PARTICIPANT HANDBOOK

Texas School Bus Driver Recertification Course

TEXAS DEPARTMENT OF PUBLIC SAFETY

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Module 1—Introduction and Overview

Overview

Introduction

This module provides a basic overview of the Texas School Bus Driver Recertification Course, discusses the mission of a bus driver, and explains the role each individual driver plays in achieving that mission.

Topics Covered in This Module

This module covers the following topics:

- course operation and subjects covered,
- why drivers take this recertification course, and
- the mission and role of school bus drivers.

Course Operation

This recertification course requires at least 8 class hours. In some cases, the course might also include hands-on driving experience. Course material in this course is divided into eight modules, which are flexible enough to be taught in a variety of scheduling arrangements. Each instructor will determine the most appropriate schedule for a specific class and will explain the schedule of the course.

This course includes a pretest section that helps instructors decide which topics need the most emphasis based on participant knowledge levels. Instructors might ask participants to complete the pretest once at the beginning of the course, or they might ask participants to answer pretest questions during each class session. Even though the pretest contains the word “test” in the name, it is simply a method for instructors to make the best use of their time and cover course topics in the most effective way.

Why You Are Taking This Course

Required Recertification

It's the Law!

TRC §521.022

See Appendix A

State law requires that Texas school bus drivers take an approved recertification course every 3 years. Module 2 outlines other ongoing conditions you must meet to continue as a school bus driver once you have qualified and been hired. Each employer or district may have employee requirements for continued employment as a school bus driver.

In addition to the legal requirement for recertification, however, there are other vital reasons for school bus drivers to take this driver recertification course. The following sections outline some of these reasons.

Failure to Retain Knowledge

People fail to retain information. Learning styles vary, but most people are not able to learn everything presented to them in one instructional setting. Therefore, drivers in the initial certification course or previous recertification courses might not have absorbed all the necessary information. And it is certainly no secret that people forget much of what they learn, so a refresher course is helpful in reinforcing information or reminding drivers of material from previous sessions.

Your Attitude Is Important!

Your attitude can set the stage for how things go on the school bus and throughout a student's day. It affects every part of your role as driver—safety, efficiency, and caring.

Updated Information

In our ever-changing information age, new information becomes available every day. Technology and circumstances change quickly in today's society. Over a period of 3 years since your last course, chances are good that updated information has emerged regarding bus design, traffic control technology, legal requirements, or other changes relevant to school bus drivers. This recertification course provides an opportunity for you to become up to date on the latest information.

Complacency

Complacency sets in, often unnoticed. It is natural for people to become complacent about routine activities. Because of the crucial nature of a bus driver's mission and role, however, complacency can put lives at risk. This recertification course reminds drivers that they need to remain attentive and responsive to their role of providing

safe, efficient, and caring transportation for the school children of Texas.

Subjects Covered by This Recertification Course

This recertification course provides participants with updated information and reminders on the main subjects that school bus drivers need to know. It covers relevant laws, information about buses, techniques for driving defensively, student management, rules and best practices for loading and unloading passengers, tips to avoid collisions, and procedures for emergency evacuations. It also gives information about the driver record evaluation system for remaining qualified to drive a school bus.

For more information on topics this course will cover, read through the table of contents in this handbook. Check with your district to see if you are required to take additional training.

Your Role as a School Bus Driver

As a school bus driver, you contribute to the overall mission to provide safe, efficient, and caring transportation for the school children of Texas. Your day-to-day role is to:

- maintain and drive your vehicle in a safe manner,
- treat students and other passengers in a courteous and competent manner,
- know how to handle routine and emergency situations correctly and legally,
- display dependable work habits,
- maintain a good attitude and handle stress responsibly, and
- interact with your employing school district as appropriate.

Take Pride in Your Work!

Statistics show that school buses are the safest form of highway transportation in the nation.

Safety

- *Mechanical*. To be safe, all parts of your bus must be in good working order. Other modules in this course will cover ways to verify the mechanical condition of your vehicle, including pre-trip and post-trip inspections.
- *Behavioral*. The behavior and attitudes of both drivers and passengers affect safety. As a bus driver, your attitude can positively or negatively affect your driving ability and the behavior of your passengers. To achieve safe travel, it is

important that a driver manage student behavior effectively. Managing student behavior is a topic covered later in this course.

- *Travel*. Following laws and regulations is vital to safe transportation. Beyond laws and regulations, however, are courteous driving and defensive driving. Legal, courteous, and defensive driving all contribute to the safety of school bus transportation.
- *Many other factors.* Other factors contribute to safe driving. For example, knowing your route helps you concentrate on your driving so you can be a safer driver. Knowing the features of your bus contributes to safety. Being well rested, mentally alert, and free of alcohol and drugs makes you physically fit to safely operate the bus. Take time before your trip, during your trip, and after your trip to ensure safe travel for you, your passengers, and other travelers on the road.

Efficiency

Efficiency is generally understood as a balance of effectiveness and resource use. Many of the same factors that contribute to safety also contribute to efficiency. For example, a well-maintained, working vehicle is efficient because it makes a trip with the least wear and tear on its parts. Knowing your route and using all the features of your bus effectively produce an efficient trip because you can make the trip with as little stress and distraction as possible.

One action you can take to make your trip efficient is to maintain a list of contact information for questions that arise regarding your job.

Caring

Caring is also a part of a bus driver's role. Realizing that each passenger has individual needs and concerns enables drivers to extend their patience during stressful situations. Bus drivers often serve as school district representatives to the community, and a caring driver is an excellent ambassador to students, parents, and community members.

Legal Basis

School bus drivers must adhere to any laws that apply. Please see Module 2 and Appendix A for information on the laws that are relevant to school bus drivers.

Course Pretest

Module 2

2.1 A serious traffic violation involves a conviction arising from driving a motor vehicle for any of the following reasons (page 2-1):
a. Excessive speeding
b. Reckless driving
c. Violation arising in connection with a fatal collision
d. All of the above

2.2 A commercial motor vehicle (CMV) is one that is designed to carry 15 or more people, including the driver (page 2-1).
(circle one) TRUE FALSE

2.3 If you hold a CDL or Commercial Learner's Permit and are convicted of a motor vehicle violation in Texas, you must notify your employer in writing within (page 2-2):
a. Never
b. 30 days of the conviction
c. 48 hours of the conviction
d. 7 days of the conviction

2.4 Students are not allowed to possess tobacco products including e-cigarettes (page 2-6).
(circle one) TRUE FALSE

2.5 Texas law prohibits a person to operate as a school bus driver for a 10 year term with a conviction for (page 2-7):
a. Use wireless device in school zone
b. Driving while intoxicated
c. Speeding – school zone
d. Fail to yield right-of-way to emergency vehicle

2.6 According to federal law, all school bus drivers are subject to regular alcohol and drug testing. All new employees (pre-employment) must be tested for drug use (page 2-8).
(circle one) TRUE FALSE

2.7 In general, the maximum speed limit laws differ between a school bus with a commercial inspection versus a school bus without a commercial inspection (page 2-10).
(circle one) TRUE FALSE

Module 3

3.1 Your bus is not required to be equipped with (page 3-3):
a. a convex mirror.
b. exterior signal lights.
c. mud flaps.
d. at least a 1 quart fire extinguisher.

3.2 If a school bus has a rooftop-strobe lamp, you cannot use it under inclement weather circumstances (page 3-3):
(circle one) TRUE FALSE

3.3 The exterior left and right side convex mirrors are mounted (page 3-7):
a. on left and right front corners of bus.
b. at the left and right front corners of the bus at the side or front of the windshield.
c. just below the outside flat mirrors.
d. directly above the windshield on the inside of the bus on the driver's side.

3.4 A pre-trip vehicle inspection may include which of the following (page 3-9):
a. An exterior walk around
b. A check under the hood
c. Reading gauge levels
d. All of the above

3.5 Air gauge levels checked at a cold startup should read (page 3-13):
a. 0 - 120 psi
b. 85 - 125 psi
c. 70 -130 psi

3.6 What appropriate action should be taken when a temperature gauge reaches above 210 degrees (page 3-13?
a. Call the shop for advice
b. Proceed with driving
c. Shut down ASAP

3.7 If you are driving a diesel-powered bus, how many minutes should the diesel engine idle before it is shut down (page 3-12?
a. 1 minute
b. 5 minutes
c. 10 minutes
d. 3 minutes

Module 4

4.1 Which of the following is not a driver-related factor contributing to collisions (pages 4-1)?
a. Age
b. Alcohol and medications
c. Emotional stress and anger
d. Drowsiness and fatigue

4.2 In some bad weather conditions, such as rain or ice, total stopping distance will increase dramatically (page 4-4).
(circle one) TRUE FALSE

4.3 To help monitor potential dangers while driving, a responsible driver should use the I-P-D-E formula which stands for (page 4-6):
a. Identify - Protect - Decide - Escalate
b. Increase – Predict – Determine - Execute
c. Identify – Predict – Decide - Execute
d. Increase – Prepare – Determine - Evacuate

4.4 Stopping distance is the sum of the perception distance, the reaction distance and the _____ distance (page 4-9).
a. closest
b. farthest
c. braking

4.5 If you encounter larger objects or potholes, do not try to straddle them. Instead, drive directly over them (page 4-17).
(circle one) TRUE FALSE

4.6 When reacting to a road hazard, it is easy to _____ directions, so counter-steer by turning the steering wheel only enough to straighten the bus in the traffic lane (page 4-17).
a. overcompensate
b. underestimate
c. not know

4.7 One technique to avoid a collision is to follow the four R's which stands for (page 4-12):
a. Read - Remember - Refrain - Resort
b. Read - Right - Reduce - Resort
c. Relieve - Right - Reduce - Resort

Module 5

5.1 Which of the following is not considered a drivers basic responsibilities (page 5-1)?
a. Protect students from harm.
b. Help students with their homework.
c. Transport students to and from school safely.
d. Get students to school with minds open to learning.

5.2 In Texas it is not against the law for students to stand or walk around the bus while it's moving (page 5-2).
(circle one) TRUE FALSE

5.3 The following tips give a driver a positive start on setting a good atmosphere on a school bus (pages 5-4):
a. Clearly communicate your expectations
b. Be honest in what you do and say
c. Treat all students equally
d. All of the above

5.4 Which of the following tips is not recommended when handling serious problems on a school bus (page 5-7)?
a. Stop the bus and park in a safe location off the road.
b. Secure the bus, taking the ignition key with you if you leave your seat.
c. Stand up and shout rudely to the offender(s).

5.5 Bullying behavior can consist of (pages 5-9):
a. Rude gestures
b. Shoving
c. Name calling
d. All of the above

5.6 Sexual harassment is unwanted sexual or gender based behavior that occurs when one person has formal or informal power over the other (page 5-9).
(circle one) TRUE FALSE

5.7 If you have cause to believe that a child's physical or mental health or welfare has been adversely affected through abuse or neglect by any person, you should report if within (pages 5-11):
a. 48 hours
b. One week
c. 72 hours
d. One month

Module 6

6.1 The most dangerous part of the school bus ride is _____ (page 6-1).
a. staying in your seat
b. keeping your voice down
c. not speeding
d. getting on and off the school bus

6.2 You do not have to always check each mirror for proper adjustment before operating the bus (pages 6-5).
(circle one) TRUE FALSE

6.3 If you have a concern regarding a dangerous bus stop, you should (pages 6-6):
a. use your judgement and change to another location.
b. report to your supervisor a potentially dangerous stop.
c. ignore the problem.

6.4 When you are stopping or have stopped on a highway or roadway to load or unload students, you must activate all (page 6-8):
a. alternate flashing warning signals.
b. stop arm.
c. rooftop strobe lamp.
d. a and b.

6.5 Drivers who pass a school bus when the alternating flashing lights are activated are subject to penalties. The fine amount for a first offense is (page 6-11):
a. $250 - $500
b. $1,300 - $1,500
c. $100 - $250
d. $500 - $1,250

6.6 When loading and unloading students, you should teach your students to follow the _____ rule (page 6-16).
a. 15 foot
b. 5 foot
c. 20 foot
d. 10 foot

6.7 Which is not a factor that influences bus stop safety (pages 6-6)?
a. Safe turnaround
b. Visibility distance
c. Traffic volume
d. Air gauge level

Module 7

7.1 It is not illegal to drive around a lowered railroad-crossing gate (page 7-2).
(circle one) TRUE FALSE

7.2 Before crossing a railroad track, stop the bus _____ feet away from the track (page 7-3).
a. 10
b. 100
c. 75
d. 15 - 50

7.3 You are not required to stop at what types of railroad crossings (page 7-3)?
a. Tracks out of service
b. Exempt
c. Both a and b

7.4 Which of the following is not considered an appropriate action when crossing a highway-rail crossing intersection (page 7-5)?
a. Cross carefully
b. Approach and stop
c. Look and listen
d. Turn up the radio

7.5 If your school bus stalls or gets trapped on a railroad track you should (pages 7-7):
a. Evacuate everyone immediately.
b. Quickly move everyone as far away as possible.
c. Move away from the tracks at an angle, in the direction of the approaching train.
d. All of the above.

7.6 In 2014, incidents at public highway-rail crossings in the United States resulted in _____ deaths (pages 7-3).
a. 0
b. 270
c. 125
d. 80

7.7 A _____ sign is a letter X with “Railroad Crossing” usually printed on it (page 7-4).
a. Crossbuck
b. Parallel track
c. Stop
d. Warning

Module 8

8.1 State law requires both the driver and students to perform evacuation drills (page 8-1).
(circle one) TRUE FALSE

8.2 Which emergency equipment should be inside all school buses and be in good working order (page 8-2)?
a. Portable fan
b. Jumper cables
c. Stop arm
d. Three reflective triangles

8.3 Situations that will always require an evacuation is when (page 8-3):
a. a hazardous spill.
b. a bus is stalled on or adjacent to railroad tracks.
c. the position of the bus changes and increases danger.
d. all of the above.

8.4 When faced with an emergency, which of the following is not considered a general procedure for an emergency evacuation (page 8-4):
a. Notify the dispatch office.
b. Secure the bus.
c. Walk around the bus to inspect for damages.
d. Determine the student "safe place".

8.5 During an emergency evacuation, a safe place is at least _____ off the road, in the direction of oncoming traffic (page 8-5).
a. 10 yards
b. 2 miles
c. 25 feet
d. 100 feet

8.6 In some emergencies, it may not be possible to use any of the standard exits. Alternates are (page 8-8):
a. emergency roof hatch.
b. do nothing and stay inside.
c. turn on all warning equipment.

8.7 The most important part of a safe school bus evacuation is developing and practicing a safe plan before an emergency actually occurs (page 8-12).
(circle one) TRUE FALSE

Module 2—Know the Laws

Overview

Introduction

This module covers the requirements you will need to meet to continue your job as a school bus driver. School bus drivers are responsible for precious cargo—children, students, and other passengers—and must maintain a high level of skill, knowledge, and professional behavior.

To maintain continuous certification as a school bus driver, you must complete an 8-hour recertification course every 3 years.

Topics Covered in This Module

This module covers the following topics:

- commercial driver licenses,
- who can drive a school bus,
- continued employment as a school bus driver,
- the penalty point system, and
- additional laws that affect bus drivers.

Commercial Driver Licenses

There are three special definitions you need to know for this section. They are "commercial motor vehicle," "disqualification," and "serious traffic violation."

- A commercial motor vehicle (CMV) is one that is designed to carry 16 or more people, including the driver.
- Disqualification means that a legal entity has withdrawn the privilege to drive a CMV. Disqualification includes suspending, canceling, or revoking that privilege under state or federal law.
- A serious traffic violation involves a conviction arising from driving a motor vehicle (other than a parking, vehicle weight, or vehicle defect violation) for any of the following reasons:
    - excessive speeding (15 mph over the speed limit),
    - reckless driving (as defined by law),
    - violation arising in connection with a fatal collision,

- improper or erratic traffic lane change, or
- following a vehicle too closely.

It's the Law!

Texas Transportation Code (TRC) §522.061

See Appendix A

In 1989, the Texas Legislature established the Commercial Driver License Law to comply with the federal Commercial Motor Vehicle Safety Act of 1986 and to reduce traffic accidents involving commercial motor vehicles. Both state and federal requirements outline minimum standards for commercial drivers. Drivers who wish to have a commercial driver license (CDL) must pass knowledge and skills tests, including tests specific to the area of commercial driving, such as school bus driving.

If you hold a CDL or Commercial Learners Permit and you are convicted of a motor vehicle violation (other than a parking violation):

- In Texas, you must notify your employer in writing within 7 days of the conviction.
- In a state other than Texas, you must notify the Department of Public Safety (DPS) and your employer in writing within 7 days of the conviction.

Who Can Drive a School Bus?

It's the Law!

Texas Commercial Motor Vehicle Drivers Handbook

TRC §521.022

See Appendix A

School bus drivers are held to a higher standard of conduct than average citizens, and there are specific laws that govern the conduct of school bus drivers. For your own protection and the protection of your passengers, you must know the laws and obey them.

To be hired as a school bus driver and begin to drive a school bus, you must:

- be at least 18 years old;
- hold an appropriate class of driver license for the vehicle being operated—in most cases, this will be a Class B CDL with passenger (P) and school bus (S) endorsements;
- pass an annual mental and physical exam required by Texas DPS;
- maintain an acceptable driving record in accordance with the Texas school bus driving record evaluation (see Appendix B);
- be certified in school bus safety education or be enrolled in a school bus safety education class—like this one; and
- be free of felony or misdemeanor convictions for a crime involving moral turpitude (conduct that is considered contrary to community standards of justice, honesty, or good morals).

When you apply for a job as a school bus driver, you are required to inform the employer of the following information: any serious traffic violations for which you may have been convicted in the 10 years preceding application, a list of previous employers for which you drove a commercial motor vehicle, and any disqualifications that may result or have resulted. The employer is required to ask you for this information. Each employer or district may have additional employee requirements for school bus drivers.

It's the Law!

TRC §522.064

TRC §522.063

See Appendix A

Following your successful completion of this course, you will be recertified and may continue driving a school bus.

Continuing as a School Bus Driver

You must meet ongoing conditions to continue as a school bus driver once you have qualified and been hired. These conditions include:

- pass an annual review of your driver license record using the school bus driver penalty point system;
- receive recertification every 3 years through an approved school bus recertification course;
- possess an appropriate class of driver license for the vehicle being operated—in most cases, this will be a Class B CDL with P and S endorsements;
- pass an annual mental and physical exam; and
- remain free of felony or misdemeanor convictions for a crime including moral turpitude.

In addition to these basic legal requirements, each employer or district may have employee requirements for school bus drivers.

Penalty Point System

How It Works

Every school district must request a driver license record on new school bus drivers before they are hired. In addition, your school district will evaluate your driver license record at least once a year. This evaluation applies to violations committed in *any vehicle you drive*, including your family car.

Penalty points will be assessed for traffic convictions and crashes on your record, and these points will be added up. This is important to

you because a total of 10 penalty points, and sometime less*, disqualifies you from driving a school bus until you requalify.

* **Note:** Some school districts can disqualify a driver for fewer than 10 penalty points. Check with your local school district.

Assessing Points

The specific numbers of penalty points assessed for convictions on your driver license record are shown in the tables found in Appendix B.

Driving Record Evaluation

The Texas Transportation Code and the Texas Education Code (see Appendix A) require a driver record evaluation using DPS standards for all school bus drivers prior to employment and at least annually after employment. In accordance with this statutory responsibility, the following standards have been established by the Texas Department of Public Safety as minimum requirements to be met by each person seeking to be employed or to remain employed as a school bus driver or to drive any motor vehicle for transportation of students:

It's the Law!

