b) The inspection site shall have a floor surface or pad adequate to safely support the maximum weight of the largest vehicle to be inspected.

11.02(c) The inspection site shall have adequate lighting and ventilation.

11.02(d) The inspection site or inspector shall, at the time of inspection, have the equipment and tools necessary to properly complete the annual inspection.

11.02(e) The inspection site or inspector shall have tools designed and calibrated to take accurate readings of appropriate measurements, such as brakes and tires.

**11.3** The operator of an inspection site shall submit a request for an inspection site certificate on the CDE Application for Inspecting Site Certification Form (STU-22) that the above criteria have been satisfied.

**11.4** The operator of an inspection site shall post the CDE Inspection Site Certificate at the inspection site.

**12.0 Annual Inspection**

**12.1** School districts, charter schools, and service providers shall ensure all school transportation vehicles and trailers, pursuant to Rule 14.11, of these rules, have a CDE annual inspection conducted by a CDE-certified annual inspector prior to transporting students and annually thereafter.

12.01(a) Recently purchased school transportation vehicles shall successfully pass a CDE annual inspection prior to transporting students, and then annually thereafter.

**12.2** Annual inspection results shall be documented on the CDE Affidavit of Annual Inspection for School Transportation Vehicles Form (STU-25).

12.02(a) A copy of the current Affidavit must be maintained inside the vehicle, and a copy must be placed in the vehicle file.

**12.3** All annual inspection criteria of school transportation vehicles must meet or exceed the manufacturer's specifications. The annual inspection shall be documented and shall include, at a minimum, all fields listed on the CDE Annual Inspection and Preventive Maintenance Requirements Form (STU-26).

**12.4** All annual inspection criteria of trailers must meet or exceed the manufacturer's specifications and shall include, at a minimum, all fields listed on the CDE Trailer Annual Inspection and Preventive Maintenance Requirements Form (STU-27).

- 12.5** During the annual inspection, all four wheels shall be pulled for a full inspection of the foundation brake system. The three exceptions are:
- 12.05(a) School transportation vehicles with less than 4,000 miles since the previous annual inspection shall have two wheels (one front and one rear) pulled that are different from those pulled for the previous inspection.
- 12.05(b) School transportation vehicles equipped with a retarder meeting the definition outlined in 1 CCR 301.25 Rule 7.18, shall have two wheels (one front and one rear) pulled that are different from those pulled for the previous inspection.
- 12.05(c) Trailers shall have 50% of the wheels pulled different from those pulled for the previous inspection.
- 13.0 Maintenance and Repair**
- 13.1** School districts, charter schools, and service providers must ensure all school transportation vehicles are systematically inspected, maintained, and repaired by a qualified mechanic to ensure that school transportation vehicles are in safe and proper operating condition.
- 13.2** School districts, charter schools, and service providers shall have a system to document preventative maintenance, reported defects, and repairs made to school transportation vehicles.
- 13.3** School districts, charter schools, and service providers shall maintain separate files for each school transportation vehicle with documentation of all annual inspections, all preventative maintenance, and all reported damage, defects, or deficiencies and the corresponding repair and maintenance performed.
- 13.4** Any identified damage, defect, or deficiency of a school transportation vehicle must be reported to the school district, charter schools, or service provider if it:
- 13.04(a) Could affect the safety of operation of the school transportation vehicle;
- 13.04(b) Could result in a mechanical breakdown of the school transportation vehicle;
- 13.04(c) Results in noncompliance with Colorado Minimum Standards Governing School Transportation Vehicles (1 CCR 301-25) and/or manufacturer's specifications.
- 13.5** Documentation for reported defects must include all the following:
- 13.05(a) The name of the school district, charter school, or service provider;
- 13.05(b) Date and time the report was submitted;
- 13.05(c) All damage, defects, or deficiencies of the school transportation vehicle;
- 13.05(d) The name of the individual who prepared the report.
- 13.6** Following a reported damage, defect, or deficiency of a school transportation vehicle, school districts, charter schools, and service providers or a representative agent must repair the reported damage, defects, or deficiencies or document that no repair is necessary, ensuring that the vehicle is in safe and proper operating condition prior to transporting students.

