School Bus Drivers

In order to provide a safe and efficient student transportation service, the district may employ its own school bus or student activity bus drivers or may contract with an agency that provides such transportation service. Such school bus or student activity bus drivers shall be required to comply with Board Policy 3540 - Transportation and other applicable district policies and regulations.

Qualifications

All drivers employed to operate a school bus or student activity bus shall: (Education Code 39877, 39878)

1. Hold a valid California driver's license for the appropriate class of vehicle

2. Be at least 18 years of age

3. Pass a criminal background check, including fingerprint clearance consistent with Education Code 45125 for district employees and Education Code 45125.1 for all other compensated drivers

4. Have a satisfactory driving record that does not include any of the following:

    a. Within three years, has committed any violation that results in a conviction assigned a violation point count of two or more, as defined in Vehicle Code 12810 and 12810.5

    b. Within three years, has had driving privilege suspended, revoked, or on probation for any reason involving the unsafe operation of a motor vehicle

    c. Has been determined by the Department of Motor Vehicles (DMV) to be a negligent or incompetent operator

5. Not have demonstrated irrational behavior to the extent that a reasonable and prudent person would have reasonable cause to believe that the driver's ability to perform the duties of a driver may be impaired

6. Not have been convicted of an offense listed in Vehicle Code 13370(a)(1), (a)(5) or (b)

7. Provide the district or the private entity contracting with the district a report showing the driver's current public record as recorded by the DMV and participate in the DMV's pull-notice system

8. Comply with the district's drug and alcohol testing in accordance with Administrative Regulation 4112.42 - Drug and Alcohol Testing for School Bus Drivers, subject to the

cannabis discrimination limitations specified in Government Code 12954

9. Complete a medical examination not more than two years prior to the driver performing student transportation by a qualified health professional

    a. The driver shall provide a copy of the medical certificate to the district or the private entity contracting with the district

    b. The driver shall complete a medical examination pursuant to this paragraph every two years after the initial examination and provide a copy of the medical examiner's certificate of clearance to the district or the private entity contracting with the district

    c. Within the same month of reaching age 65 years, and annually thereafter, the driver shall undergo a medical examination and provide a copy of the medical examiner's certificate of clearance to the district or the private entity contracting with the district

10. Submit and clear a tuberculosis risk assessment pursuant to Education Code 49406

Additionally, all drivers employed to operate school buses or student activity buses shall possess and retain in their immediate possession while operating the bus, a certificate issued by the California Highway Patrol (CHP) which permits the operation of school buses or student activity buses, as applicable. (Vehicle Code 12517, 12517.4)

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. (13 CCR 1234)

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

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. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

2. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

3. The district's Transportation Safety Plan

   All drivers employed to operate school buses or student activity buses shall complete training at least equivalent to the American Red Cross first aid training program or hold a valid and current first aid certificate issued by the American Red Cross or equivalent. Additionally, all drivers shall complete training sufficient to gain proficiency in all of the following: (Education Code 39877, 39878)

   a. Pretrip vehicle inspections

   b. Safe loading and unloading of passengers

   c. Proper use of seatbelts and child safety restraints

   d. Handling accidents, incidents, and emergency situations

   e. Providing proper accommodations for students with disabilities

   f. Defensive driving

   g. Operations in inclement weather

   h. Operations at night or under impaired visibility conditions

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)

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

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

Responsibilities

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

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)

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 Administrative Regulation 3543 - Transportation Safety and Emergencies.

All drivers employed to operate school buses or student activity buses shall not drive for more than 10 hours within a work period, or after the end of the 16th hour after coming on duty following eight consecutive hours off duty. Additionally, drivers shall maintain a daily log sheet and complete the daily pretrip inspection of the vehicle before the vehicle is driven. The pretrip inspection shall include a check of the vehicle for fluid leaks and the operability of all lights and the brakes, each of which shall be initialed by the driver. (Education Code 39877, 39878)

The driver shall report at the completion of each day's work on each vehicle operated by the driver, all of the following to the Superintendent or designee:

1. The condition of the driver's bus at the completion of each workday (13 CCR 1215; 49 CFR 396.11, 396.13)

2. The driver's 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 driver's bus (13 CCR 1219)

   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 driver's employer. (13 CCR 1219)

4. Traffic violations by the driver

5. Consistently late school dismissals which cause transportation delays for the driver's bus

6. Overload runs by the driver

7. Recurring and serious student misbehavior on the driver's bus

8. Parent/guardian and student complaints regarding the driver or related to the driver's bus

Vehicle Idling

The driver of a school bus or student activity bus shall do both of the following: (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, all of the following 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 all of the following: (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

5. School bus accident reports

   A report of each accident that occurred on public or private property involving a school bus with students aboard, including pertinent details of the accident, shall be retained for 12 months from the date of the accident. If the accident was not investigated by CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five business days of the date of the accident.

State	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 driver
5 CCR 14104	School bus driver instructor
Ed. Code 39800.5	Qualifications of driver of 15-passenger van
Ed. Code 39830-39843	School buses
Ed. Code 39875-39882	Compensated driver requirements
Ed. Code 40080-40090.5	Training required to obtain or renew bus driver certificate
Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime

Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 49406	TB risk assessment
Ed. Code 56195.8	Adoption of policies
Gov. Code 12954	Employment discrimination; cannabis use
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 12810	Traffic violation point counts; allocation of points
Veh. Code 12810.5	Traffic violation point count; number for presumption of negligent operation; proof of financial responsibility
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 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 34500-34520.5	Safety regulations
Veh. Code 415	Definition of motor vehicle
Veh. Code 545	School bus; definition
Veh. Code 546	Definition of student activity bus
Federal	**Description**
49 CFR 382.101-382.727	Controlled substance and alcohol use and testing
49 CFR 396.1-396.25	Inspection, repair, and maintenance
49 CFR 40.1-40.413	Procedures for transportation workplace drug and alcohol testing programs
49 CFR 571.222	Federal motor vehicle safety standard #222