Texas Penal Code (TPC) §49.04

TPC §49.045

TPC §49.07

TPC §49.08

Texas Education Code (TEC) §34.007

- An applicant for employment as a commercial motor vehicle driver must disclose to the employer any violations of motor vehicle laws or ordinances (other than violations involving only parking) for which the applicant was convicted or forfeited bond or collateral during the 3 years preceding the date of application plus any serious traffic violations of which the applicant was convicted during 10 years preceding the date of application. In addition, the applicant must disclose to the employer any suspension, revocation, or cancellation of driving privileges that resulted from conviction.
- The driver license record of each school bus driver applicant shall be reviewed prior to employment using the penalty point system, with penalty points assessed for those entries that appear in the applicable tables for traffic law violations and crash involvements (see Appendix B). Any person who has accumulated 10 or more penalty points shall be considered ineligible to transport pupils until such time as he or she requalifies.
- The driver license record of each school bus driver shall be evaluated at least annually using the penalty point system, with penalty points assessed for those entries that appear in the applicable tables for traffic law violations and crash

It's the Law!

TRC §521.022

TRC §522.064

TRC §522.063

See Appendix A

involvements. Any person who has accumulated 10 or more penalty points shall be considered ineligible to transport pupils until such time as he or she requalifies. To requalify, sufficient time must have elapsed such that penalty points are no longer assessed for some violations or crashes, bringing the total penalty points below 10.

In determining a person's eligibility to drive a school bus, the standards given in the penalty point tables shall apply in assessing penalty points for convictions of traffic law violations and crash involvement appearing on his or her current driving record.

Mandatory Disqualifications

Mandatory disqualification takes effect if, within the 10-year period preceding the date of the check of the person's driving record, there is a conviction for the following offenses:

- Driving While Intoxicated, or
- Driving While Intoxicated with Child Passenger, or
- Intoxication Assault, or
- Intoxication Manslaughter.

Disqualification

This section addresses things that could cause you to be disqualified from driving a commercial motor vehicle.

It's the Law!

TRC §522.081

You would be disqualified from driving a CMV for:

- 60 days if convicted of two serious traffic violations within a 3-year period, or
- 120 days if convicted of three serious traffic violations within a 3-year period.

You would be disqualified for a 1-year period on the first conviction for any of the following offenses:

- driving a motor vehicle under the influence of alcohol or a controlled substance,
- driving a CMV while having a blood alcohol concentration of 0.04 or more,
- intentionally leaving the scene of a collision,
- using a motor vehicle in committing a felony, or
- causing the death of another person through negligence.

It's the Law!

TRC §522.063

You would be disqualified from driving a CMV for life if you:

- are convicted of two or more violations of the above five offenses in separate incidents, or
- use a motor vehicle in committing a felony involving either:
  - manufacturing, distributing, or dispensing a controlled substance; or
  - possessing a controlled substance with intent to manufacture, distribute, or dispense.

Reporting Requirements

If you are disqualified or placed out of service for any period of time, you must notify your employer within one business day after you receive notice.

Tobacco and Firearms

It's the Law!

TEC §38.006

TEC §38.007

It is a *felony* for anyone to show, use, threaten to show, or threaten to use a firearm to interfere with the normal use of:

- a school building,
- a portion of a campus, or
- a school bus being used to carry students to or from school sponsored activities.

At all school-related or school-sanctioned activities, on or off school property:

- The possession and use of alcoholic beverages are prohibited.

It's the Law!

TEC §37.125

TEC §37.126

- Students are not allowed to possess tobacco products, including e-cigarettes.
- No one is allowed to use tobacco products, including e-cigarettes.

It is unlawful for anyone to interfere by any means with the lawful transportation of students to or from school-sponsored activities on a school-owned or county-owned vehicle.

Laws Concerning Alcohol and Drug Use

Physical fitness is a key to safe driving. The use of alcohol or certain other drugs:

- hampers your driving ability,

- increases the risk of a collision, and
- increases the risk of injury or death to the students riding your bus.

Drive as if all the children on your bus were your own. There are strict laws pertaining to CDL holders, and bus drivers in particular. Alcohol is the most commonly used and abused drug in the United States. Alcohol use is the leading cause of traffic fatalities.

DON'T FORGET!

Texas law prohibits a person to operate as a school bus driver for a 10 year term with a conviction for any of the following:

*Administrative License Revocation (ALR)

*Driving While Intoxicated (DWI)

*Driving While Intoxicated with Child Passenger

*Intoxication Assault

*Intoxication Manslaughter

Federal Law Concerning Alcohol and Drug Use

The Code of Federal Regulations (CFR) mandates alcohol and drug testing for bus drivers, who:

- may not have an alcohol concentration of 0.04 or greater in their systems while driving,
- may not perform safety-sensitive functions within 4 hours after using alcohol, and
- are subject to mandatory alcohol and drug testing.

Requirements

It is illegal to drive a commercial motor vehicle with an alcohol concentration of 0.04 or greater in your system. School buses are CMVs.

In addition, the law states that no driver shall perform safety-sensitive functions within 4 hours after using alcohol. Safety-sensitive functions include actions such as driving, waiting to be dispatched, inspecting equipment, servicing the vehicle, obtaining assistance, loading and unloading, attending a disabled vehicle, etc.

Penalties for Refusing Testing

If you refuse to submit to an alcohol test when requested by a police officer, you may be:

- placed out of service for 24 hours or
- disqualified from driving a CMV for 1 year.

Penalties for High BAC

After testing, if your blood alcohol concentration (BAC) is 0.04 or more, you may be:

- disqualified from driving a CMV for 1 year or
- subject to arrest for driving while intoxicated (DWI).

If you are arrested for DWI, you will be tried in both criminal and administrative courts. If a criminal court convicts you of DWI or an administrative court suspends or disqualifies you, you cannot drive a school bus for 10 years.

Federally Mandated Drug and Alcohol Testing Program

According to federal law, all school bus drivers are subject to regular alcohol and drug testing.

Failure to report for testing will be treated the same as a refusal. Testing is top priority. No other duties may interfere.

There are six types of drug testing that can take place:

- Pre-employment:
  - All new employees must be tested for drug use.
- Random:
  - A minimum of 50 percent of CDL holders will be tested for drugs and 10 percent for alcohol.
    (The FMCSA Administrators decision to increase or decrease the minimum annual percentage rate for alcohol testing is based on the reported violation rates. For the most current percentage rate visit: https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-382#382.305 .)
  - If you are selected for random testing, you must go to the testing site immediately.
- For cause (reasonable suspicion):
  - Before referring anyone for such testing, supervisors with this authority must attend training on the indicators of probable alcohol misuse and the use of controlled substances.
  - Your supervisor may request a drug or alcohol test, based on his or her opinion that you may be under the influence. Your supervisor must base his or her opinion on specific evidence observed by the supervisor at the time, concerning your speech, behavior, appearance, or body odors.

It's the Law!

49 CFR

§382.103
§382.301
§382.303
§382.305
§382.307
§382.309
§382.311

- Return to duty:
  - This test will be required if a U.S. Department of Transportation (DOT) drug and/or alcohol regulation has been violated.
  - This test cannot occur until after a substance abuse professional has determined the employee has successfully complied with prescribed education and/or treatment.
- Follow-up:
  - If you have received treatment for problems with alcohol or other drugs, you will be subject to unannounced follow-up tests as directed by a substance abuse professional.
  - Such tests can only be conducted when you are performing safety-sensitive functions, or immediately before or immediately after these functions.
- Post-accident:
  - Drug and alcohol testing is required after an accident if:
    - someone is killed in the accident, or
    - you are ticketed for a moving violation and either (1) someone is injured enough to need treatment away from the scene or (2) either vehicle has to be towed from the scene.
  - Alcohol testing must take place within 8 hours of the accident. Drug testing must take place within 32 hours after the accident.

Drug and Alcohol Clearinghouse

Any CDL holder who tests positive for any of the 6 types of drug or alcohol testing will be reported to FMCSA's Drug and Alcohol Clearinghouse. The Clearinghouse is a secure, online database that gives employers real-time information about CDL and CLP holder's drug and alcohol program violations.

The Clearinghouse contains records of violations of drug and alcohol prohibitions in 49 CFR Part 382, Subpart B, including positive drug or alcohol test results and test refusals. When a driver completes the return-to-duty process and follow-up testing plan, this information is also recorded in the Clearinghouse.

IMPORTANT: Any driver with a report of a positive in to the Clearinghouse is prohibited from driving a CMV until he/she has completed the return-to-duty process and follow-up testing.

Speed Limits

It's the Law!

TRC §545.351
TRC §545.352

School bus drivers should follow applicable speed limits, whether standard regulatory limits or temporary limits (such as in work zones). In general, the following speed limit laws apply to school buses and multifunction school activity buses where other limits are not posted:

- school bus with commercial inspection: maximum of 60 mph on U.S. or state highways, maximum of 50 mph on other roadways (such as county roads);
- school bus without commercial inspection: maximum of 50 mph on any roadway; and
- school activity bus: the posted limit for a passenger car.

Seat Belt Use

It's the Law!

TRC §545.413
TEC §34.013

School bus drivers shall always wear a seat belt properly according to the manufacturer's instructions. Once your seat is properly adjusted and your seat belt is in place, you can effectively use mirrors and establish a personal depth perception yardstick.

A school district shall require a student riding a bus operated by or contracted for operation by the district to wear a seat belt if the bus is equipped with seat belts for all passengers on the bus.

Emergency Practices

The Good Samaritan Law

The "Good Samaritan Law" addresses liability for providing emergency care at the scene of an emergency. The purpose of this law is to encourage lay persons to render aid in emergency situations:

- This law protects a person who administers emergency care in good faith at the scene of an emergency.
- This law does *not* protect a person who provides care expecting payment, is negligent, or was responsible for the accident causing the injury.

It's the Law!

TCP&RC §74.151 and §74.152

Consent

If possible, you must obtain consent from a person before you provide emergency care. Check with your supervisor to determine your school policy regarding this issue. Generally:

- If the person is a conscious, competent adult, you must get his or her consent either verbally or by gesture.
- If the person is an unconscious adult, consent is implied.
- If the person is a child and the parent is not available to consent, provide first aid based on implied consent.
- Students may have written consent on file with your district.

Abandonment

Once you begin providing first aid to a victim, you must not leave a victim who needs continuing first aid, except to call 911 and quickly return. You may only leave once another person of equal or greater medical training relieves you.

District Policy

Ask your supervisor about your district's policy regarding emergency treatment of students or other passengers. If you transport students with special medical conditions, obtain specific instructions for their care.

When is a CDL, Medical Card, and the Bus Driver Certification Course Required?

VEHICLE	LICENSE TYPE	MEDICAL CARD	CERTIFICATION COURSE
Passenger Van or Passenger Vehicle (car, truck, suburban)	NO CDL	NO	NO
School Bus, School Activity Bus & Multifunction School Activity Bus (15 passengers including the driver or less)	NO CDL	YES	YES
School Bus (16 to 23 passengers including the driver)	Class C CDL with both P & S Endorsements	YES	YES
School Activity Bus & Multifunction School Activity Bus (16 to 23 passengers including the driver)	Class C CDL with P Endorsement (S not required)	YES	YES
School Bus (24 passengers or more including the driver)	Class B CDL with both P & S Endorsements	YES	YES
School Activity Bus & Multifunction School Activity Bus (24 passengers or more including the driver)	Class B CDL with P Endorsement (S not required)	YES	YES

Module 3—Bus Basics

Overview

Introduction

The mechanical soundness of your bus is vital to the safety of you, your students, and others on the road. How well you understand your bus, your familiarity with its operation, preparation for trips, bus condition, availability of proper equipment, and your adherence to laws regarding bus operation all contribute to safe school bus travel. This module deals specifically with understanding the mechanical conditions of your vehicle and equipment.

Becoming familiar with the feel of your bus can help you avoid collisions and breakdowns on the road. Even buses of the same make and model can have a different feel when driving. For example, the turning radius may vary depending on settings made during the manufacturing process. Brakes may feel different even between buses of the same make and model. These differences can affect maneuverability.

Topics Covered in This Module

This module covers the following topics:

- school bus classifications,
- required equipment on buses,
- adjustment of the driver's seat,
- adjustment and use of mirrors,
- judging depth perception,
- warming up engines and operating transmissions, and
- use of parking brakes.

School Bus Classifications

Words have special meaning in legal codes. They may or may not be the same as a dictionary definition. The definitions used for school bus classifications in the transportation code are given here.

"School bus" means a motor vehicle that was manufactured in compliance with the federal motor vehicle safety standards for school buses in effect on the date of manufacture, and that is used or

designed to be used to transport preprimary, primary, or secondary passengers. School buses carry more than 15 passengers, including the operator, and are used for purposes that include regularly transporting students on routes to or from school or on school-related activity trips or school-related events. The term does not cover a school-chartered bus or a bus operated by a mass transit authority.

"Multifunction school activity bus" means a motor vehicle that was manufactured in compliance with the federal motor vehicle safety standards for school buses in effect on the date of manufacture (other than the standards requiring the bus to display alternately flashing red lights and to be equipped with movable stop arms). A multifunction school activity bus is used to transport preprimary, primary, or secondary students on school-related activity trips other than regular routes to and from school. The term does not include a school bus, a school activity bus, a school-chartered bus, or a bus operated by a mass transit authority.

"School activity bus" means any bus designed to accommodate more than 15 passengers, including the operator, that is owned by certain organizations and used for certain activities. It is owned, operated, rented, or leased by a school district, county school, open-enrollment charter school, regional education service center, or shared-services group. It is used to transport public school students on school-related activity trips other than to and from school. The term does not include a chartered bus, a bus operated by a mass transit authority, a multifunction school activity bus, or a school bus.

A multifunction school activity bus or school activity bus may not be painted yellow and may not bear the words "school bus." All require proper licensing and certification for the driver.

School Bus Types

School buses use four main types of construction. Even though buses of different types might seem to drive and ride the same, they probably have different characteristics. For safety, drivers should be aware of varying characteristics such as turning radius, brake response, maneuverability, hood shape, and loading/unloading requirements.

Bus construction types are:

- Type A—van conversion or bus constructed with a cutaway front section and left-side driver's door. The entrance door is behind the front wheels.
- Type B—construction using a stripped chassis with the entrance door behind the front wheels.
- Type C—construction using a hood and front fender assembly. The entrance door is behind the front wheels.
- Type D—construction using a stripped chassis with the entrance door ahead of the front wheels.

Required Equipment

It's the Law!

TRC §547.701

Your bus is required to be equipped with:

- at least a 1-quart chemical-type fire extinguisher in good condition and located for immediate use;
- a convex mirror or other device that allows you a clear view of the area immediately in front of the bus that would otherwise be hidden from view; and
- exterior signal lights that:
  - are mounted as high and as far apart as possible, and
  - display four alternately flashing red lights: two on the front at the same level and two on the back at the same level.

Beginning in the 1990s, buses were required to be equipped with a movable stop arm that automatically extends when the alternating red lights activate. In 2009, a second stop sign became required near the rear of the driver's side on buses designed to carry 47 or more passengers.

A rooftop-strobe lamp is optional equipment. If the bus has a rooftop-strobe lamp, you can use it under inclement weather circumstances.

Emergency and first aid equipment are also required in all school buses and should be in good working order. There may be other required equipment, depending on the model year of your bus. Verify bus equipment requirements with your supervisor or the appropriate Texas specification for your bus' model year.

Using Mirrors

Correct mirror placement and use is crucial to driving a school bus safely and responsibly. Check to ensure that the mirrors on your bus are clean and adjusted correctly. School buses have seven basic mirrors (see Figure 3-1). These include:

1. left-side flat mirror,
2. left-side convex mirror,
3. left cross-over mirror,
4. right cross-over mirror,
5. right-side convex mirror,
6. right-side flat mirror, and
7. overhead inside (rearview) mirror.

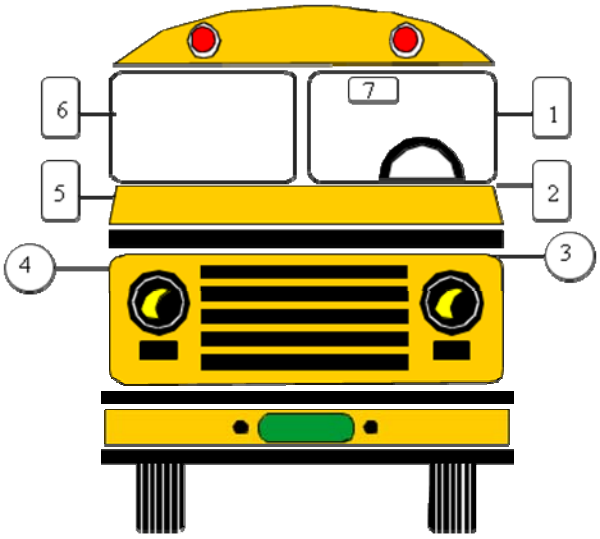

Figure 3-1. Mirror Placement on School Bus.

Mirrors are useless unless they are adjusted properly. It is often hard to adjust your mirrors by yourself, so do not hesitate to ask another driver or employee to help you. It shows that you are taking your job seriously and want to do it right.

Mirror Adjustment

Driving a school bus with improperly adjusted mirrors is like driving while wearing a blindfold. The most common mistake drivers make is to adjust the left and right cross-over mirrors so that they reflect too far upward, not showing the danger zone around the ground in front and to the side of the front bumper.

Proper adjustment of all mirrors is critical. The National Highway Traffic Safety Administration (NHTSA) has set forth requirements regarding mirror viewing in Federal Motor Vehicle Safety Standard 111. Thorough training teaches drivers and mechanics to correctly adjust and use mirrors. Figures 3-2 and 3-3 provide illustrations of how each mirror should be adjusted. Tables 3-1 through 3-4 provide descriptions of each type of mirror.

Bus mirrors should be checked each time a driver leaves the terminal. If you can't get your mirrors adjusted properly, tell your supervisor right away.

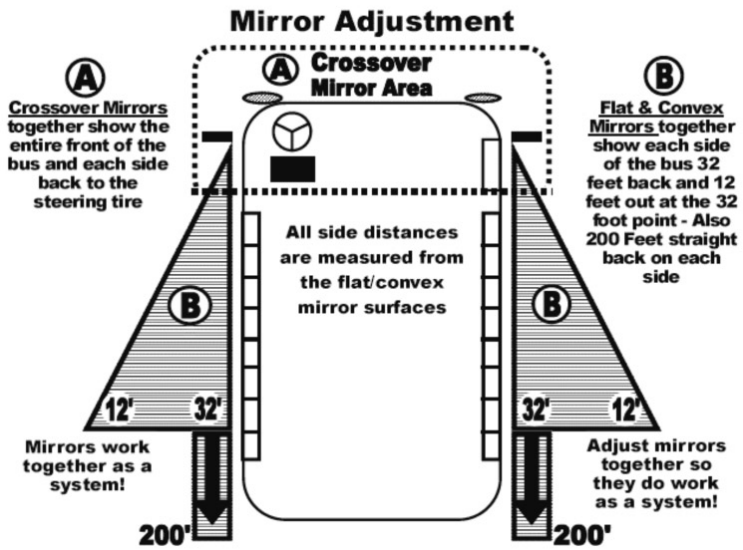

Figure 3-2. Mirror Adjustment.