- 13.7** School districts, charter schools, and service providers shall not transport students in a school transportation vehicle that is not in safe and proper operating condition. A school transportation vehicle shall be designated as “out-of-service” by a school district, charter schools or service provider, a school transportation annual inspector, or the CDE School Transportation Unit.
- 13.07(a) Any school transportation vehicle discovered to be in an unsafe condition while being operated on the highway, roadway, or private road may be continued in operation only to the nearest place where repairs can safely be affected. Such operation shall be conducted only if it is less hazardous to the public than to permit the vehicle to remain on the highway, roadway, or private road.
- 13.8** Following a school transportation vehicle being placed “out-of-service,” a school district, charter school, service provider, or a representative agent must make required repairs, ensuring that the vehicle is in safe and proper operating condition prior to transporting students. In the event of being placed “out-of-service” during an annual inspection, the school transportation vehicle must successfully pass a CDE annual inspection prior to transporting students.
- 13.9** The preventative maintenance inspection on air drum brake systems shall include, at a minimum, that the brake rod travel has been measured and documented. The applied pressure method shall be used.
- 13.09(a) The inspection interval shall not exceed 4,000 miles for buses equipped with a manual slack adjuster air brake system.
- 13.09(b) The inspection interval shall not exceed 6,000 miles for buses equipped with an automatic slack adjuster air brake system.
- 13.10** The preventive maintenance inspection interval of air disc brake systems shall not exceed 6,000 miles and shall include, at a minimum; inspection and documentation of:
- 13.10(a) The pad thickness by checking the mechanical wear indicators.
- 13.10(b) The visible part of the rotors for cracks, excessive wear, damage, etc.
- 13.10(c) The running clearance. If the caliper has no movement or appears to move greater than the distances indicated by the manufacturer, then a full wheel removal inspection will be necessary.
- 13.11** The preventive maintenance inspection interval of hydraulic brake systems shall not exceed 6,000 miles and shall include, at a minimum, inspection and documentation of:
- 13.11(a) Proper parking brake operation;
- 13.11(b) Proper brake fluid level and clarity;
- 13.11(c) Adequate pedal reserve;
- 13.11(d) Proper hydraulic/vacuum assist operation; and
- 13.11(e) Visual inspection for brake fluid leakage.
- 13.12** If brake adjustment or repair is needed, the work shall be completed by or supervised by a DOT or equivalent qualified brake inspector, meeting the requirements of the Federal Motor Carrier Safety Regulations, 49 CFR 396.25.

- 13.13** If maintenance or repair work is needed on an electric vehicle, the work shall be completed by or supervised by a qualified mechanic with appropriate training in the maintenance and repair of electric vehicles.
- 14.0 Operation of a School Transportation Vehicle**
- 14.1** A school transportation vehicle shall not be operated in a manner that is unsafe, likely to cause an accident, or likely to damage the vehicle.
- 14.2** A school transportation vehicle shall not be placed in motion on a roadway, highway, or private road with the passenger entry door/service door open.
- 14.3** A school transportation vehicle's headlights shall be activated while the vehicle is in operation.
- 14.4** A school transportation vehicle shall not be fueled while students are on board, except in instances when unloading the students would present a greater hazard or peril to their safety.
- 14.5** Use of tobacco products as defined in Section 18-13-121(5), C.R.S., use or possession of illegal controlled substances, use or possession of alcohol, and use or possession of marijuana or cannabinoid product, except as otherwise allowed by law, aboard any school transportation vehicle shall be prohibited at all times.
- 14.6** A school transportation vehicle operator shall not consume food unless the vehicle is stopped at a safe location with the park/emergency brake set.
- 14.7** When a school transportation vehicle is equipped with a roof-mounted strobe lamp, the use of the strobe lamp is permitted only when the vehicle presents a hazard to other motorists, such as loading or unloading students in inclement weather, or to enhance the visibility of the vehicle when barriers inhibit such visibility.
- 14.8** A school transportation vehicle operator may use the strobe, in addition to the four-way hazard lamps, to warn other motorists that the vehicle is not in motion or is being operated at a speed of 25 miles per hour or less.
- 14.9** The school transportation vehicle operator shall use extreme caution when backing. Before backing on a roadway, highway, or private property, the horn or audible warning device shall be sounded, and four-way hazard lamps actuated or there shall be a person outside the vehicle giving direction.
- 14.09(a) Backing a school transportation vehicle when students are outside of the vehicle at a student stop is prohibited.
- 14.10** A Type A, B, C, and D School Bus, Multifunction Bus, and Motor Coach Bus shall not be operated with a trailer or other vehicle attached while students are being transported.
- 14.11** School transportation small-capacity vehicles, with a manufacturer-assigned capacity of 12 or fewer passengers (counting the driver), may tow trailers while students are being transported to the extent that trailering is a necessary component of a school district or charter school sponsored program.