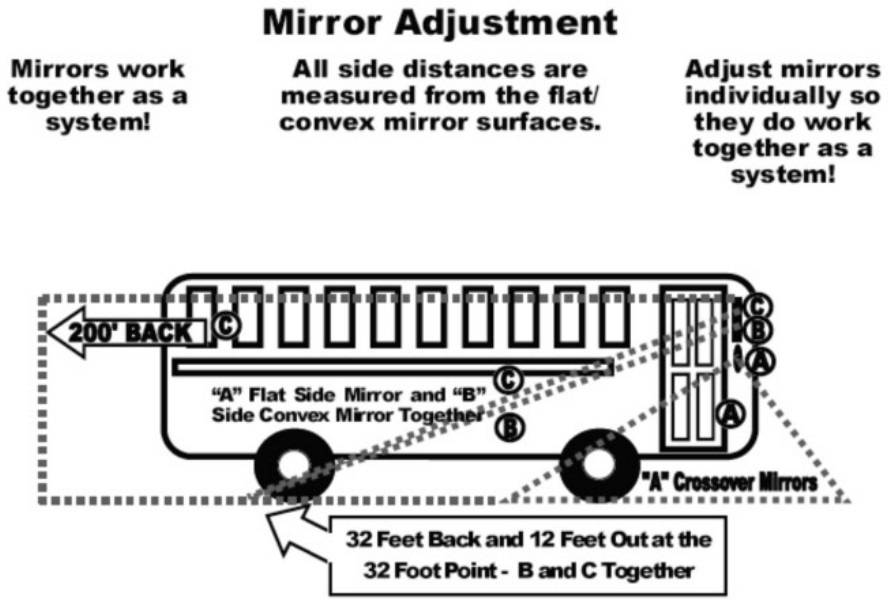

Figure 3-3. Mirror Adjustment Side View.

Table 3-1. Side Flat Mirror Adjustment.

Exterior Left- and Right-Side Flat Mirrors	
Location	Mounted at the left and right front corners of the bus at the side or front of the windshield.
Uses	Monitor traffic, clearances, and students on sides and at rear of bus; view area in back of the bus for 200 feet (approximately four bus lengths); monitor traffic entering the blind spot area in back of the bus. These are the only mirrors that can be used to judge distance because they give “true vision.”
Limits	Blind spot immediately below and in front of each mirror and directly in back of the rear bumper that could extend from 150 to 400 feet depending on the width of the object behind the bus.
Adjustment	Position mirrors to see 200 feet (approximately four bus lengths) behind bus, both sides of bus, rear tires touching the ground (or rubber wheel-well skirting on older buses). Flat mirror adjustment and visibility might be slightly different.

Table 3-2. Convex Mirror Adjustment.

Exterior Left- and Right-Side Convex Mirrors	
Location	Mounted just below the outside flat mirrors.
Uses	Monitor left and right sides of bus at a wide angle; view traffic, clearances, and students at sides of bus.
Limits	Blind spot created by the mirror itself; distorted view that does not accurately reflect size and distance.
Adjustment	Entire area rear of mirror along side of the bus, front of rear tires at the ground, at least one traffic lane on either side of bus; driver will need to move head and body slightly to overcome blind spot.

Table 3-3. Cross-Over Mirror Adjustment.

Exterior Left and Right Cross-Over Mirrors	
Location	Mounted on left and right front corners of bus.
Uses	See danger zone area in front of the bus and to left and right sides, including service door and front wheel area.
Limits	Blind spot created by the mirror itself; distorted view that does not accurately reflect size and distance.
Adjustment	Entire area in front of bus from front bumper at ground level to a point where direct vision is possible (direct driver vision and indirect mirror vision should overlap), right and left front tires at ground level, area from front of bus to service door; driver will need to move head and body slightly to overcome blind spot.

Table 3-4. Inside (Rearview) Mirror Adjustment.

Overhead Inside (Rearview) Mirror	
Location	Mounted directly above the windshield on the inside of the bus on the driver's side.
Uses	Monitor passenger activity inside the bus; provide limited visibility directly behind bus if bus has glass rear emergency door.
Limits	Blind spots directly behind driver's seat and from rear bumper extending 150-400 feet or more behind the bus depending on width of bus; use exterior side mirrors to monitor traffic that approaches and enters this area (students should never be in this area).
Adjustment	Top of rear window in top of the mirror, all students, some view outside the passenger-side windows (not below window level); driver will need to move head and body slightly to overcome blind spots.

Depth Perception

Depth perception is the ability to judge how far away objects are from you and from each other. Depth perception errors can cause problems with accurately determining following distance, rear clearance when backing, and many other driving conditions.

Any depth perception defect can negatively affect driving and the ability to use mirrors. For example, drivers with a depth perception error of 20 percent or more may experience serious problems determining following distances, rear clearance when backing, and other driving conditions. At your next regular appointment with your eye care professional, ask if there are any depth perception problems or other vision issues that need to be corrected for best vision when driving.

Pre-trip Vehicle Inspection

Performing a pre-trip inspection is one of the most effective ways to identify and avoid potential problems. The following sections discuss a recommended pre-trip inspection procedure, but it is a **recommended list only**. Procedures vary by district. Ask your operation supervisor about local procedures.

It is recommended that drivers check at least the items discussed in this module on each pre-trip inspection.

Walking Inspection

The pre-trip inspection begins as you approach your bus. Make a walking inspection:

- Make sure the parking brake is set or the wheels are chocked.
- Take a thorough overall look at the bus. Check for evidence of fluid leaks such as oil, gasoline, or water.
- Check for vandalism or damage.
- Clean the windshield, turn signals, taillights, stop lights, headlights, and warning lights to enhance visibility and lighting.
- Check exterior mirrors and brackets for tightness.
- Check backup lights and beeper and license plate light.
- Check tire tread depth and the general condition of the tires. Test inflation with a gauge.
- Check wheel hubs for leaks.
- Visually check wheel lug nuts for tightness and rust dust around edges of bolts or nuts. Rust dust is an indication of a loose wheel lug nut.
- View the underside of the bus. Check for fluid leaks such as oil or grease. Check the exhaust system, springs and hangers, and body clamps.
- Check the fuel cap.
- Note any scratches or dents and the legibility of bus markings. Bus markings should be kept clean for safety and public relations purposes.

If you have a flat on rear dual tires, do not drive. Driving on a flat can ruin the tire and cause stability and handling problems.

Under the Hood

Note: Not all districts or operations require the driver to perform an under-the-hood inspection. Check with your operation supervisor for guidance.

Check under the hood:

- Check the oil level in the engine. If the bus has been off for some time, the oil will have drained into the crank case and an accurate reading can be made. Oil should be above the "add oil" line. If

Caution!

Never remove radiator cap when the engine is hot!

the oil level is over full or milky colored, there may be a foreign substance in the oil.

- Do a visual check of other fluid levels and the condition of engine components (e.g., power steering, brake fluid if hydraulic brakes).
- If the bus does not have a pressure coolant system with a liquid overflow tank, remove the radiator cap and check the coolant level. Coolant should be maintained above the core level. Pressure systems can be checked by observing the liquid level in the overflow tank.
- Check the fan belts to see if they are cracked or frayed. A loose belt can result in a depleted battery or overheating. When pressing down on the belt, it should give no more than ¾ inch.
- Examine the engine for loose wires or excess oil.
- Check the battery and battery cables for cleanliness and security.
- Close the hood and ensure the hard latches are secured.

Remember!

Some gauges have readings while engine is off, so watch for changes to know if gauge is working or "stuck."

Inside the Bus

Enter the bus to begin the internal inspection:

- Check the handrails for tightness and the steps to ensure the treads are secure.
- Start the engine using proper engine starting procedures.
- Check the gauges after starting.
- Turn on directional signals, clearance and ID marker lights, and high-beam and low-beam headlights to verify they work.
- From inside the bus, check the operating conditions of the dash-mounted turn signal indicator and lights, high-beam indicator, switches, and instrument panel light.
- Turn on emergency (hazard) warning lights, alternately flashing (loading/unloading) lights, and interior dome lights.
- Check interior mirrors and brackets for tightness.
- Open and close the emergency exit door, windows, and hatches to determine if the emergency buzzer is operating.
- Check door gaskets and hinges.
- Check windows and mirrors for cleanliness, cracks, or breaks. Maintain good visibility by keeping windows and mirrors clean.
- Check the radio, if equipped.
- Check the insurance information.

Caution!

Bad door gaskets can cause exhaust fumes to enter bus from exhaust pipe, creating a safety hazard.

- Check the general condition of the interior bus body.
- Check the condition of seats and floor.
- Check the operation of the horn.
- Check the condition of wiper blades and the operation of wipers.
- Check the heater and defroster (if applicable).

Outside the Bus

From outside the bus, check for:

- operation of lights;
- intensity of lights; and
- condition of lenses, such as dark spots and cracks.

Note: Have another employee assist if needed.

Equipment Inspection

Check emergency equipment:

- Determine that the first aid kit, body fluid clean-up kit, fire extinguisher, and reflective triangles are securely in place, complete, and in operable condition.
- The pressure gauge on the fire extinguisher should always be fully charged with the trigger pin in place.

Check special needs equipment, if applicable:

- Check wheelchair lifts, belts, safety vests, child safety seats, blankets, strap cutters, gurney (if equipped), etc.
- Check to ensure that aisles are clear and uncluttered for wheelchair passage.
- Check wheel chair securement straps.

Gauge Levels

Understand and learn to read your gauges. Know the normal reading for the voltmeter, oil pressure, and water temperature gauges. This could prevent a breakdown or engine damage.

Check dashboard gauges for visibility and proper functioning:

- The fuel gauge should indicate a safe margin of fuel for the day's operation and should never register less than one quarter full.

Understand and learn to read your gauges!

Know the normal reading for the voltmeter, oil pressure, and water temperature gauges.

- The oil pressure gauge should indicate adequate pressure. If adequate pressure is not indicated, the engine should be turned off. Report this condition immediately, and do not drive the bus.
- The voltmeter should show a charge when the engine is running. If a discharge is indicated, stop the engine and report it at once.
- The water temperature gauge shows the temperature of coolant in the engine. After the engine has been running for several minutes, the indicator should show normal.
- The vacuum or air pressure gauge should indicate adequate capacity to operate the brakes. Do not operate the bus until the reserve vacuum or air pressure reaches the manufacturer's minimum recommendations. Excessive loss of pressure overnight can indicate a leak in the air system. Any excessive loss should be reported immediately.

Table 3-5 provides expected ranges for various gauges.

Table 3-5. Gauge Levels.

Gauge	*Cold Startup (Fast Idle @ 1000 RPM Maximum)*	*Operating Temperature (Idle)*	*Operating Temperature (Driving)*	*Appropriate Action*
Oil Pressure	30-70 psi	7 psi and higher	20-60 psi	Normal
Oil Pressure	0 psi	0 psi	0 psi	If no oil pressure, stop engine immediately
Temperature	100 degrees or less	170-200 degrees	160-210 degrees	Normal
Temperature	----------	Above 210 degrees	Above 210 degrees	Shut down ASAP
Temperature	----------	Below 170 degrees	Below 160 degrees	Talk to shop
Voltmeter	13.5-15.0 v	12.0-14.5 v	13.0-14.5 v	Normal
Voltmeter	Below 12.0 v or above 15.0 v	Below 12.0 v or above 15.0 v	Below 13.0 v or above 15.0 v	Report to shop
Air Gauge	0-120 psi	Cycling within 85-125 psi	Cycling within 85-125 psi	Normal
Air Gauge	----------	Below 85 or above 125	Below 85 or above 125	Call shop for advice

Note: Some buses do not use numbered gauge faces for oil pressure, water temperature, or charging voltages. These buses simply have a “normal” gear marked on the gauge face. Readings should stay within the “normal” band. Drivers should also check the manufacturer’s suggested gauge reading for their school bus.

Post-trip Inspection

Remember!

Be sure to inspect the interior of the bus for sleeping students and articles left behind.

After a trip, your bus requires attention to spot any problems and ensure it is ready for the next trip. Check with your district to find out special instructions for post-trip inspections. **Procedures vary by district**.

Recommended procedures during a post-trip inspection include:

- If you are driving a diesel-powered bus, idle the diesel engine for at least 3 minutes before it is shut down. The engine can be idled during the post-trip inspection.
- Make sure the bus is secure: in the proper gear (neutral or park) with the parking brake set.
- Inspect the interior of the bus for students, articles left on the bus, and the condition of seats, walls, and windows.
- Check with your operation supervisor for guidance regarding students' articles left on the bus.
- Sweep and clean the interior of the bus if necessary.
- Close all windows, roof hatches, and doors.
- Check the exterior of the bus including the condition of tires, mirrors, lights, and the exhaust system.
- Complete the bus condition report.
- Complete the driver's report and deliver it to the appropriate school personnel regarding discipline problems, injuries, illnesses, vandalism, or other information as appropriate. Include names of students causing bus damage (if known) or names of students sitting in the area of damage, the type and amount of damage, the route and date when the damage was done, and other relevant information.
- Turn in reports and/or articles left on the bus to the appropriate school administrator.

Module 4—Defensive Driving

Overview

Introduction

A responsible driver puts safety first and has a goal of reaching each destination safely in spite of distractions or obstacles. To put a focus on safety, a responsible driver must be able to identify factors that contribute to collisions and take reasonable actions to prevent a collision. Drivers have some control over driver-related factors and ways to manage time and space that can help avoid collisions.

Topics Covered in This Module

This module covers the following topics:

- driver-related factors contributing to collisions,
- conditions contributing to collisions,
- managing time and space,
- avoiding collisions, and
- selecting alternate paths of travel.

Driver-Related Factors Contributing to Collisions

Driver judgment can be seriously affected by factors such as emotional stress or anger, illness, alcohol, medication, fatigue, or vision problems. This section covers personal factors that drivers might be able to identify or control to be a safer driver.

Emotional Stress and Anger

A driver might use poor judgment and make faulty decisions as a result of stress or anger. School bus drivers often find themselves in stressful situations, and responsible driving calls for self-discipline and advance planning to cope with such situations. A responsible driver:

- does not let personal problems interfere with driving behavior and
- does not allow stress or anger to affect attitude or performance.

Many lives depend on drivers maintaining the proper attitude pre-trip, while driving, post-trip, when loading and unloading students, and in dealing with passengers.

Illness

Illness can affect driving ability by dulling perception and slowing response and reaction time. Some illnesses start with minor symptoms and progress to major events, therefore placing passengers at risk if a driver becomes severely ill while behind the wheel.

Do not operate a school bus if you are ill. Doing so affects your ability to drive safely and places students at risk of injury.

Alcohol and Medications

It is illegal to operate a commercial motor vehicle (including a school bus) while having an alcohol concentration of 0.04 or greater in your system. (See Module 2 for more information on laws regarding alcohol and drug use in relation to school buses.) In addition to being illegal, driving a CMV while under the influence of alcohol or medications can impair judgment and performance and seriously affect your ability to safely operate your bus.

The degree of effect of alcohol or any drug on the body is unpredictable. Ask your doctor or pharmacist what effect prescription medication might have on your ability to drive safely. Check ingredient listings to see if medications contain alcohol. Look for warning labels on medications containing statements such as "This preparation may cause drowsiness. Do not drive or operate heavy equipment while taking this medication."

Do not drive a school bus if you have taken any medications that may affect your ability to operate a school bus safely or if you have consumed any alcohol within 4 hours of drive time.

Drowsiness and Fatigue

National Highway Traffic Safety Administration statistics show 2.6 percent of highway fatalities are sleep related. This could be understated since many states do not list drowsy driving as a cause of collisions.

Drowsy driving may be a result of prolonged, monotonous driving, or it may result from personal factors such as overexertion or lack of sufficient sleep. Combining drowsiness and fatigue with high-stress factors such as adverse weather conditions, tight schedules, or heavy traffic increases the impact of this condition. Often drowsiness occurs on roads with little change in the surrounding countryside. The body can also become fatigued while driving if the driver does not have sufficient back support.

Learn to recognize the signs of fatigue and drowsiness—factors such as lack of concentration, aching back or hips, staring straight ahead of the vehicle, "tunnel vision" or focusing on only part of the roadway, inability to keep your eyes open, or restlessness. To combat drowsiness and fatigue:

- Prior to every trip, ensure that you are sufficiently rested and deal with any high-stress factors.
- Allow enough time on long trips for periodic breaks to increase alertness.
- If you experience drowsiness during a trip:
  - Open the bus window for fresh air.
  - Place a back support cushion in the driver's seat to help fight fatigue.
  - Renew your mental alertness, such as applying the I-P-D-E formula.

If you become sleepy, stop driving! This is a very dangerous condition. The only safe cure is sleep. If you need to stop driving due to drowsiness or fatigue, follow the same procedures you would follow for illness to secure a substitute driver.

Night Blindness

Night blindness is the inability of light-sensitive cells in the eye to work effectively and distinguish movement or shapes in dim light or darkness. Adverse weather conditions may contribute to night blindness.

Consult with an eye care professional if you experience difficulty seeing in low-light or dark conditions.

Glare Blindness

Temporary blindness or difficulty seeing may occur after looking into bright lights, including the lights of an oncoming vehicle. Consider that a vehicle traveling 50 mph covers 73.3 feet per second (approximately two school bus lengths). Taking even 2 seconds to recover from glare blindness—while covering 146.6 feet—can be very dangerous.

To avoid this danger, look to the edge of an oncoming vehicle's light spray instead of directly into car lights. Be aware of bright lights in your surrounding area and avoid looking at bright lights in otherwise

dark conditions. Glare blindness is most frequent at night but can also occur in lighted conditions—such as by sun glaring on a nearby vehicle's windshield or other reflective object.

Distracted Driving

Recent attention has been directed to the role that distractions inside a vehicle play in driver behavior. A school bus environment naturally brings with it multiple distractions due to numerous student passengers, frequent stops and starts, and young passengers. Adding other distractions into the mix—such as cell phones, radios, or loud noises—complicates an already dynamic situation.

Responsible drivers should not completely block out noises inside their vehicles since the noises might alert them to potential dangers. At the same time, responsible drivers must maintain a focus on the roadway, surrounding areas, and proper driving behaviors.

Weather-Related Driving Risks

Wind—steering problems

Rain—visual limitations, skidding

Sunny—glare

Hot—drowsiness

Conditions Contributing to Collisions

Weather

Weather conditions can increase the danger of collision. To drive safely under changing or dangerous weather conditions:

- Recognize and monitor the specific weather condition and how to best cope with it.
- Constantly identify resulting road hazards.
- Adjust driving speed by slowing appropriately.
- Increase following distance behind other vehicles.

In some bad weather conditions, such as rain or ice, total stopping distance will increase dramatically. Strong gusts of wind may cause steering problems and can push the bus out of its lane of travel. To compensate, steer into the wind enough to remain in the traffic lane, remembering that the wind will gust in stronger and weaker strengths. Beware of changes in wind pressure when passing or being passed by another large vehicle.

Even weather typically considered good can cause weather-related driving risks. A sunny day, for example, can cause glare blindness. A hot day can foster driver drowsiness.

A responsible driver responds to changing weather and resulting road conditions in a way that compensates for any additional risks.

Night Driving

Driving at night creates additional driving risks. Responsible drivers maintain a high degree of alertness when driving at night and use their headlights wisely:

- Keep headlights clean and properly adjusted to obtain maximum use.
- Never over-drive the headlights of your vehicle. Reduce speed at night so you can stop within the distance illuminated by the bus headlights:
  - Low-beam headlights provide light for about 250 feet.
  - High-beam headlights provide light for about 350-500 feet.
- Use high beams when it is safe and legal to do so to increase the visual distance.
- Improve night driving vision by turning interior light off and adjusting instrument panel lights low.
- To avoid creating glare with your headlights:
  - Dim headlights within 300 feet (approximately one football field) when approaching a vehicle in front of you traveling the same direction or at an intersection.
  - Dim headlights within 500 feet (approximately one and one-half football fields) when approaching an oncoming vehicle.

Do not try to "get back" at another driver who neglects to dim headlights by leaving your high-beam lights on. The result will most likely be two drivers with impaired vision.

Managing Space and Time

A responsible driver monitors surrounding traffic and hazards to avoid a collision. Managing space and time helps a driver identify collision-producing situations in time to take reasonable action to prevent a collision.

Using the I-P-D-E Formula

To help monitor potential dangers while driving, a responsible driver uses the I-P-D-E formula:

*I*dentify—*P*redict—*D*ecide—*E*xecute

- Identify hazards—To identify a hazard or potential hazard you must:
  - Get the "big picture." Constantly scan your surrounding area for potential or upcoming hazards.
  - Regularly scan traffic near and far, on both sides, and in all mirrors.
  - Keep your eyes moving to help maintain alertness and prevent staring and fatigue.
- Predict conditions—Next, predict how an identified hazard might affect the planned path of travel:
  - Use information gathered in the "Identify" phase to anticipate potentially dangerous situations.
  - Predicting involves making projections about how traffic will change based on observations.
  - Predict hazards by considering such things as speed of various vehicles, road and weather conditions, vehicle capabilities, human behavior, and environmental conditions.
- Decide actions—Decide the safest driving maneuver you can make:
  - Consider available/viable alternatives to avoid a collision.
  - Make a definite decision in time to act. Delaying a decision is hazardous and increases the risk of making a faulty decision.
- Execute plan—Execute the driving action you decide is best under the circumstances. This might mean making no changes to your driving actions, or it might involve braking, changing lanes, increasing speed, decreasing speed, communicating with other drivers, or a combination of these and other driving actions.

Stay alert for road hazards and reevaluate the changing situation by constantly reapplying the I-P-D-E formula throughout your trip. To help use the I-P-D-E formula, learn to observe traffic using the Circle of Safety shown in Figure 4-1.

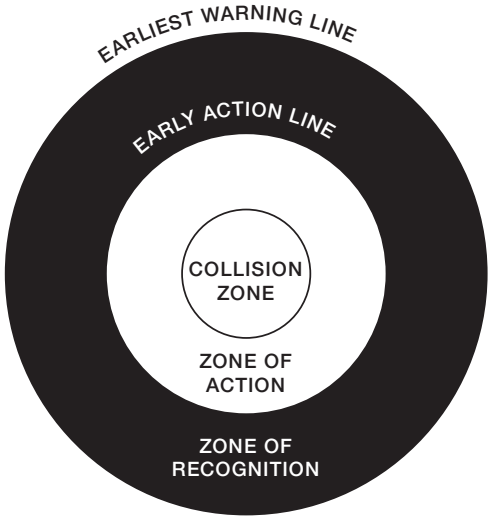

Figure 4-1. Circle of Safety.

Figure 4-1 shows you ways to use zone defense as an early warning system for identifying and predicting potential hazards. Visually scan ahead and around the vehicle to monitor surrounding traffic for hazards. Use the zones identified in the figure to apply the I-P-D-E formula.

When driving 30 mph in an urban setting, scan at least 12 seconds ahead—about one block, or through the next intersection. When driving faster, scan 20 or 30 seconds ahead, which may be a mile or more.

In rural areas and on expressways, scan by looking to the next hill, curve, or exit/entrance ramp.

The Zone of Action shown in Figure 4-1 represents the earliest point at which action must be taken. The wider the Zone of Action, the greater the opportunity to avoid conflict. Use the Zone of Action to implement the "Decide" and "Execute" steps of the I-P-D-E formula.

Failure to apply the I-P-D-E formula in a timely manner may place the driver's bus and others in jeopardy when entering the Collision Zone.

Distance Perception and Awareness

A driver's perception and knowledge about required travel distances will improve driving safety and help prevent collisions. This section discusses following distance, which gives a driver sufficient time to stop, and total stopping distance, which is made up of distances

required for the driver to perceive a problem, react to it, and bring the vehicle to a stop.

Following Distance

The following distance that a driver maintains behind other vehicles is important in allowing sufficient time to achieve the stopping distance when necessary.

Maintaining a safe *following distance* behind the vehicle ahead allows time to apply the I-P-D-E formula. A rule of thumb to calculate following distance is 1 second for each 10 feet of vehicle (see Table 4-1).

Table 4-1. Following Distance Guidelines.

Maintain a time interval of 1 second for each 10 feet of vehicle length in normal driving conditions.	
Maintain a minimum time interval of:	*For this type of vehicle:*
2 seconds	Passenger car
4 seconds	40-foot school bus

Speed, road surface conditions, weather, and light conditions affect safe following distances. As speed increases or conditions become worse, increase your following distance.

Stopping Distance

The *stopping distance* of a school bus is influenced by certain factors (Table 4-2), including:

- driver perception and reaction time,
- vehicle conditions including brake adjustment and tire inflation,
- capacity and current load weight of the vehicle,
- vehicle speed, and
- road and weather conditions.

Table 4-2. Stopping Distance Factors.

Factor	*Definition*
Perception distance	The distance the bus travels from the time the driver sees a hazard until the brain recognizes it
Reaction distance	The distance traveled from the time the driver's brain sends impulses to the foot to push the brake until the foot is actually pushing the brake
Braking distance	The distance traveled once the brakes are applied until the vehicle stops

Stopping distance is the sum of the perception distance, the reaction distance, and the braking distance (see Figure 4-2).

Figure 4-2. Stopping Distance.

How to Calculate Stopping Distance

A bus is traveling 50 mph. The driver sees a hazard ahead and determines the need to stop.

- Perception distance at 50 mph would be calculated by taking the first digit of the speedometer and adding it to the total speed: 5 + 50 = 55 feet in ¾ second.
- Reaction distance is calculated by taking the first digit of the speedometer and adding it to the total speed at 50 mph, which would be 5 + 50 = 55 feet in ¾ second (same as for perception distance).
- Braking distance at 50 mph on dry pavement would be about 128.2 feet to stop in about 4½ seconds.
- Adding it all up, the total stopping distance at 50 mph will take about 6 seconds to stop, and the bus will travel nearly six school bus lengths: 55 + 55 + 128.2 = 238.2 feet.

Figure 4-3 shows estimated total stopping distances for school buses under ideal conditions. Total stopping distance may be longer in less than ideal conditions.

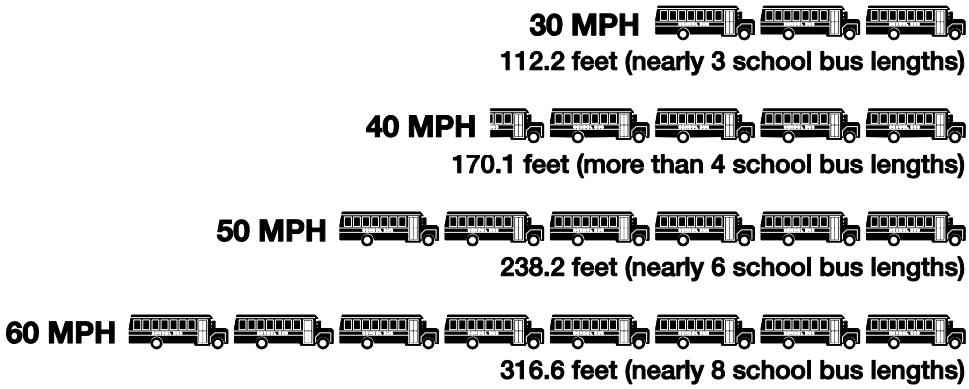

Figure 4-3. Total Stopping Distances for School Buses.

Avoiding Collisions

Road Hazards

I-P-D-E

*I*dentify
*P*redict
*D*ecide
*E*xecute

A critical component of driving a school bus is recognizing potential road hazards and adjusting driving actions to ensure the safety of school bus passengers. Hazards are anything that poses a threat to the safe operation of your school. Recognizing potential hazards enables you to apply the I-P-D-E formula and helps avoid collisions, emergency situations, breakdowns, or other undesirable conditions.

Constant dialog between school bus drivers and route planners is critical. Do not discuss unsafe road conditions with students or passengers. Instead, refer concerned parties to your supervisor.

Parked Vehicles

Parked vehicles can present many hazards. People or animals may dart into the street from spaces between parked vehicles. Persons inside parked vehicles may suddenly open the door into the traffic lane. A parked vehicle may unexpectedly move into the traffic lane.

When approaching parked vehicles:

- Keep a sufficient surrounding space cushion.
- Maintain reasonable speed.
- Be ready to stop.

- Maintain lane position or change lanes as appropriate.

Pedestrians

Yield the right-of-way to pedestrians. Common places to increase alertness for pedestrians on the roadway include:

- any intersection, regardless of traffic control;
- behind the vehicle when backing from a parked position;
- when changing from stationary to moving status.

Remember!

People or animals may dart into the street from spaces between parked vehicles.

Animals

Animals can be road hazards. Be alert for animals on the roadway. Scan the road and surrounding area at night for the eye glow that appears when animals stare into headlights. Check both the roadway and roadsides since animals may dart into the roadway from surrounding areas. The size of the animal dictates what action or evasive maneuvers may be necessary.

Roadway Intersections

Most collisions occur within intersections. An intersection is where vehicles traveling on different roadways joining at any angle may come in conflict. Even though encountering intersections is an integral part of driving, they can constitute a road hazard. When approaching an intersection:

- Watch for pedestrians and give them right-of-way.
- Slow down to avoid stopping in the intersection or on a crosswalk due to traffic or traffic control.
- Observe traffic on the road you are traveling and on the intersecting road. Prepare to stop quickly if a hazardous situation develops.
- If no traffic control signal or sign is present, yield right-of-way to the vehicle approaching from the right.
- Observe a yield sign or flashing yellow light. Slow down sufficiently to stop if necessary. Proceed cautiously only when the intersection is clear.
- Observe a stop sign and come to a complete stop. Proceed cautiously when no interference with cross traffic will occur.
- Observe a traffic signal light. Come to a complete stop if the signal light is red.

Remember!

Most collisions occur within intersections. Slow down and proceed with caution.

- If a traffic signal light changes from green to yellow as you approach, proceed cautiously through the intersection only if a sudden stop might cause a rear-end collision with traffic following too closely behind.
- Obey all traffic control devices, signs, and pavement markings indicating traffic direction for individual lanes. Enter the correct lane as soon as possible.
- Follow an officer's directions if an officer and traffic control devices are in conflict.

When approaching an intersection, be prepared to yield the right-of-way if appropriate:

- If an intersection has a yield sign, slow down when approaching the sign. Yield right-of-way to any vehicle in the intersection or approaching the intersection until the bus can safely enter the intersection.
- When making a left turn, yield right-of-way to vehicles approaching from the opposite direction.
- Yield right-of-way to pedestrians at intersections.
- Stop first and yield right-of-way when:
  - entering a street from an alley, private road, or driveway;
  - making a right turn at a red signal light;
  - an authorized emergency vehicle approaches using audible and visual signals; in this case, pull as far as possible out of the path (preferably to the right) and stop.

Remember!

Yield right-of-way to pedestrians at intersections.

Steering to Avoid a Collision

If an oncoming driver has drifted into your lane, steer to the right of that vehicle. If a driver going the same direction as you drifts into your lane from the left, steer to the right of that vehicle. If a driver going the same direction as you comes from the right, drop behind. When the drivers realize what has happened, the natural response is to return to their own lane.

One technique to avoid a collision is to follow the four R's (Table 4-3).

Table 4-3. Four R's.

R	*Stands for:*
Read	***R***ead the road ahead
Right	Drive to the ***R***ight
Reduce	***R***educe speed
Resort	***R***esort to the right shoulder when needed

Leaving the Road

In some emergencies, it may be less risky to leave the road than face a collision with another vehicle. Most road shoulders are strong enough to support the weight of a large bus and, therefore, offer an available escape route.

Know when to leave the road. The decision to leave the road may have to be made in a split second, so consider the following items before being faced with the choice:

- Speed determines the total stopping distance your bus requires. If the hazard is within the total projected stopping distance at your current speed, steer around the hazard or decide to go off the road, whichever choice appears safer.
- If a collision is inevitable, steer at an angle to avoid a head-on collision and to reduce the force of impact.
- The primary consideration is to protect human life. It is safer to risk damage to property than risk hurting or killing a person.

Here are some guidelines to use if leaving the road is necessary:

- Before leaving the main roadway, scan the shoulder for any hazards or obstacles and make a plan to manage them.
- If possible, slow down before leaving the main road. Once on the shoulder, avoid using the brakes until the bus' speed has dropped to about 20 mph. Then brake very gently to avoid skidding on a loose surface.
- Keep one set of wheels on the pavement if possible to help maintain control.
- If the shoulder is clear, stay on it until the bus has come to a stop. Activate the turn signal and check the mirrors before pulling back onto the road.

If forced to return to the road before coming to a stop:

- Hold the wheel tightly and turn sharply enough to get back on the road safely.
- Do not try to edge gradually back onto the road because tires might grab unexpectedly and result in a loss of control.
- When both front tires are on the main road, counter-steer immediately to return to the direction of traffic flow.

- The two turns should be made as a single "steer/counter-steer" movement with the goal being to straighten the bus in the traffic lane.

Simple Adjustments

Remember!

When stopping behind a vehicle, stop where you can view the rear tires of the vehicle ahead of you.

Because a school bus is much larger than a car, some driving actions must be slightly adjusted from actions used in driving a smaller vehicle. In addition, the responsibility associated with carrying passengers requires that bus drivers exercise substantial caution.

Maintain a Cushion of Space

When stopping behind a vehicle, maintain a "cushion" of space. Stop where you can view the rear tires of the vehicle ahead of you. This will provide space needed for emergency actions, such as driving around a stalled vehicle, and will prevent the bus from hitting the vehicle in front if the bus is rear-ended.

Hills and Downgrades

On Hills

- Select the far right lane or auxiliary climbing lane if available.
- When approaching the crest of a hill on a narrow roadway, position the right tires near the outer edge of the right lane to avoid possible collision with approaching traffic.
- Decrease speed slightly on upgrades to compensate for limited sight distance. Maintain this constant speed on upgrades by shifting to a lower gear and applying accelerator pressure.

Remember!

Be prepared to control bus speed on downgrades. Controlling speed on a downgrade can be problematic. Downshift to control speed on downgrades.

On Downgrades

- Prior to your trip, obtain information about any long steep grades (uphill or downhill) along the planned route of your travel.
- When approaching a downgrade, plan for it by looking for signs indicating length and/or gradient of the downgrade.
- Be prepared to control bus speed on downgrades. Controlling speed on a downgrade can be problematic.
- Use the braking effect of the engine transmission as your principal way of controlling speed. Select the appropriate safe speed and transmission gear, and then apply proper braking techniques to avoid a loss of control.

- Save the brakes so you will be able to slow or stop as required by road and traffic conditions.

If a speed limit is posted for the downgrade or a sign indicates "Maximum Safe Speed," never exceed the speed shown. To select the correct gear to achieve a safe speed on a downgrade:

- Downshift to control speed on downgrades. Familiarity with the specific vehicle is an advantage.
- Both standard and automatic transmissions may be downshifted to a lower gear before descending a steep grade.
- Select a lower gear before starting down the grade. The automatic transmission has shift inhibitors that prevent downshifts above certain speeds.
- Shift to a lower gear as a preventative practice. Do not wait until downhill speed is out of control to downshift.
- Gear selection for an automatic transmission is based upon the maximum safe posted downhill speed for the grade. The following maximum speeds are general guidelines:
    - first gear—15 mph,
    - second gear—22 mph,
    - third gear—35 mph, and
    - fourth gear—over 35 mph.
- Select a speed that is not too fast for:
    - the total weight of the vehicle,
    - the length of the downgrade,
    - the steepness of the downgrade, and
    - road and weather conditions.

Use brakes on a long and/or steep downgrade only to supplement the braking effect of the engine transmission. Do not "ride" the brake pedal with a constant brake application. This will rapidly overheat the brakes. On airbrake-equipped buses, do not "fan" the brakes because this wastes air and can lead to low air pressure in the brakes.

When you reach the maximum safe speed:

- apply the brakes just hard enough to feel a definite slowdown,
- reduce speed to approximately 5 mph below the safe speed and release the brakes,
- maintain brake application for about 3 seconds, and
- repeat applying and releasing the brakes as described above as often as necessary until the bus has reached the end of the downgrade.

Emergency Stop

If your brakes are failing or the bus speed or direction gets out of control, look outside the vehicle for something to stop it. The best hope is an escape ramp. If you need to make an emergency stop on a downgrade:

- Look for signs at the beginning of a downgrade to indicate the presence and location of an escape ramp. Ramps are usually located a few miles from the top of the downgrade.
- If no escape ramp is available, take the least hazardous escape route you can, such as an open field or a side road that flattens out or turns uphill.
- Make the move as soon as you know your brakes are failing. The longer you wait, the faster the vehicle will go and the harder it will be to stop.

Selecting Alternate Paths of Travel

Throughout your trip, constantly identify your planned path of travel. This is where your bus will be in 4 seconds based on existing road and traffic conditions. At the same time, identify alternative paths of travel (see Figure 4-4). Where would you maneuver if the planned path of travel were suddenly blocked?

Regular use of properly adjusted flat and convex mirrors to identify and predict vehicle traffic provides a driver with needed information to decide and execute evasive maneuvers quickly when needed.

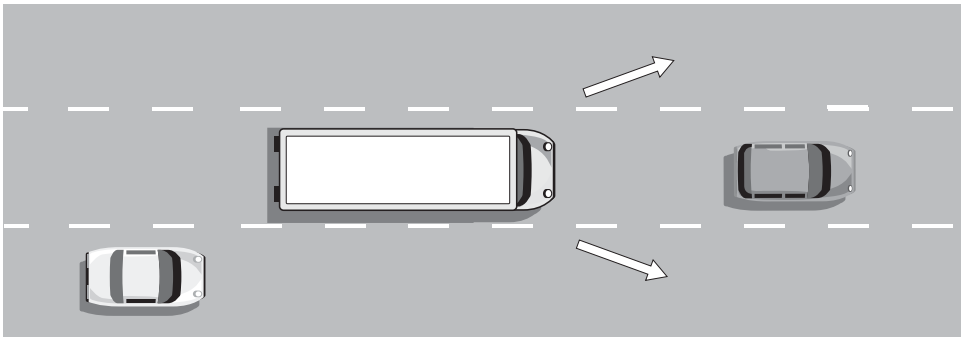

Figure 4-4. Alternate Paths.

Avoiding Objects in the Roadway

If you encounter small, low objects or minor potholes in the road, straddle them with the vehicle (see Figure 4-5). Do not swerve into the opposing lane of traffic. To maintain driving control, avoid having tires go directly over low objects or into potholes.