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**15.0 Authorized Passengers**

- 15.1** Only school district, charter school, or service provider personnel; students enrolled in a school district or charter school; law enforcement officials; or individuals that have received prior authorization from the school district, charter schools, or service provider may be passengers on any school transportation vehicle.
- 15.2** The number of passengers transported on any school transportation vehicle shall not exceed the maximum seating capacity of the vehicle. Small vehicle capacity shall not exceed the number of safety belts as designed by the vehicle manufacturer.
- 15.3** Passengers shall not be permitted to stand in any school transportation vehicle while the vehicle is in motion. This does not preclude authorized persons (such as school transportation paraprofessionals) from completing their duties as required.
- 15.4** School districts, charter schools, and service providers shall consider the size of the passengers when determining the number of passengers that can safely occupy a school transportation vehicle seat.

**16.0 Safety Restraints**

- 16.1** A school transportation vehicle operator shall have the safety belt fastened, worn correctly, and properly adjusted prior to the school transportation vehicle being placed in motion.
- 16.2** All passengers in a school transportation vehicle under 10,000 lbs. GVWR shall have their safety belts fastened, worn correctly, and properly adjusted prior to the school transportation vehicle being placed in motion.

**17.0 Transportation of Miscellaneous Items**

- 17.1** A school transportation vehicle operator shall ensure that all carry-on items are properly handled to minimize the danger to all others.
- 17.2** All baggage, articles, equipment, or medical supplies (except those held by individual passengers) shall be secured in a manner that assures unrestricted access to all exits by occupants, does not restrict the driver's ability to operate the bus and/or protects all occupants against injury resulting from falling or displacement of any baggage, article, or equipment. Oxygen cylinders meet this standard if they are both medically necessary and/or secured to a wheelchair, and shall be considered to comply with this subsection, provided they do not impede access to any exit. School districts, charter schools, and service providers shall use reasonable care in determining the number of cylinders that may be safely transported at one time.
- 17.3** All chemicals and cleaning supplies carried on a school transportation vehicle must meet the following precautions:
- 17.03(a) Container is non-breakable;
  - 17.03(b) Container is labeled with contents;
  - 17.03(c) Pressurized aerosols are prohibited;
  - 17.03(d) Container is secured in a bracket, or in a closed compartment in the driver's area or a compartment on the exterior of the bus; and
  - 17.03(e) Containers and quantities of products are no more than 32 ounces in size.



**17.4** Interior decorations shall not be located within the driver's area (including the space in front of the front barriers, the step-well, dash, walls and ceiling, the windshield, the entry door, the driver's side window, and all windows in front of the front barrier), the first two passenger windows on both sides of the vehicle or all windows on the rear of the vehicle. Other decorations within the passenger compartment shall not:

17.04(a) Cover any required lettering;

17.04(b) Impede the aisle or any emergency exit;

17.04(c) Hang from the walls and/or ceiling.

**17.5** Per the effective date of these rules, school transportation vehicles owned or leased by the district, charter school, and service provider that are used for student transportation shall not have the windows obstructed in any way by advertising, decorations, or vehicle wraps.

17.05(a) Exception: Tint applied by the vehicle manufacturer to industry standards.

17.05(b) Exception: Route identification is permitted per Rule 17.04 of these rules.

**18.0 Maximum Driving Time for School Transportation Vehicle Operators**

**18.1** School transportation vehicle operators, including small-capacity vehicle operators, shall not drive (nor shall the school districts, charter schools, or service providers permit or require operators to drive):

18.01(a) In excess of 10 hours or after being on-duty 14 hours until completing 10 hours off-duty. This would include on-duty time for all employers. Ten hours off-duty may be consecutive or accumulated in two or more periods of off-duty time, with one period having a minimum of six consecutive hours off-duty.

18.01(b) After being on-duty for more than 70 hours in any seven consecutive days.

18.01(c) In case of emergency, an operator may complete the trip without being in violation if such a trip reasonably could have been completed absent the emergency.

**18.2** In lieu of section 18.00 of these rules, a school district, charter school, or service provider may comply with the Federal Motor Carrier Safety Regulations, 49 CFR 395.