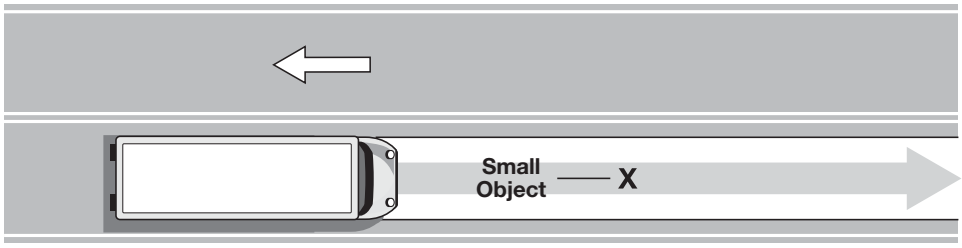

Figure 4-5. Straddling a Small Object in the Road.

If you encounter larger objects or potholes, do not try to straddle them. Instead, drive around them (see Figure 4-6). When space is available, it is better to drive to the right of the object than to the left.

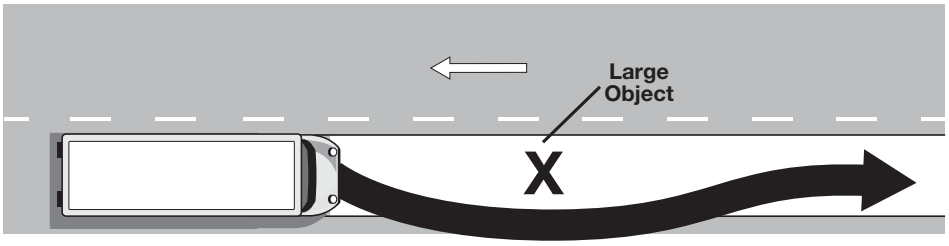

Figure 4-6. Avoiding a Large Object in the Road.

Turning Quickly

When you find that you need to turn quickly, keep a firm grip on the steering wheel with both hands. (Remember: Always keep both hands on the wheel at all times when driving.) Do not turn any sharper than required to clear the hazard. The more sharply the bus turns, the greater the chances of a skid or rollover.

To prevent skidding, do not apply the brakes forcefully while turning. Be prepared to counter-steer once the bus has passed the hazard. Think of emergency steering and counter-steering as two parts of one driving action. When reacting to a road hazard, it is easy to overcompensate directions, so counter-steer by turning the steering wheel only enough to straighten the bus in the traffic lane.

Module 5—Student Management

Overview

Introduction

In order to get students to and from school safely and on time, bus drivers need to be able to concentrate on the task of driving. Students need to learn and follow simple rules that allow you to drive without distraction.

Your behavior affects students' behavior. In this module, we will discuss methods for recognizing appropriate and inappropriate student behavior, ways to encourage appropriate student behavior, and ways to deal with inappropriate student behavior.

In addition, each school district has its own guidelines and policies for managing student behavior.

Topics Covered in This Module

This module covers the following topics:

- identifying appropriate and inappropriate behavior,
- encouraging appropriate behavior,
- dealing with inappropriate behavior,
- reporting suspected child abuse, and
- identifying gang-related behavior.

Basic Rules and Responsibilities

Four Driver Responsibilities

As a school bus driver, safety is crucial. If you are distracted from driving, even for an instant, it is a safety problem. The bus driver is usually the only adult on the bus and is in charge. You have four basic responsibilities:

- transport students to and from school safely,
- transport students to and from school on time,
- protect students from harm, and
- get students to school with minds open to learning.

Five Passenger Rules

It's the Law!

TRC §545.426

TEC §34.004

The rules for appropriate student or passenger behavior are really pretty simple:

- Stay seated while the bus is in motion. **In Texas it is against the law to stand or walk around the bus while it is moving.** Drivers can receive a citation for students not seated.
- Face forward.
- Keep your body and other objects inside the bus.
- Keep the aisle clear.
- Talk in a quiet voice.

However, remember that students are young and inexperienced; maturing rapidly in their minds, bodies, and emotions; and constantly testing their boundaries. Students need help understanding what is acceptable and appropriate behavior on a school bus.

Students' behavior has a direct bearing on the safety of every person on the bus. If they distract the driver, on purpose or not, they could put everyone on the bus at risk.

Drivers should maintain a current seating chart aboard their bus. This is not only necessary in case of a collision, but it is helpful for anyone who needs to drive that route.

Distractions

School bus situations are filled with distractions. Some drivers tolerate distractions and commotion at higher levels than other drivers. Learn what level and types of distraction you can handle without affecting your driving ability; then decide how you will recognize and stem distraction levels before they exceed your tolerance threshold.

Tolerating Noise

It is not reasonable to expect complete silence on a school bus. Afternoon routes are noisier than morning routes. Students have been confined and quiet all day, and they are ready for fun. You may need to be a little more tolerant in the afternoon.

It is normal for your personal mood to change from day to day, and you may be able to tolerate more noise or less noise while driving. However, you must be consistent in your standards and what you communicate and expect from passengers. If what is acceptable one

day is not acceptable the next, the students will not understand and will likely react poorly.

Age-Appropriate Behavior

Each stage of child development brings with it general characteristics and behaviors. A behavior that might be appropriate for elementary students, for example, might be distracting and disruptive for high school students. Knowing what to expect from each age group helps drivers prepare mentally for the bus ride. Identifying age-appropriate behaviors on the bus will help you understand which behaviors to overlook and which ones to address with the students.

Elementary Age Students

Elementary age students:

- require a great deal of physical activity,
- often use talking as a substitute for physical activity,
- will vary their activity level from day to day,
- sometimes talk very loudly, and
- have short memory spans.

In dealing with elementary age students:

- It is not healthy or realistic to expect absolute silence.
- Be patient and calm.
- Frequently remind them of the rules.

Middle School Age Students

Middle school age students experience more rapid physical development than any other age group (except for birth through age 3). Middle school students:

- show great diversity in physical appearance, size, and emotional maturity;
- require more energy than any other age group to manage; and
- are establishing independence and identities for themselves.

In dealing with middle school age students:

- maintain a positive attitude,
- influence positive behavior, and
- address issues immediately as they occur.

High School Age Students

High school age students:

- are very concerned with their dignity;
- wish to be treated as adults;
- do not always act like adults; and
- want very much to fit in, by dressing and acting the same as members of their group.

In dealing with high school students:

- keep things in perspective,
- always be alert, and
- effectively convey on a routine basis that misbehavior is unacceptable.

Some smaller school districts may have all three age groups on one bus.

Encouraging Appropriate Behavior

Student Needs

Remember!

Remain calm and always control your temper.

Students need many of the same things adults need, such as:

- respect and recognition,
- to feel in control of their circumstances,
- to spend time with their friends,
- to feel important to their peers, and
- to understand what is expected of them.

Attitude and Approach Tips

The following tips give you a solid start on setting the atmosphere for your bus and starting out student management on a good base:

- Be friendly but not familiar. Use a courtesy title with your last name instead of letting students call you by your first name: your name is Mr. or Ms. _____.
- Be firm but fair.
- Be consistent; don't be lax one day and strict the next.
- Treat all students equally; don't have favorites.
- Show respect for each student and ask students to respect you and each other.

- Be courteous and not sarcastic; don't ridicule a student or his or her family.
- Remain calm and always control your temper.
- Keep your voice level and don't yell, but make sure you speak loudly enough to be heard clearly.
- Pay attention to your appearance. Arrive for work neat, clean, and well groomed.
- Clearly communicate your expectations to students—what the rules are and the reasons they exist.
- Set a good example.
- Be honest in what you do and say.
- Remember your sense of humor, but take care it is not too sharp or adult for students.
- Don't hold grudges and don't take things personally.
- Never use inappropriate language.

Remember!

Make sure the things you ask a student to do are reasonable requests.

The National Highway Traffic Safety Administration recommends:

- Greet students by name. Say good morning. Smile.
- Show an interest in things that interest them.
- Compliment students on positive behavior.
- Make students feel that they are a part of the team and are responsible for group safety. Have them help set the rules for the bus.
- Listen to the students—their suggestions, their complaints, and their concerns.
- If you make a mistake, admit it.
- Give positive instructions that stimulate an action: "Do this" instead of "Don't do that."
- Make sure the things you ask a student to do are reasonable requests.

If crisis prevention training is available in your district, consider attending.

Explain the Rules

Like most of us, students follow rules better and more cheerfully when they understand why they matter. Help students understand the reasons for the rules you follow on school bus routes.

For example, facing forward when the school bus is in motion is one of the five basic passenger rules, and if students understand the reason for it, they will comply more readily. School buses are designed to keep students safe in a crash through a concept called "compartmentalization." This concept requires that the interior of the school bus provide protection so that students do not need to buckle up in seat belts to stay safe. The key is strong, closely spaced seats with energy-absorbing backs. In order for this compartmentalization to work for safety, each student must be seated and facing forward.

Remember, there is no need to apologize for having a few good rules and enforcing them.

Dealing with Inappropriate Behavior

Remember!

Stopping the route to get the students under control can be an effective motivator for the students to follow the rules.

The more you do to encourage appropriate behavior and engage your students in a friendly manner, the less often you will have to deal with inappropriate behavior. However, no matter how good a job you do of encouraging the appropriate behavior, there will be times when students will do inappropriate things you cannot ignore.

Most routes have students that ride on a regular and continuing basis, so you will get to know your passengers, and they will get to know you. Therefore, at the beginning of a school year, it is better to greet your students in a positive manner and state the rules upfront so the students know your expectations. Maintaining consistency will help prevent the students from feeling like you are singling them out.

Discipline Tips

Tips from the National Highway Traffic Safety Administration:

- Do not hit or touch a student in anger or frustration.
- Save discipline for safety-related behavior. Don't worry about small or annoying problems.
- Do not get drawn into an argument with a student.
- Don't state that you will do something and then *not* do it; mean what you say.

- Handle negative comments away from other students.
- Handle inappropriate behaviors early if possible, before the situation gets out of hand.

Establish techniques you can use on a regular basis to deal with inappropriate behavior. For example, students want to get home as soon as possible after school. So stopping the route to get the students under control can be an effective motivator for the students to follow the rules. But remember, you must stop the bus in a safe location.

Handling Serious Problems

Here are some tips for handling serious problems:

- Stop the bus and park in a safe location off the road, perhaps a parking lot or a driveway.
- Secure the bus, taking the ignition key with you if you leave your seat.
- Stand up and speak respectfully to the offender or offenders:
  - Speak in a courteous manner with a firm voice.
  - Remind the offender of expected behavior.
  - Don't show anger but do show that you mean business.
- If a change of seating is needed, request the student move to a seat near you.
- Follow your district's procedures for further discipline or refusal of rights to ride the bus.

Never put a student off the bus except at school with adult supervision or at his or her residence/school bus stop. If you feel that the offense is serious enough that you cannot safely drive the bus, call for a school administrator or a parent to come remove the student.

Table 5-1 provides steps to give a student a directive, and Table 5-2 provides steps to deal with disruptive behavior.

Remember!

Never put a student off the bus except at school with adult supervision or at his or her residence/ school bus stop.

Table 5-1. Steps to Give a Student a Directive.

No.	*Step*	*What to Say and Do*
1	State the directive politely	"<Name>, please <do this>." If the student does not correct his or her behavior, go to the next step.
2	State the expectation	"<Name>, you are expected to <do this>." If the student does not correct his or her behavior, go to the next step.
3	State the consequences	"<Name>, if you fail to <do this>, then what will happen is <negative consequence>." If the student does not correct his or her behavior, go to the next step.
4	Provide a choice	"<Name>, you're right. You don't have to <do this>, and what's going to happen is <negative consequence>. Or you can <do this>, and <positive consequence>. Looks like you have a choice to make."
5	Break contact with the student	This puts the outcome in the student's hands. If you don't break contact, the power struggle continues.

Table 5-2. Steps to Deal with Disruptive Behavior.

No.	*Step*
1	Ask: "<Name>, what are you doing?" Allow the student to answer.
2	Ask: "<Name>, are you supposed to be <doing that> on this bus?" Allow the student to answer.
3	Ask: "<Name>, what happens when you <do that> on this bus?" Allow the student to answer.
4	Provide a choice <u>or</u> apply the consequence.
5	Break contact with the student. This puts the outcome in the student's hands. If you don't break contact, the power struggle continues.

Assertive discipline is not taught in many districts. Positive behavior intervention strategies are now being used. Check with your district for recommended discipline techniques.

Bullying and Aggressive Behavior

- Name calling
- Mimicking
- Rude gestures
- Cruel or racist remarks
- Threats
- Shoving

Recognizing Medical Conditions

- Stress
- Anxiety
- Sleeplessness
- Fatigue

Sexual Harassment

Definition

Sexual harassment is unwanted sexual or gender-based behavior that occurs when one person has formal or informal power over the other. In a school setting, for example, formal power would occur in a teacher/student setting, and informal power would occur in an older/younger student situation.

It's the Law!

TEC §26.009

There are three elements to sexual harassment:

- The behavior is unwanted or unwelcome.
- The behavior is sexual or related to the gender of the victim.
- The behavior occurs in the context of a relationship where one person has more power—formal or informal—than the other does, such as older students or students at a higher grade level.

It is sometimes difficult to define sexual harassment because:

- Conduct that is appropriate or acceptable to one person may be inappropriate or unacceptable to another.
- There is no single test for distinguishing sexual harassment from offensive or inappropriate conduct.
- Context makes an important difference.

Dealing with Sexual Harassment

If you observe possible sexual harassment:

1. Put a stop to the current behavior.
2. Separate the two passengers if either student requests it or if you deem it necessary.
3. Take the offender aside at the first opportunity. Make him or her aware that the behavior is unacceptable, but do not use the term "sexual harassment."
4. Speak to the student who was offended. Find out his or her feelings about the incident. Try to find out if the behavior has happened before.
5. If you think the behavior could be sexual harassment, report it to a district official according to district policy.

Informal Complaints

You might receive an informal complaint about sexual harassment from a student, whether or not the student uses those words to describe the behavior. You might be told by an administrator about a formal sexual harassment complaint involving students who ride your bus. In either case, take the report seriously. If it comes from a student, let the student know the complaint is being taken seriously and the district will respond promptly. If it comes from an administrator, do not discuss it with any of the students or let them know you are aware of the complaint.

To handle informal complaints from students:

- Listen and sympathize, but don't judge. Make no judgment or commitment regarding the allegations or how the investigation will be conducted. Assure the student that the district will not tolerate sexual harassment. Do not use the words "sexual harassment" until and unless the student uses them.
- Do not ask for details or discuss the situation in detail with the student.
- End the behavior as described in the previous section.
- Don't delay action. Tell the student the name of the district official that is responsible for processing sexual harassment complaints and offer to help contact that person. Follow through immediately. Delays of even a few days can make investigations difficult and send a signal to the student that the district is not taking the problem seriously.

- Respond to concerns. If the student expresses fear about the process, assure the student that the district will do everything in its power to ensure confidentiality, but make no promises. Assure the student that the person responsible for processing sexual harassment complaints will answer all the student's questions about the process.
- Document and report. Write a detailed summary of what the student told you, including your observations of the student's demeanor. Provide this report to the person who will process the complaint.
- Follow up. Check with the student the next day to verify that he or she is getting the needed assistance.
- Avoid using inflammatory words such as "teasing."

Reporting Suspected Child Abuse

Requirements

If you have cause to believe that a child's physical or mental health or welfare has been adversely affected through abuse or neglect by any person, you should report it within 24 hours. This is also true if you have cause to believe that a child has been the victim of sexual abuse.

This requirement to report abuse applies even to professionals whose communications are usually "privileged" (such as doctors, lawyers, therapists, etc.). If you have cause to believe that a child has been abused, and you fail to report it, it is a Class B misdemeanor.

It's the Law!

Family Code

TFC §261.101
TFC §261.102
TFC §261.103

Confidentiality

If you make a report, your identity will be kept confidential. It can be disclosed only to a law enforcement official conducting a criminal investigation of the report, or under a court order.

Where to Report

You can report suspected abuse, neglect, or criminal treatment of a child to any of the following:

- local or state law enforcement agency, or
- Texas Department of Family and Protective Services, using the Child Protective Service Abuse Hotline, 1-800-252-5400.

Identifying Gang Behavior

A gang is a group of people who have banded together in loyalty to each other out of a strong need for belonging, protection, and a feeling of importance lacking elsewhere in their lives. Gang involvement can begin as early as elementary school. Do not assume that just because a student is young or small, he or she could not be involved with a gang. Gangs often depend on their youngest members to carry out the most serious offenses because juveniles receive more lenient treatment when caught.

Gang members can pose a serious safety threat. Once in the gang, the student's behavior changes, often following this pattern:

- defiance toward authority figures,
- disrespect toward anyone not in the gang, and
- violence.

Young people pay a high price for gang membership:

- Initiation rites often involve committing serious crimes and acts of violence to prove loyalty.
- A criminal record is almost guaranteed.
- Physical risk and dangers affect not only gang members, but also family members and even innocent bystanders.

Definite Signs of Gang Involvement

You may find indications of gang involvement with students on your bus:

- gang graffiti on personal items, such as books, backpacks, etc.;
- gang clothing or colors;
- hand signals to communicate with other gang members;
- photographs showing gang names, slogans, insignia, or activity;
- gang tattoos;
- open admission of gang membership; or
- witnesses connecting the student to gang activity.

Graffiti

Some people think graffiti is just artistic expression. Don't be fooled. Graffiti is gang advertisement. It is a newsletter for the streets.

Commonly scrawled on walls and fences in public buildings or on private property, graffiti makes a public announcement of a gang's

presence, its members, and the agenda for criminal activity. Graffiti may be scrawled on your school bus.

Do not ignore graffiti or take it lightly. Understand its significance. It is a sign that a gang is trying to take control. Gangs use graffiti to intimidate you.

If graffiti is not removed, gang members will see this as a sign of a lack of opposition, and graffiti will spread to more and more places. This could be followed by an increase in gang activity and violent crime. It is critical that graffiti be removed from your bus immediately.

Remember!

Do not ignore graffiti or take it lightly.

It is critical that graffiti be removed from your bus immediately.

Module 6—Loading and Unloading

Overview

Introduction

The most dangerous times during a school bus ride are while loading or unloading passengers. Most bus-related injuries and deaths occur during the loading or unloading processes. School bus drivers must know how to interact with traffic, direct students crossing the roadway, and safely manage students who are loading and unloading from the bus. Drivers also need to recognize the unpredictable nature of children and be especially alert and cautious during loading and unloading. Young children are especially vulnerable because they are inexperienced, impulsive, and harder to see. Statistics show that one half of all school bus-related deaths involve students 8 years of age and younger.

According to the National Highway Traffic Safety Administration's Traffic Safety Facts 2009 to 2018: School Buses, across the nation:

- From 2009 to 2018, 249 school-age children have died in school transportation-related crashes; 52 were occupants of school transportation vehicles, 92 were occupants of other vehicles, 100 were pedestrians, 4 were pedalcyclists, and 1 was another nonoccupant.
- Nearly half (48%) were killed by school buses, or by vehicles functioning as school buses.
- Over half (52%) of school-age pedestrians killed in school transportation-related crashes were between the ages of 5 and 10.
- More school-age pedestrians were killed from 6 a.m. to 7:59 a.m. and from 3 p.m. to 3:59 p.m. than any other hours of the day.

Remember!

Loading and unloading are the most dangerous parts of the school bus driver's duties.

This module provides you specific strategies to help avoid unsafe conditions that could cause injuries or deaths during the loading or unloading of students. District policies may vary, so check with your supervisor.

Topics Covered in This Module

This module covers the following topics:

- importance of safety during loading and unloading,
- checking the danger zones and the "Five-Point Mirror Check,"
- performing a safe stop,
- loading and unloading procedures, and
- safety responsibilities.

Importance of Safety during Loading and Unloading

2020-2021 Fatality Report:

- **Kansas**: A 7-year-old girl was crossing the roadway to board the bus. The bus was stopped with the stop arm and eight-way red lights activated. An oncoming vehicle did not stop, the student was struck and killed.
- **Mississippi**: A 7-year-old girl and another student were crossing the roadway after disembarking the bus, The bus was stopped with the stop arm and eight-way red lights activated. A semi driver attempted to avoid colliding with a properly stopped vehicle behind the bus, swerved and struck the two students. The 7 year-old student was killed and the other student was taken by air ambulance to the hospital.
- **New York**: A 6-year-old boy and his 9-year-old brother were running to catch the bus. The 9-year-old boarded the bus. The 6-year-old was in front of the bus as the bus pulled away from the bus stop. The 6-year-old student was struck and killed by the right front and right rear wheels of the bus.
- **Texas**: A 6-year-old girl was running to catch the bus. The bus was pulling away from the bus stop. The student was struck and killed by the left front wheel.

The above scenarios are taken from *National School Bus Loading and Unloading Survey, 2020-2021* conducted by the Kansas Department of Transportation.

Checking Danger Zones

Why Have Danger Zones?

The most dangerous part of the school bus ride is getting on and off the school bus. National statistics show that most deaths occur when the student is getting off the bus or walking from the bus stop (see Table 6-1). Students are at greatest risk of being injured or killed, either by a passing vehicle or their own school bus in the "danger zones."

Table 6-1. School Children's Positions When Killed by School Bus.

Place Pupil Was Killed	*2011*	*2012*	*2013*	*2014*
Unloading on School Ground A.M.	0	0	1	0
Loading on School Ground P.M.	0	0	0	0
School Ground	0	0	0	0
Waiting at Bus Stop A.M.	3	5	1	1
Getting off Bus P.M.	2	1	3	2
Walking/Running to Bus Stop A.M.	2	2	5	0
Walking/Running from Bus Stop P.M.	2	1	0	1
Road, Street, or Highway	0	0	0	0
Other	0	0	0	0
No Information	0	0	0	0
Total	**9**	**9**	**10**	**4**

Definition of Danger Zones

The "danger zone" is the area on all sides of the bus where students are in the most danger of not being seen by the driver. The danger zones include:

- 10 feet in front of the bus where the driver may be too high to see the student,
- 10 feet on either side of the bus where a student may be in the driver's blind spot, and
- 10 feet directly behind the bus.

The area to the left of the bus is also extremely dangerous because of passing vehicles. Figure 6-1 illustrates the danger zones.

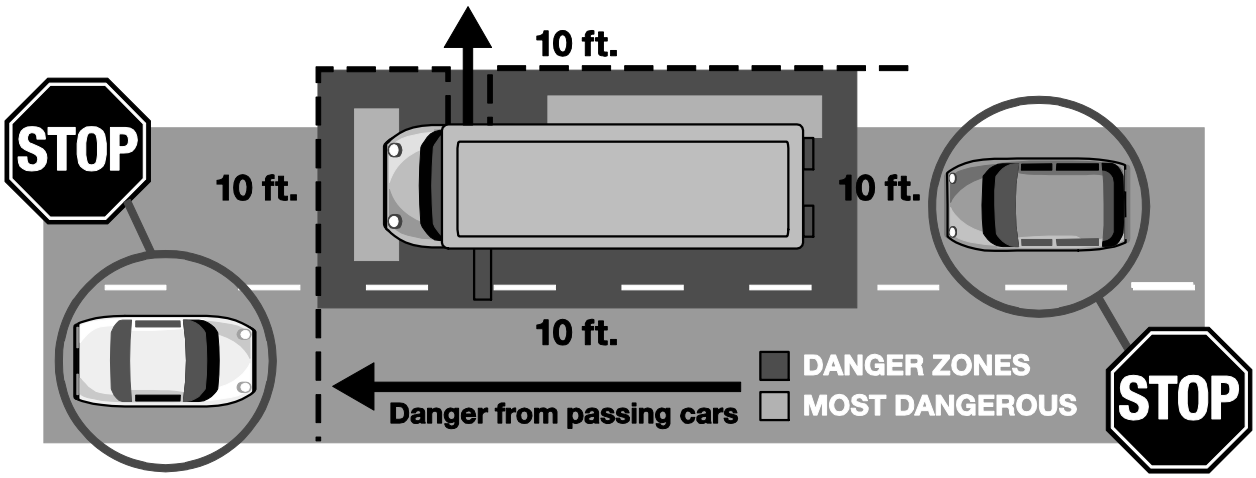

Figure 6-1. Danger Zones.

Using Mirrors to Check the Danger Zones

Proper adjustment and use of all mirrors is vital to the safe operation of the school bus for observing students, traffic, and other objects in the danger zones. First, adjust your mirrors properly. Then, always check your mirrors for pedestrians in the danger zones. A quick, effective technique is the "Five-Point Mirror Check"; using this technique every time makes safety become a habit. Be aware you have blind spots that cannot be seen even with all mirrors, so don't rely on them completely.

Five-Point Mirror Check

The five-point mirror check allows you to continuously monitor the danger zones around the bus for students, traffic, and other objects before, during and after stopping to load or unload students.

Remember!

Always check each mirror for proper adjustment before operating the bus.

1. **Inside overhead rearview mirror**—Check for student activity inside the school bus. Remember, you may have limited visibility directly in back of the bus, so use the outside mirrors to monitor traffic and students approaching and entering this area.
2. **Outside left-side flat and convex mirrors**—Use these mirrors to check for traffic, clearances, and students at the left side of the bus and to the rear of the bus. Remember, convex mirrors do not accurately reflect the size of people or objects and distance from the bus.
3. **Outside right-side flat and convex mirrors**—Check for traffic, clearances, and students at right bus sides and to the rear of the bus. Remember, convex mirrors do not accurately reflect the size of people or objects and distance from the bus.

4. **Outside left-side and right-side crossover mirrors**—Check the front bumper danger zone and area to the front left and right side of the bus, including the service door and front wheel area. Remember, crossover mirrors do not accurately reflect the size of people or objects and distance from the bus.
5. **Flat, convex, and crossover mirrors**—Recheck to make sure that the danger zones are clear and mirrors are properly aligned before leaving every bus stop.

Mirror Adjustment

Be sure to adjust mirrors as necessary before you leave the bus compound and before leaving any stop, in case a student knocks one of the mirrors out of adjustment. If you have a problem with this, be sure students understand the hazard of this and be sure it does not continue. If a particular student continues to intentionally bump mirrors, document the incidents and take appropriate disciplinary action.

Performing a Safe Stop

Introduction

Before you can load or unload students, you must perform a safe stop. This is one of the most demanding challenges a school bus driver faces every day. You must use extreme caution when approaching a school bus stop.

Evaluate the Safety of the Bus Stop Location

Safely stopping a bus requires specific skills and the ability to know what factors influence safety at a bus stop location.

Factors that Influence Safety

Several factors can influence school bus stop safety (see Table 6-2). Constantly monitor school bus stops on your route and consider the questions in Table 6-2 while monitoring safety conditions around bus stops.

Table 6-2. Factors That Influence Bus Stop Safety.

Factors	*Questions to Consider*
Visibility Distance	Is visibility good in all directions? Are warning signals visible for an appropriate distance in all directions?
Traffic Volume	Is traffic heavy? Has traffic increased since you first started working on the route? Does the stop block an intersection?
Crossing Conditions	Do students have to cross the road to reach the school bus stop? Can students clearly see vehicles coming in all directions? Are warning signals visible to all traffic?
Surroundings	Are small children in the area? Are vacant or undesirable buildings near the stop? Are any stray animals near the stop? Have students damaged any property at or near the stop?
Safe Turnaround	If a turnaround is necessary, does the area provide a safe area to do so?
Accessibility in All Weather Conditions	If it rains or snows, is the bus stop still safe for students and for the bus? Could flooding make the area unsafe? Are there other weather conditions that could affect safety?

Be on the lookout for unusual hazards as you approach each bus stop such as criminal activity, strangers, dogs, construction equipment, etc. You can never be too careful.

What to Do about a Potentially Unsafe Stop

Remember!

Your district transportation supervisor must approve all stops.

Each school district establishes official school bus routes and official school bus stops. The transportation supervisor must approve all stops prior to creating the stop. Concerning dangerous stops, you should:

- Ask your supervisor about district policies regarding a potentially dangerous bus stop. Do this now, before you encounter a problem.
- Report any changes that could affect the safety of a bus stop to your supervisor as soon as possible. The district may consider changing the bus stop based on your observations.
- Never change the location of a bus stop without approval from your supervisor.

Approach the Bus Stop Cautiously

Following proper stopping procedures can help assure a safe stop. Check your local district policies since they may vary.

A safe procedure to stop the bus includes the following:

1. Remain aware of pedestrians, traffic, or other objects before, during, and after coming to a stop.
2. Approach the bus stop slowly and cautiously.
3. Activate alternating flashing amber warning lights at least 300 feet (approximately 5-10 seconds) before the bus stop.
4. Turn on the right-turn signal indicator about 100-300 feet (approximately 3-5 seconds) before pulling over.
5. Perform the Five-Point Mirror Check to monitor the danger zones for students, traffic, and other objects.
6. Pull the bus over as far to the right as practical but still remaining in the traffic lane. (If students cross the road, stop the bus on the roadway.)
7. Stop the bus with the front bumper at least 10 feet away from the students at the designated stop.
8. Place the transmission in park or neutral and set the parking brake at each stop.
9. Activate alternating flashing red lights. Activate stop arm when traffic is at a reasonable and safe distance from the school bus.
10. Check to see that all traffic has stopped in both directions before completely opening the door and signaling the students to approach.
11. Other variations of this procedure are also safe and may be endorsed by your district.

Remember!

Always stay in the traffic lane to load or unload.

Use of Communication Signals

Drivers should use appropriate communication with students, including a consistent danger signal, so students know what to do if a motorist fails to stop or other danger exists. If the bus driver honks the horn while the child is crossing, it means "return to the side of the road you started from at once!" Figure 6-2 shows commonly used communication signals.

Figure 6-2. Common Communication Signals.

Activation of Flashing Warning Lights and Right-Turn Signal

A key factor in performing a safe stop is the proper use of all safety equipment. This includes the alternating flashing red warning lights, moveable stop arm, and, when equipped, rooftop warning lamps (according to district policy).

It's the Law!

TRC §547.701

When you are stopping or have stopped on a highway or roadway to load or unload students, you *must* activate all flashing warning signal lights and other equipment designed to warn other drivers you are loading or unloading students. (Do not operate such lights at any other time.)

Be Aware of Surroundings and Other Motorists

Foremost among the dangers encountered at a bus stop is other drivers disregarding the law and passing a stopped school bus. (The act of illegally passing a stopped school bus with red lights flashing is commonly known as a "stop-arm violation.")

The potential for injury or death caused by illegal passing of a stopped school bus is extremely high. Some drivers ignore the law because they are confused about what is required by law, are in a hurry and do not think that they will get caught, or are distracted and do not see the bus until it is too late.

Always be aware of what is going on around your bus. While other motorists *should* obey the law, they sometimes don't. Texas law requires drivers to stop for school buses with red lights flashing and stop arms extended.

When Vehicles Must Stop

When your bus is stopped on a highway or roadway to pick up or drop off students and you are operating your visual signal, any other driver approaching on the highway from either direction:

- must stop; and
- may not proceed until *one* of these three things happens:
  - your bus resumes motion,
  - you signal the other driver to proceed, or
  - you turn off your visual signal.

Figures 6-3 and 6-4 illustrate where other drivers should stop when the visual signal is operating.

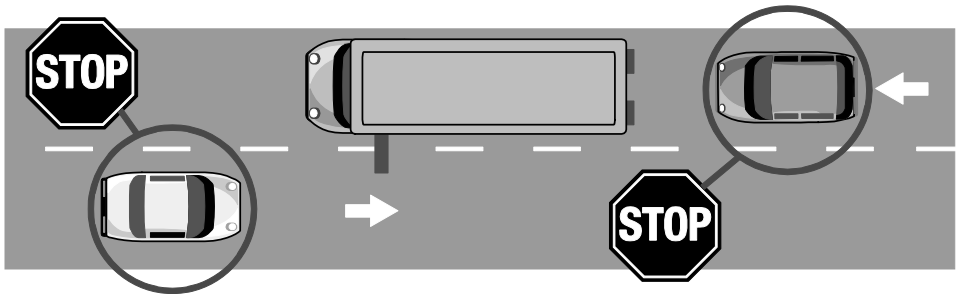

Figure 6-3. Drivers Stopping on Two-Lane Road for Bus.

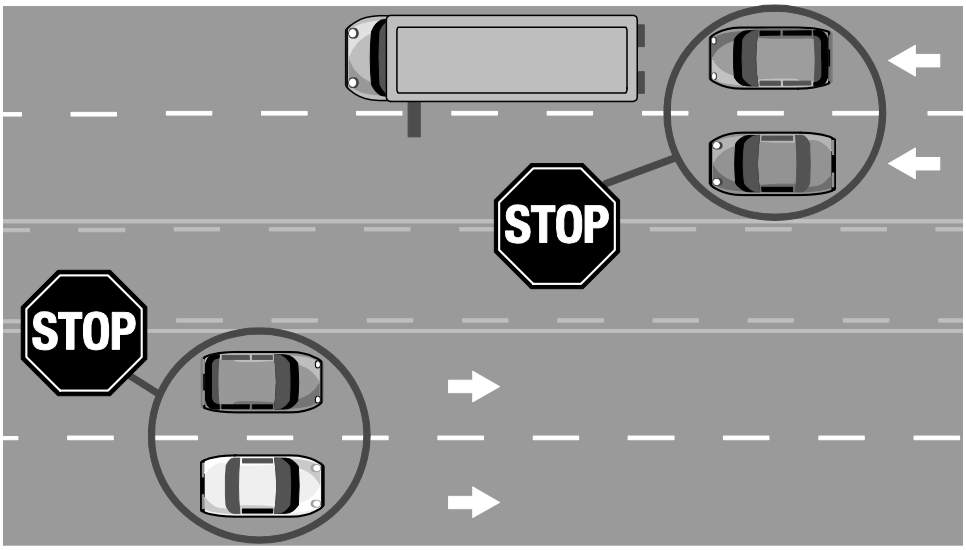

Figure 6-4. Drivers Stopping on Four-Lane Road for Bus.

When Vehicles Do Not Have to Stop

It's the Law!

TRC §546.001

The other driver is *not* required to stop if:

- The vehicle is an authorized emergency vehicle.
- Your school bus is on a different roadway than his or her vehicle (for example, a divided highway with a raised grassy or concrete median).
- Your bus is on a controlled-access highway and is stopped:
  - in a loading zone that is part of or adjacent to the highway and
  - pedestrians are not permitted to cross the roadway, such as on a freeway.

Remember!

Authorized emergency vehicles are not required to stop for alternating flashing warning red lights.

Figures 6-5 and 6-6 illustrate where other drivers do not stop when the visual signal is operating.

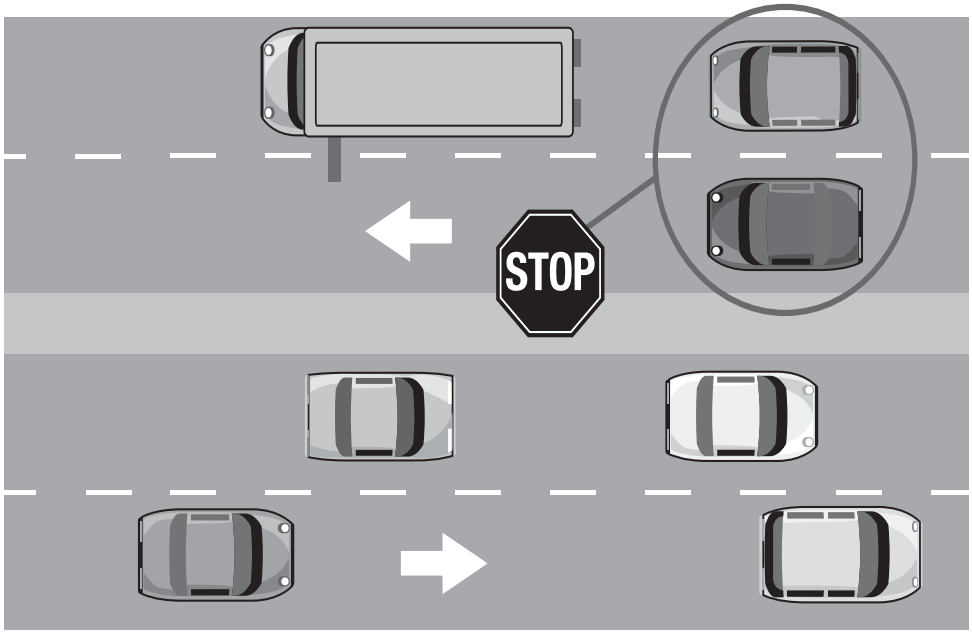

Figure 6-5. Drivers on a Four-Lane Road with Median Do Not Stop.

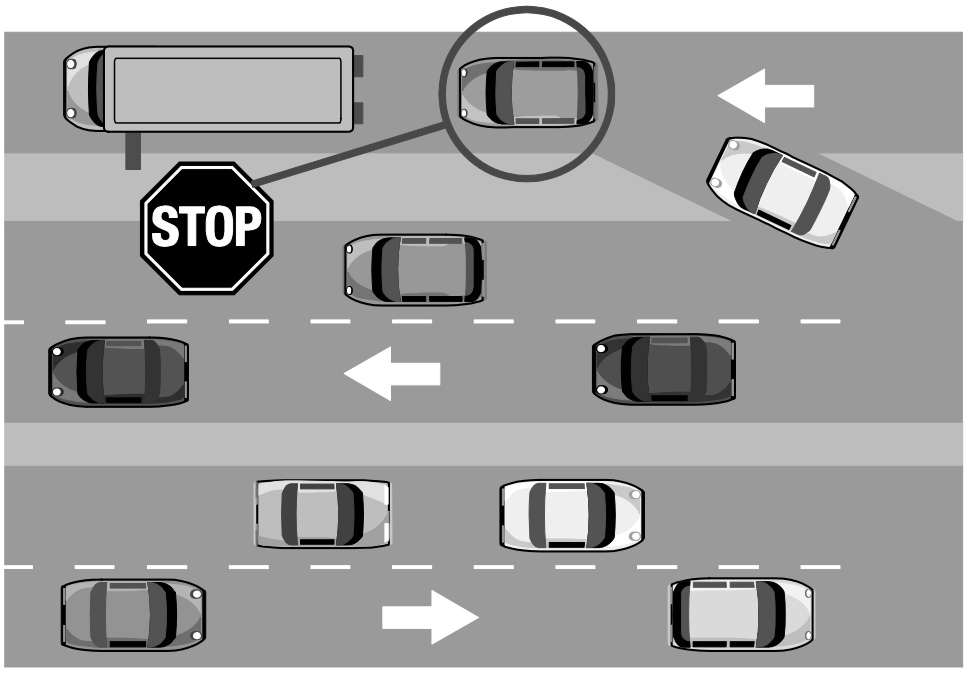

Figure 6-6. Drivers with an Access Median Do Not Stop.

Penalties for Violation

Drivers who pass the bus when the alternating flashing red warning lights are flashing are subject to penalties if a police officer witnesses the violation:

- the first offense is a misdemeanor punishable by a fine of $500–$1,250, and
- the second offense is a state jail felony and can result in a possible suspension of driver license for up to 6 months.