**18.3** Definitions:

18.03(a) Day - Means any 24-consecutive hour period beginning at the time designated by the school district, charter school, or service provider.

18.03(b) On-duty time - Includes all time worked for all employers, including all driving and non-driving duties.

18.03(c) Off-duty time - School transportation vehicle operators may consider waiting time (whether compensated time or not) at special events, meal stops, and school related events as off-duty if the following criteria are met:

18.03(c)(1) The operator shall be relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and students, and

18.03(c)(2) The operator shall be at liberty to pursue activities of his/her choice, including leaving the premises on which the bus is located.

**18.4** All school transportation vehicle operators shall document that they are in compliance with this section, hours of service.

18.04(a) An operator's daily log, or equivalent, shall be completed for the trip in the operator's own handwriting when the trip requires a scheduled or unscheduled overnight stay away from the work reporting location.

**19.0 Route Planning - Student Loading and Discharge**

**19.1** School transportation small-capacity vehicles, Type A Multifunction Buses, and School Buses (Types A, B, C, and D) may be used to transport students. Multifunction Buses Type B, C, D, and Motor Coach Buses shall not be used to transport students to and from school.

**19.2** The location of student stops shall consider factors including:

19.02(a) Ages of the students;

19.02(b) Visibility;

19.02(c) Lateral clearance;

19.02(d) Student access; and

19.02(e) Control of other motorists

19.02(e)(1) Student stops for Type A Multifunction Buses and school transportation small-capacity vehicles should be located off the roadway whenever possible.

**19.3** School transportation vehicle operators shall stop at least 10 feet away from students at each designated stop. The school transportation vehicle operator shall apply the parking brake and shift the vehicle into neutral or park prior to opening the service door of a bus or the passenger door(s) of a small-capacity vehicle.

**19.4** The school transportation vehicle operator shall stop as far to the right of the roadway, highway, or private road as possible before discharging or loading passengers - allowing sufficient area to the right and front of the vehicle but close enough to the right to prevent traffic from passing on the right - so that students may clear the vehicle safely while in sight of the operator.

19.04(a) Exception: The school transportation vehicle operator may block the lane of traffic when passengers being received or discharged are required to cross the roadway.

**19.5** Student stops shall not be located on the side of any major thoroughfare whenever access to the destination of the passenger is possible by a road or street which is adjacent to the major thoroughfare.

**19.6** School districts, charter schools, and service providers shall ensure that if students are required to cross a roadway, highway, or private road on which a student stop is being performed, they are prohibited from crossing a roadway, highway, or private road constructed or designed to permit three or more separate lanes of vehicular traffic in either direction or with a median separating multiple lanes of traffic.

**19.7** Four-way hazard lamps shall be used on private property such as parking lots.

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- 19.8** Alternating flashing red warning signal lamps shall not be activated within 200 feet of an intersection if the intersection is controlled by a traffic control signal.
- 19.9** Routes shall be planned as to:
- 19.09(a) Eliminate, when practical, railroad crossings; and
- 19.09(b) Have stops be a minimum of 200 feet apart (since alternating flashing amber warning signal lamps must be activated a minimum of 200 feet in advance of the stop on the roadway on which the bus stop will be performed).
- 19.09(b)(1) Exception: In areas where wildlife may create a high risk of threat to students' safety while they are waiting and/or walking to a student stop, designated stops may be less than 200 feet apart upon detailed written approval by the school district board of education or governing body of a charter school (or the board's designee). A copy of the written approval shall be kept in the school transportation office, and route operators shall be given written notice of the exception and have it indicated on route sheets.
- 19.10** In determining the length of routes, school districts, charter schools, and service providers must make an effort to minimize student ride times while considering student educational needs, geographic boundaries, terrain, traffic congestion, and financial resources within the district. A local board of education, or the governing body of a charter school, may establish a maximum student ride time.
- 19.11** Pursuant to Section 42-4-1903(2), C.R.S., school transportation vehicle operators are not required to actuate the alternating flashing red warning signal lamps on a school bus:
- 19.11(a) When the student stop is at a location where the local traffic regulatory authority has by prior written designation declared such actuation unnecessary and no passenger is required to cross the roadway; or
- 19.11(b) When discharging or loading passengers who require the assistance of a lift device and no passenger is required to cross the roadway.
- 19.11(c) Further, Type A Multifunction Buses and school transportation small- capacity vehicles do not have the functionality to control traffic. In these instances, the school transportation vehicle operator shall stop as far to the right off the roadway as possible to reduce obstruction to traffic, activate the four-way hazard warning lamps a minimum of 200 feet prior to the student stop, continue to display the four-way hazard warning lamps until the process of discharging or loading passengers has been completed, and deactivate the four-way hazard lamps before resuming motion. Students are prohibited from crossing any lanes of traffic to access the student stop or after disembarking.
- 19.12** School transportation vehicle operators shall not relocate a student stop without the approval of the school district, charter school, or service provider.
- 19.13** Pursuant to Section 42-4-707, C.R.S., school transportation vehicle operators of School Buses, Multifunction Buses, and Motor Coach Buses, whether transporting students or not, shall apply the following procedures during the process of approaching, stopping, and crossing railroad tracks:
- 19.13(a) Activate the four-way hazard lamps not less than 200 feet from the railroad crossing to alert other motorists of the pending stop for the crossing;

- 19.13(b) Stop the bus within 50 feet but not less than 15 feet from the nearest rail of the railway;
- 19.13(c) When stopped, the bus shall be as far to the right of the roadway as possible and shall not form two lanes of traffic unless the highway is marked for four or more lanes of traffic; and
- 19.13(d) Use a prearranged signal to alert students to the need for quiet aboard the bus when approaching railroad tracks. Turn off all noise- making equipment (fans, heater, radio, etc.)
- 19.14** After quietness aboard the stopped bus has been achieved, bus operators shall open the service door and operator window. The bus operator shall listen and look in both directions along the track(s) for any approaching train(s) and for signals indicating the approach of a train or on-track equipment.
- 19.14(a) If the tracks are clear, the bus operator shall close the service door and may then proceed in a gear low enough to permit crossing the tracks without having to manually shift gears. The bus operator shall cancel the four-way hazard lamps after the bus has cleared the tracks.
- 19.14(b) When two or more tracks are to be crossed, the bus operator shall not stop a second time unless the bus is completely clear of the first crossing, with at least 15 feet clearance in the front and at least 15 feet clearance to the rear.
- 19.14(c) Before crossing the tracks, the bus operator shall verify that there is enough space after the tracks for the bus plus 15 feet if it is necessary to stop after crossing the tracks.
- 19.15** School transportation vehicle operators of School Buses, Multifunction Buses, and Motor Coach Buses are not required to stop at crossings controlled:
- 19.15(a) Only by a red, amber, or green traffic control signal when it is in the green position,
- 19.15(b) Or when the crossing is controlled by a police officer or human flag person,
- 19.15(c) Or when the crossing is marked with an official "exempt" sign placed on the railroad crossing light post or cross bucks post.
- 20.0 Emergency Evacuation Drills**
- 20.1** Emergency evacuation drills shall be conducted with students by all school transportation vehicle route operators, excluding small-capacity vehicle operators as defined in 1 CCR 301-25, and school transportation paraprofessionals at least twice during each school year.
- 20.01(a) One drill shall be conducted in the fall, and the second drill conducted in the spring.
- 20.01(b) Substitute and Multifunction operators shall be trained on how to conduct emergency evacuation drills.
- 20.2** Students on school-related events shall receive emergency evacuation instructions prior to every initial departure.

**20.3** School districts, charter schools, and service providers shall maintain records documenting that the required evacuation drills were conducted and/or evacuation instruction was given.

**21.0 Incorporation by Reference**

21.1 The foregoing rules incorporate by reference several sections and appendices from the Federal Motor Carrier Safety Regulations, 49 CFR, Parts 380, 382, 391, 395, and 396 (as codified as of June 30, 2024). They also incorporate by reference select sections of Volume 34 of the Code of Federal Regulations. The foregoing rules do not incorporate by reference any later amendment or editions to the Federal Motor Carrier Safety Regulations or to the cited sections of 34 C.F.R. The Federal Motor Carrier Safety Regulations and the cited sections of 34 C.F.R. are available at <https://www.ecfr.gov/>. They are also available for public inspection during regular business hours from the Colorado Department of Education, 201 E. Colfax Ave., Denver, Colorado 80203.

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**Editor's Notes**

**History**

Entire rule eff. 07/01/2009.

Entire rule emer. rule eff. 07/07/2016; expired 11/04/2016.

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