It is a Class A misdemeanor if the person passing the bus causes serious bodily injury to another.

It's the Law!

TRC §545.066

When a Vehicle Continues to Illegally Pass

If it appears to be the same vehicle that continually passes your stopped bus while the flashing red lights are activated, you could:

- Safely record as much information as possible about the passing vehicle (make, model, color, vehicle license plate number, and direction of passing).
- Safely record date, time of day, and location of the stop-arm violation.
- Report the information to your supervisor to share with the local law enforcement agency for assistance.

2022 Texas Survey

Illegal Passing of School Buses

One Day Snapshot

AM: 3,584

Mid-Day: 158

PM: 4,984

Total: 8,726

Always know and follow your district policies on reporting stop-arm violators.

Loading and Unloading Procedures

Introduction

This section gives general procedures for loading and unloading students. Local district policies and procedures for loading and unloading may vary.

For the driver, the greatest need for caution comes before loading students and after unloading students. When students become pedestrians, the school bus is no longer a protective carrier but a potential danger.

Loading at the Bus Stop

Remember!

Keep checking your mirrors!

1. Students should wait in a designated location for the school bus, facing the bus as it approaches.
2. Perform a safe stop (described earlier) at the bus stop. **Check your mirrors and blind spots.**
3. If it is dark, turn on the dome light to illuminate the interior of the bus while loading.
4. Count the students waiting and signal them to board the bus.
5. Monitor all mirrors continuously.
6. Have students board the school bus slowly, in single file using the handrail, and sit in an assigned seat if applicable. Greet students by their names.
7. Count the number of students that board the bus and be sure that it matches the number of students you counted at the bus stop. If you cannot account for a student:
   - Secure the bus.
   - Check around and underneath the bus.
8. If possible, know the names of students at each stop. If a student is not at the bus stop, ask the other students where the student is. This tells you whether you can expect a late student to run after the bus, which could put the student in jeopardy.
9. Wait until students are seated and facing forward before moving the bus. Do not move the bus if students are:

- moving around inside the bus,
- shoving or scuffling, or
- shouting or distracting the driver.

10. Perform the Five-Point Mirror Check. Make certain no one is running to catch the bus.
11. Prepare to leave:
    - Engage the transmission.
    - Release the parking brake.
    - Turn off alternating flashing red warning lights.
    - Give a left-turn signal.
    - Perform the Five-Point Mirror Check again.
12. When it is safe, move the bus, enter traffic flow, and continue the route.

Loading at School Campus

1. Students should wait in a designated location for the school bus, facing the bus as it approaches.
2. Perform a safe stop (described earlier) at the bus stop. Your district may or may not require the use of alternating flashing red warning lights; check with your supervisor.
3. Secure the bus:
    - Turn off the engine.
    - Remove the key if you are leaving the driver's compartment.
4. If it is dark, turn on the dome light to illuminate the interior of the bus while loading.
5. Position yourself to supervise loading as recommended by your district.
6. Ask the adult supervisor for a count of waiting students, or count them yourself.
7. Signal the adult supervisor to have students enter the bus. Students should approach the loading area in an orderly manner.
8. Have students board the school bus slowly, in single file using the handrail, and sit in an assigned seat if applicable. Account for all students. Greet them by name if possible.

Remember!

3 important rules before leaving a stop:

Check your mirrors and blind spots!

Check your mirrors and blind spots!

Check your mirrors and blind spots!

9. Count the number of students that board the bus and be sure that it matches the number of students you counted at the bus stop. If you cannot account for a student:
   - Secure the bus.
   - Check around and underneath the bus.
10. Wait until students are seated and facing forward before moving the bus. Do not move the bus if students are:
    - standing or moving around inside the bus,
    - shoving or scuffling, or
    - shouting or distracting the driver.
11. Perform the Five-Point Mirror Check. Make certain no one is running to catch the bus.
12. Prepare to leave:
    - Fasten your seat belt.
    - Start the engine.
    - Engage the transmission.
    - Release the parking brake.
    - Give a left-turn signal, if applicable.
    - Perform the Five-Point Mirror Check again and check blind spots.
13. When it is safe, move the bus, pull away from the curb, and begin the route.

Unloading at the Bus Stop

Unload students on the right side of the roadway whenever possible so that street crossing is not required.

1. Perform a safe stop (described earlier) at the bus stop.
2. Have students remain seated until the bus comes to a complete stop.
3. If it is dark, turn on the dome light to illuminate the interior of the bus while unloading.
4. Monitor all mirrors continually.
5. Have students look in all directions before exiting.
6. Count the number of students leaving the bus.
7. Students should exit the bus and walk at least 10 feet away from the bus to a position where the driver can plainly see that all

students are safe. Make sure that no student's clothing or accessories are caught on the door or handrail. Most modern buses have corrected the handrail danger, but older buses may still have issues, so always watch.

8. Count the students that have left the bus. If you cannot account for a student:
   - Secure the bus.
   - Check around and underneath the bus.
9. Perform the Five-Point Mirror Check. Make sure no student is returning to the bus.
10. Prepare to leave:
    - Engage the transmission.
    - Release the parking brake.
    - Turn off alternating flashing red warning lights.
    - Give a left-turn signal.
    - Perform the Five-Point Mirror Check again.
11. When safe, move the bus, enter the traffic flow, and continue the route.

Unloading at School Campus

1. If stopping on a public street, approach campus so students will not have to cross the street.
2. Perform a safe stop (described earlier) at the designated unloading area.
3. Have students remain seated until told to exit.
4. Secure the bus:
   - Turn off the ignition switch.
   - Remove the key if you are leaving the driver's compartment.
5. If it is dark, turn on the dome light to illuminate the interior of the bus while unloading.
6. Position yourself to supervise unloading as recommended by your district.
7. Tell students to exit:
   - For the first row of seats, students on the right side exit and then students on the left side exit.

- Alternate sides until all students have exited.

8. Supervise students as they step from the bus to see that all move promptly away from the unloading area. Make sure that no student's clothing or accessories catch on the door or handrail.
9. Count the students that have left the bus. If you cannot account for a student:
   - Secure the bus.
   - Check around and underneath the bus.
10. Check the bus for hiding/sleeping students and items left by students.
11. Perform the Five-Point Mirror Check. Make certain no student is returning to the bus.
12. Prepare to leave:
    - Fasten your seat belt.
    - Start the engine.
    - Engage the transmission.
    - Release the parking brake.
    - Give a left-turn signal, if applicable.
    - Perform the Five-Point Mirror Check again and check blind spots.
13. When it is safe, pull away from the unloading area and leave the campus.

Teaching Students to Cross the Roadway

Loading and unloading students who must cross the roadway require extreme caution. Teach your students to follow the 15-Foot Rule when crossing the roadway. It could save a life!

Be careful when signaling students so that you do not confuse other motorists.

The 15-Foot Rule for Loading

Teach students this procedure (Figure 6-7):

1. Stay on your side of the road, far away from traffic.
2. Look for the red flashing warning lights.
3. Wait for the bus to stop and your driver to signal you to cross.

4. Check traffic in all directions and then check again. Remember, drivers should stop, but they may not!
5. Cross, walking directly across the street and checking traffic in all directions.
6. Walk approximately 15 feet (or 10 giant steps) ahead of the school bus bumper and board the bus quickly.

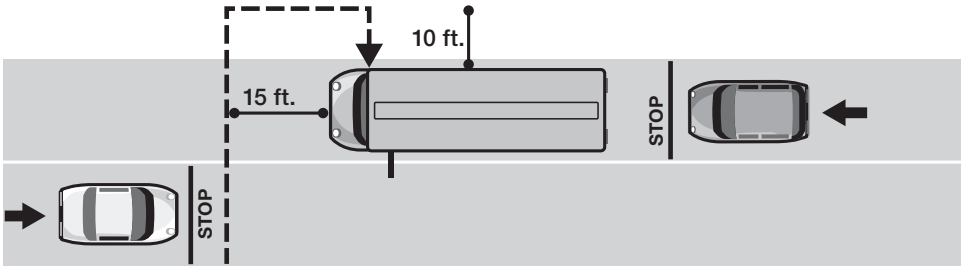

Figure 6-7. The 15-Foot Rule for Loading.

The 15-Foot Rule for Unloading

Teach students this procedure (Figure 6-8):

1. Remain seated until the bus comes to a complete stop.
2. Look in all directions before exiting the school bus.
3. Walk approximately 10 feet away from the right side of the school bus.
4. Walk 15 feet in front of the bus.
5. Walk to the edge of the roadway.
6. When you reach the edge of the roadway, stop and look in all directions, making sure the roadway is clear and safe. Check for the red flashing lights on the bus.
7. Wait for the driver's signal before crossing.
8. After the driver signals, walk across the roadway until you are even with the left edge of the school bus. Continue to look in all directions.
9. Look at the driver and wait for his or her signal.
10. After the driver signals, walk across the roadway.

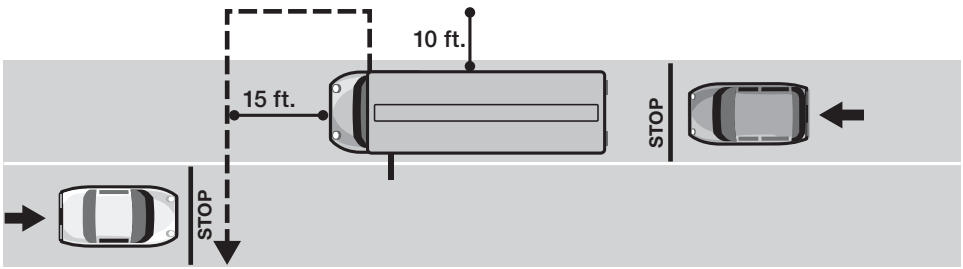

Figure 6-8. The 15-Foot Rule for Unloading.

Safety Responsibilities while Loading and Unloading

Introduction

Both bus drivers and passengers have certain responsibilities during loading and unloading. Driver responsibilities concern both their own actions and those of their passengers. Drivers must ensure that passengers are educated about proper safety procedures and actually follow those procedures.

Driver Responsibilities

Safety Procedures

Bus drivers are responsible for students boarding and exiting the bus in a safe and orderly manner. In addition to enforcing the procedures discussed previously, you should enforce the following rules:

It's the Law!

TRC §545.426

- Do not allow students to stand in a school bus while it is in motion. Also, they must not sit on the floor or any other location that is not designed as a seat.
- Do not allow any person to occupy a position interfering with direct vision or vision of the area reflected in the school bus mirrors. This is especially critical during times of loading and unloading.

Prevent Handrail Hang-Ups

Students have been injured or killed when their clothing or accessories were caught in the school bus handrail or door as they exited the bus. To prevent injuries or death, you can:

- Allow children ample time to get off the bus before closing the door and driving away.
- Make sure children are completely clear of the bus before closing the door and driving away.
- Count the number of children that exit at each stop and be able to account for each one before moving the bus.
- Tell children to ask their parents to cut drawstrings off clothing.
- Tell children to watch carefully when getting off the bus.

Dropped Objects

Tell students to leave any dropped object where it is rather than try to pick it up. The driver should retrieve the object or signal that it is safe for the student to do so.

Passenger Education

It is the school bus driver's responsibility, in cooperation with the school, to train students regarding safe loading and unloading procedures and proper riding procedures. This responsibility can be met through observation and verbal correction or instruction on the bus.

Remember, young children need to be reminded many times of the steps involved in a new procedure. You may need to repeat instructions several times before a child can follow safety rules correctly. Every district varies on how students are trained. In most cases, the driver will instruct students on loading and unloading.

Know Your Students

Get to know your riders. If a regular rider is missing, ask other students about him or her. Before pulling away from the stop, be certain that a student is not running to catch the bus.

Student Responsibilities

Work with your district to ensure that students are aware of the rules that apply to them.

Danger Zones

Students should recognize the danger zones and leave these areas promptly when loading or unloading. Converting danger zone measurements into "giant steps" makes it easier for them to remember:

- The front danger zone is 10 feet, or 5 giant steps.
- The side danger zones are 10 feet, or 5 giant steps.
- The rear danger zone is 10 feet, or 5 giant steps.

Waiting for the Bus

- Students should arrive at the assigned stop prior to the scheduled pick-up time, at least 5 minutes early if possible, and wait in the designated location for the school bus.
- Students should remain orderly, follow school policy at the bus stop, and respect all private and public property in the area of the bus stop.
- Students who must cross the street to board the bus must wait on their own side of the street until the bus arrives and the bus driver signals that it is safe to cross.
- Students should line up single file at the designated bus stop with an older student at the front of the line and another at the end to promote safe loading. Students should wait in this position until:
    - the bus comes to a complete stop,
    - the door has opened, and
    - the driver signals it is safe to board.

Loading onto the Bus

- Students should follow the 15-Foot Rule in order to cross the street safely.
- If a student drops an object, he or she should signal the driver, who will then retrieve the object.
- Students should await a signal to enter the bus from the driver or adult supervisor.
- Students should walk slowly toward the school bus in an orderly manner, board single file, and use the handrail.
- Students should not shove or scuffle while boarding the bus.
- Students should let the driver know if any riders are missing.
- Students should be seated promptly and face forward. Assigning seats to the students can assist in students being seated promptly.

Note: See Module 5 for more information on student management.

It's the Law!

TRC §545.426

Riding

- Students shall remain seated and face forward while the bus is in motion and should not shout or unnecessarily distract the driver.
- Students shall not be in the front step well of a school bus while the school bus is in motion.

Unloading

- Students shall remain seated until the bus comes to a complete stop and the driver instructs the students to exit.
- Students in the first row on the right side exit, and then students on the left side exit, alternating sides until all students have exited.
- Students must face forward while walking and use the handrail when exiting.
- Students must not jump or skip steps.
- Students have been injured or killed when clothing or accessories are caught in the handrail or door as they exit the bus. Draw-strings, dangling straps, or loose clothing pose a danger of getting caught in the handrail or door. Students (and bus drivers) should be aware of this risk.
- Students should follow the 15-Foot Rule in order to cross the street safely.
- If a student drops an object, he or she should signal the driver, who will then retrieve the object.
- After leaving the bus, students must move completely out of the danger zones before the bus moves away.
- Students must use caution when crossing the roadway.

Module 7—Navigating Railroad Crossings

Overview

Introduction

Most school bus routes require that a driver cross railroad tracks somewhere along the route. Railroad crossing intersections present specialized challenges for vehicle drivers. Responsible drivers need to be alert to the presence or potential presence of trains, workers, pedestrians, or maintenance vehicles near railroad crossings. Recognizing warning signs and markings, applying safe driving practices, and responding to changing circumstances will help drivers navigate railroad crossings safely.

Topics Covered in This Module

This module covers the following topics:

- general information about railroad crossings,
- railroad warning signs and devices,
- how to safely cross a railroad track in a school bus, and
- what to do about clearance and stalled buses.

Special thanks are extended to the Washington State Pupil Transportation team. Some information in this module was used with permission from Washington's School Bus Driver Training curriculum.

Railroad Crossing Intersections

Every railroad crossing poses potential danger. From 1994 through 2004, there were 31 highway-rail grade crossing collisions involving school buses in the United States. Those incidents resulted in 111 injuries and 13 fatalities, according to the Federal Railroad Administration. Know how to cross a highway-rail intersection safely. Know how long your bus is, and use your mirrors and reference points to determine your position in relation to the hazard zone. Figure 7-1 shows one type of railroad crossing sign, also known as a "crossbuck" sign.

Figure 7-1. Railroad Crossing Sign.

It's the Law!

TRC §545.251

Figure 7-2 shows a typical railroad-crossing gate. *It is illegal to drive around a lowered railroad-crossing gate or have them lifted, unless directed to do so by a law enforcement officer or an authorized railroad employee*. Yet nearly 50 percent of vehicle/train collisions occur at crossings with active warning devices (gates, lights, and bells). Remember that in a confrontation between a train and a vehicle, the train always wins.

To report a railroad signal activation problem (lights flashing, no train or gates down, no train), call the emergency phone number posted at the railroad crossing on the Emergency Notification Sign or call 9-1-1.

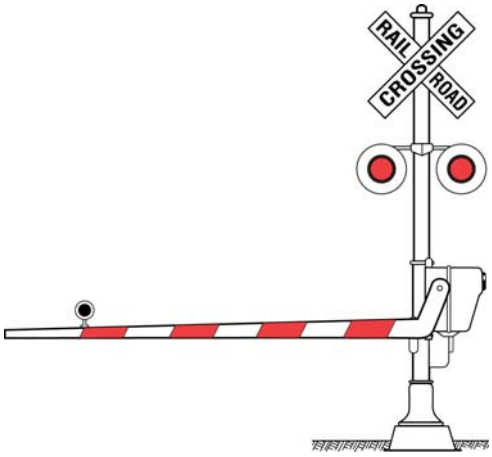

Figure 7-2. Railroad-Crossing Gate.

Expect the Unexpected

Remember!

Trains cannot stop quickly.

Always expect a train at a crossing even if you think you know the train schedule and have used the crossing many times. Freight trains usually do not run on a set schedule. Be careful not to misjudge a train's speed and distance. Train size and the angle of approach can make trains appear to be moving slower and be farther away than

they really are. Trains cannot stop quickly. For example, a loaded train of 150 freight cars going 50 mph takes about 1.5 miles to come to a stop—that's the length of almost 25 football fields lined up end to end.

When and Where to Stop

Before crossing a railroad track, stop the bus 15-50 feet away from the track. Listen and look in both directions for a train and for signals indicating the approach of a train. When you are sure it is safe to proceed, choose a gear that will allow you to cross the track without shifting. See the section of this module on steps for crossing a railroad track safely.

It's the Law!

TRC §545.2535

In 2014, incidents at public highway-rail crossings in the United States resulted in 270 deaths. Responsible driving at a highway-rail crossing means:

- *Never* try to beat a train.
- Obey all crossing signals.
- Do not back up across a train track.
- Do not change gears when crossing a train track.
- Be certain you have enough length on the other side of the track to clear the end of the bus if you need to stop.
- If there is more than one set of tracks, check both sets of tracks, especially for a second train after one train has passed.

You are not required to stop at two types of railroad crossings:

- an abandoned railroad crossing marked "Tracks Out of Service" or
- an industrial or spur line crossing marked "Exempt."

Railroad Crossing Warning Devices

You will see multiple types of signs, pavement markings, and warning devices indicating railroad crossings. Drivers need to be alert to various types of indicators:

- Round yellow warning sign—A round black-on-yellow advance warning sign may appear ahead of a highway-rail intersection (see Figure 7-3).

Figure 7-3. Railroad Crossing Advance Sign.

- Pavement markings—Painted lines or raised reflectors indicate the presence or upcoming presence of a railroad crossing (see Figure 7-4 for an example). If there is a broad white stop line in front of the tracks, the front of the school bus (or any vehicle) should remain behind this line while stopped.

Figure 7-4. Railroad Crossing Pavement Markings.

- Parallel track sign—These yellow diamond-shaped signs have a black drawing that shows a train track running parallel to the roadway (see Figure 7-5 for an example). They serve as a warning to drivers who need to make a turn in the direction of the train track.

Figure 7-5. Parallel Railroad Crossing Sign.

- Crossbuck sign—This simple sign is a letter X with “Railroad Crossing” usually printed on it (see Figure 7-1).
- Gates/lights—Some railroad crossings have automatic gates that close to block the roadway when a train approaches (see Figure 7-2). Other crossings have lights, either in combination with gates or alone. Lights might appear at the sides of the roadway or above the intersection. Some crossings have advance warning lights prior to reaching the intersection.

- Train whistle—Remember that the train whistle is a warning device. Trains must sound their whistles when approaching roadway intersections.
- Other warning signs and devices—You might encounter other information or warning signs related to railroad crossings. A STOP sign means the same as it does on any other roadway. A sign indicating multiple tracks alerts you to look for trains in multiple locations. A DO NOT STOP ON TRACKS sign (see Figure 10-6) usually indicates an intersection with limited clearance where vehicles stopping too close to the tracks have been noted as a problem. A NO TRAIN HORN sign is to make drivers aware that the area is a quiet zone and a horn will not sound from the train. Therefore, it's especially important to be aware of an approaching train (see Figure 7-6).

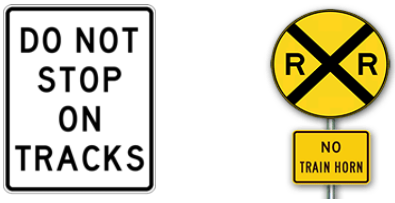

Figure 7-6. DO NOT STOP ON TRACKS Sign and NO TRAIN HORN sign.

Crossing a Railroad Track

One Step at a Time

Use three steps when crossing a highway-rail crossing intersection:

- Step 1—Approach and stop:
  - slow down as you near a railroad crossing,
  - activate your warning lights,
  - approach the crossing alertly with the intent to stop,
  - stay in the right lane of the roadway if possible,
  - stop no closer than 15 feet and no farther than 50 feet from the tracks, and
  - place transmission in park, or if there is no park shift point, in neutral and press down on the service brake or set the parking brakes.
- Step 2—Look and listen:
  - signal students to be quiet;
  - open the driver’s window to see and hear your surroundings;
  - turn off radios and noisy equipment, and do not turn them back on until the crossing is completed and you are away from the track;
  - look across the track to determine if the road is clear;

Remember!

If crossing gates come down as you start to cross the tracks, what should you do?
Keep going—the gates will break away.

If your bus stalls on or near railroad tracks, what should you do?
Evacuate the bus immediately and move everyone to a safe location in the direction of the oncoming train.

  - look and listen for approaching trains; and
  - if a train is seen or heard approaching, keep your foot on the service brake and set the parking brake.

- Step 3—Cross carefully:
  - before moving, close the driver's window and look again at any crossing signals to make sure they have not just activated;
  - begin crossing when you are sure that you do not see or hear a train, its warning whistle, or any warning signals;
  - cross cautiously but steadily; and
  - do not change gears on the tracks—use a low gear that will not require you to change gears until you completely clear the hazard zone.

If crossing gates start to come down after you have started across the track, keep going—even if it means you will break the gates. At railroad tracks, *never*:

- stop on the tracks,
- stop within 15 feet of the tracks, or
- try to back up once you are on the tracks.

Approaching Trains

Even if you apply all the steps given in the previous section for crossing a railroad track—stop, look, and listen—it can still be difficult to judge the nearness or speed of an approaching train. Here are some of the reasons:

- Optical illusion—Viewing trains from an angle at a crossing can make a train appear to be moving more slowly than it is. The large size of a train also presents an optical illusion that the train is moving slowly.

- Distance distortion—The parallel lines of a railroad track converge to a single rail as you view them toward the horizon. This convergence often distorts distance and makes you think the train is farther away than it is.

- Noise level—Railroad crossings often occur at noisy or busy intersections, where the surrounding noise level is high. High noise levels can make it difficult to hear a train. Even more, drivers get used to surrounding noise and disregard it, which makes it easy to overlook the noise of an approaching train.

- Lighting conditions—When approaching a railroad crossing in bright light or glare conditions, you might not see warning lights

clearly. Take time to observe all warning signs—lights, sounds, gates, and visual sighting of the train itself—at every railroad crossing.

Clearance and Stalls

When you approach a railroad crossing, check to see what is on the other side of the track. If you might need to stop once you cross, such as at a signal light or cross street, be certain you have enough roadway to clear the end of the bus plus a safety zone of 15 feet.

Know how long your bus is, and use your mirrors and reference points to determine your position in relation to the track. Once you have cleared the track and subsequent 15-foot safety zone, deactivate your warning lights.

If the bus stalls or is trapped on the tracks:

- Evacuate everyone immediately.
- Quickly move everyone as far away from the tracks as possible.
- Move away from the tracks at an angle, in the direction of the approaching train, to avoid flying debris in the event of a collision (see Figure 7-7).

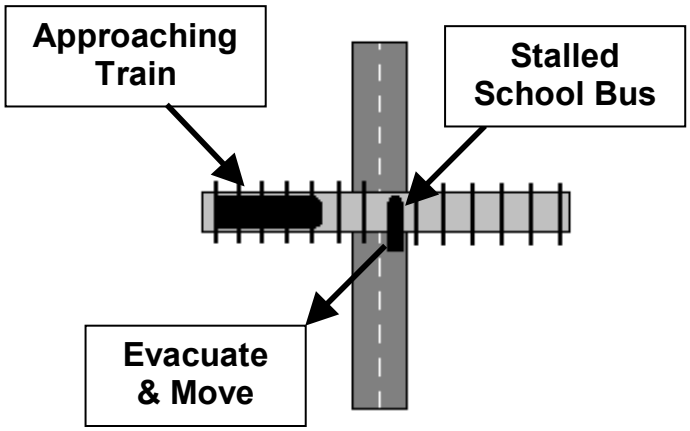

Figure 7-7. Stalled School Bus on Railroad Track.

Module 8—Emergency Evacuation

Overview

Introduction

An emergency can happen to anyone, anytime, anywhere. Knowing what to do before, during, and after an emergency evacuation in particular can mean the difference between life and death. This module describes what to do in case of an unexpected emergency on your bus.

Topics Covered in This Module

This module covers the following topics:

- before the emergency—planning,
- during the emergency—evacuation procedures, and
- after the emergency—post-emergency procedures.

Before the Emergency—Planning

Introduction

Proper planning can help you deal with emergencies effectively. Ensuring that you have the proper emergency equipment and an emergency information packet on the bus can assist in preparing for an emergency. Also, review the procedures in this unit so that you know what to do in the event of an emergency. Your district may consider drills to familiarize students with evacuation procedures.

As much as possible in any emergency situation, remember to protect yourself and the students on your bus from contact with blood and body fluids. Always use proper first aid techniques.

Evacuation Drills

Emergency exit drills can help both the driver and students prepare for an emergency. State law does not mandate evacuation drills, but drills can be beneficial. During drills you can explain the evacuation procedures and practice evacuating the bus. Follow evacuation procedures exactly as you would during an actual emergency.

You can also designate your student assistants and train them for their tasks. They should be mature students, preferably those who will be on the bus longer (beginning of the morning route and end of the afternoon route). If the district permits, you can secure parental and school permission for student participation.

Check with your district about its policy concerning drills prior to conducting a drill with your students.

Emergency Equipment

Make sure that your school bus has the appropriate emergency equipment, know where it is stored, and know how it operates. This can help save lives.

The following emergency equipment should be in all school buses and be in good working order:

- first aid kit,
- fire extinguisher (charged with a current annual inspection tag),
- three reflective triangles,
- body fluid clean-up kit, and
- belt cutter (to cut seat belts, child safety seat straps, and wheelchair straps).
- spare electrical fuses (unless vehicle has circuit breakers)

Emergency Information Packet

You should carry an emergency packet containing information to help in case of an emergency. See your district's policy for specific information.

This packet might include:

- an emergency procedures sheet;
- a proof of insurance card;
- two insurance information exchange cards;
- a seating chart, either blank or filled in;
- a sample accident form; and
- an index card listing school district personnel and phone numbers to call in case of emergency:
    - include bus number, route number, and the school district name.

During the Emergency—Evacuation Procedures

Determining the Need to Evacuate the Bus

Student safety and control are best maintained by keeping students on the bus during an emergency and/or impending crisis if doing so does not expose them to unnecessary risk or injury. Recognize the hazard that is present to determine the need to evacuate. The decision to evacuate the bus must be a timely one.

Student safety is the driver's main concern. A decision to evacuate should include consideration of the following conditions:

- Is there a fire or danger of fire?
- Is there a smell of raw or leaking fuel?
- Is the bus likely to be hit by other vehicles?
- Is the bus in the direct path of a sighted tornado?
- Would evacuating students expose them to speeding traffic, severe weather, or a dangerous environment such as downed power lines?
- Would evacuating students complicate injuries such as neck and back injuries and fractures? Students who may have these injuries should not be moved unless their life is in immediate danger.
- Is there a hazardous spill involved? Sometimes it may be safer to remain on the bus and not come in contact with the material.

Situations That Always Require Evacuation

However, the driver should evacuate the bus when:

- The bus is stalled on or adjacent to railroad tracks.
- The position of the bus may change and increase danger. For example, a bus comes to rest near a body of water or near a cliff where it could still move and go into the water or over a cliff.
- There is danger of collision. For example, the roadway has an unsafe sight distance, and the bus is not readily visible to oncoming traffic.
- A hazardous spill has occurred. Students should evacuate quickly to an area upwind at least 300 feet from the incident.

General Procedures for Emergency Evacuation

When faced with an emergency, follow these general procedures (Table 8-1). Refer to local district policy and procedures for specifics.

Table 8-1. Evacuation Procedure Summary.

Step	*Procedure*
1	Determine if evacuation is necessary based on conditions at the scene.
2	Secure the bus.
3	Notify the dispatch office.
4	Call for help.
5	Determine safest exit(s).
6	Assign responsible student assistants.
7	Determine the student “safe place.”
8	Order the evacuation.
9	Evacuate students from the bus.
10	Remind the student assistant to lead students to the assigned safe place.
11	Walk through to ensure no students remain on the bus.
12	Retrieve emergency equipment.
13	Join the waiting students.

1. **Determine if evacuation is necessary based on conditions at the scene.**
2. **Secure the bus:**
   - Set the parking brake.
   - Place the transmission in neutral.
   - Shut off the engine.
   - Remove the ignition key.
   - Activate hazard warning lights.

- Activate alternately flashing red loading lights.

3. **If time allows, notify the dispatch office of the evacuation:**
   - location,
   - conditions, and
   - type of assistance needed.
4. **Call for help.** If the radio or telephone is operable, dangle the microphone out of the driver's window for later use. If the radio or telephone is inoperable, dispatch two passing motorists or area resident to *call for help.* As a last resort, dispatch two older, responsible students to go for help. (Refer to local procedures and policies regarding sending students for help.)
5. **Determine the safest exit(s) for evacuation.**
6. **Assign responsible student assistants.**
   - Assign two responsible, older student assistants to each emergency exit. They will stand outside the bus on each side of the exit to assist other students as they exit. (You can also assign student assistants at the beginning of the school year or before field trips.)
   - Assign another student assistant to lead the students to a safe place after evacuation.
7. **Determine a "safe place" students can evacuate to.**
   - A safe place is at least 100 feet (approximately 40 paces) off the road, in the direction of oncoming traffic (Figure 8-1). This will keep students from being hit by debris if another vehicle collides with the bus.

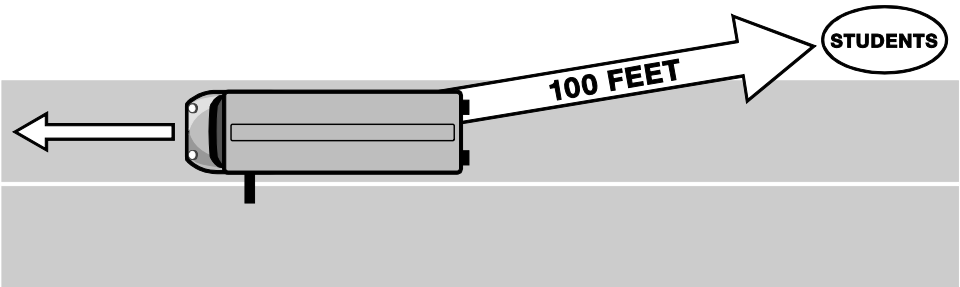

Figure 8-1. A Safe Place after Evacuation.

- Certain situations may affect the location of the safe place (refer to local district policy and procedures):
  - If fire is present, lead students upwind of the bus.

- If spilled hazardous material poses a risk, lead students upwind of the bus at least 300 feet (approximately 120 paces).
- If the bus is in the direct path of a sighted tornado and evacuation is ordered, escort students to a nearby ditch or culvert and direct them to lie face down, hands over their head. They should be far enough away so that the bus cannot topple on them. Avoid areas that are subject to flash floods.

8. **Order the evacuation:**

- Stand, open the exit door(s), face the students, and get their attention.
- Tell students which exit(s) to use: front door, rear door, or front and rear doors. Give the command, "Stay seated until it is your turn to exit. Leave all belongings on the bus."
- Explain the evacuation procedure:
  - The student assistants will evacuate first and assume their positions at the exit doors.
  - For a front door exit, students will evacuate in the following order: right front seat, left front seat, and the rest of the seats from right to left until the bus is empty (Figure 8-2).

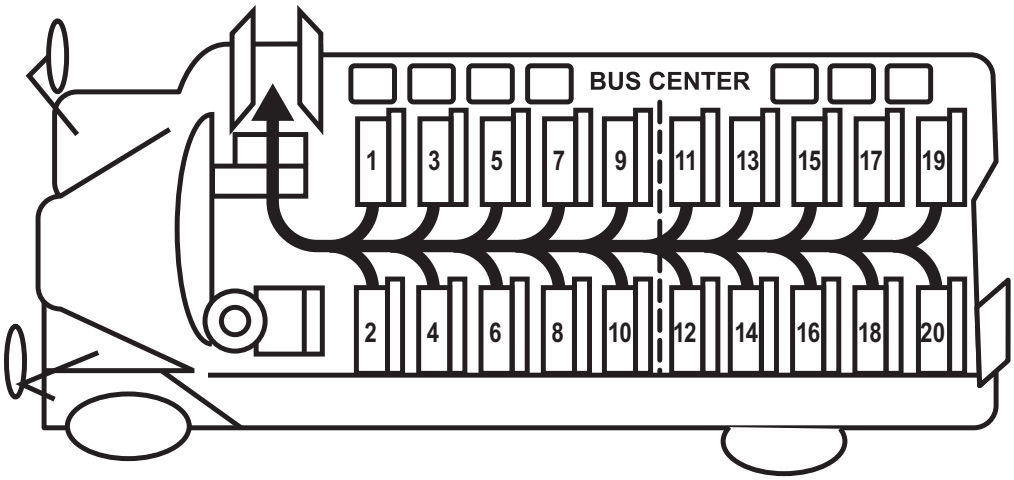

Figure 8-2. Evacuation Order for Front Door Evacuation.

  - For a rear door exit, students will evacuate in the following order: right back seat, left back seat, and the rest of the seats from right to left until the bus is empty (Figure 8-3).

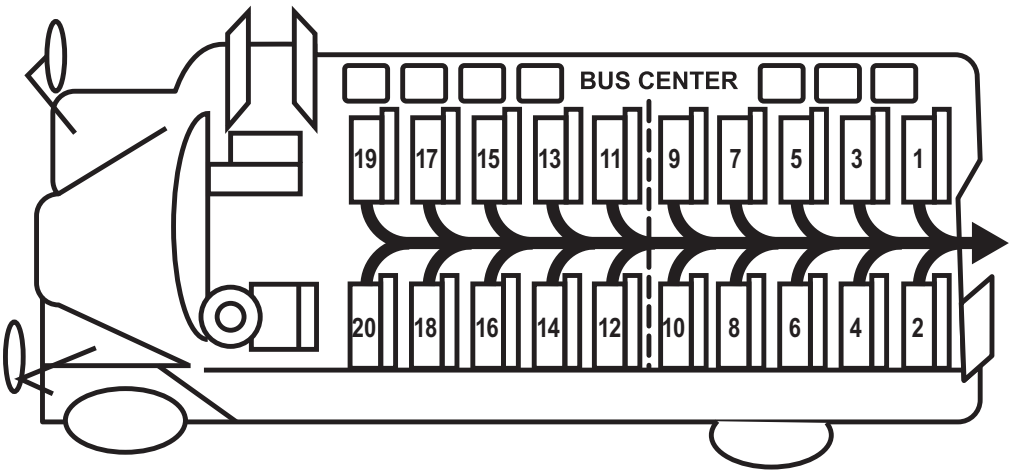

Figure 8-3. Evacuation Order for Rear Door Evacuation.

- For front and rear door exits, students in the front half of the bus will evacuate in the following order: right front seat, left front seat, and the rest of the seats from right to left. Students in the back half of the bus will evacuate in the following order: right back seat, left back seat, and the rest of the seats from right to left (Figure 8-4).

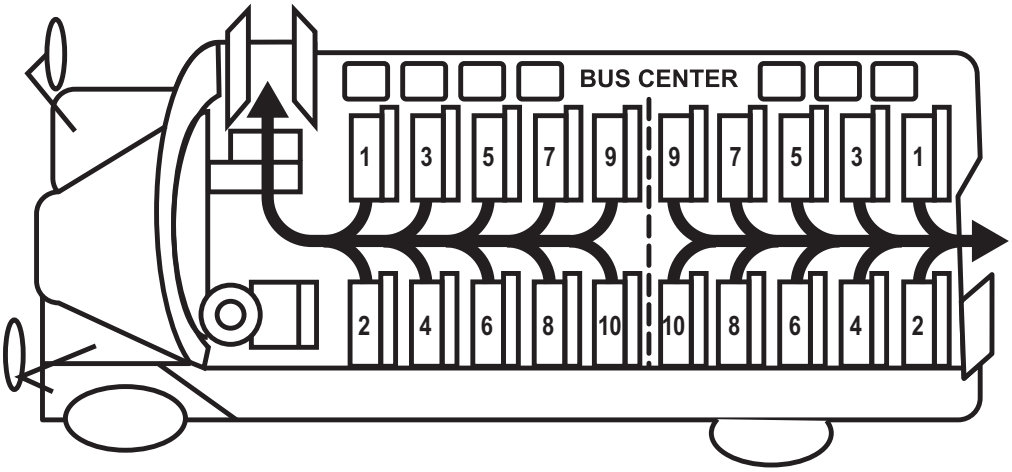

Figure 8-4. Evacuation Order for Front and Back Door Evacuation.

9. **Evacuate students from the bus:**
   - Do not move a student you believe may have suffered a neck or spinal injury unless his or her life is in immediate danger (e.g., if there is a fire). Special procedures must be used to move neck/spinal injury victims to prevent further injury.
   - Warn all students: “Walk; do not run or jump.”
   - Direct students to begin evacuation, alternating rows right to left.

- For evacuations using the rear door:
  - Students should sit down at the rear door and hang their legs out the door.
  - Student assistants will help them as they slide off the floor of the bus and onto the ground.
  - Tell students not to jump.

10. **Remind the student assistant to lead students to the assigned safe place.**
11. **Walk through the bus to ensure no students remain on the bus.**
12. **Retrieve emergency equipment** (first aid kit, fire extinguisher, three reflective triangles, and body fluids clean-up kit).
13. **Join the waiting students.** Account for all students and check for their safety. Keep students together, and do not allow them to return to the bus without driver permission.

Changing the Evacuation Plan

Unusual Circumstances

Remember!

You may need to evacuate students closest to the immediate danger first.

You may need to change the evacuation plan under certain circumstances:

- You may need to evacuate those students closest to the immediate danger first. For example, if a fire is burning at the rear of the bus, order a front door evacuation and evacuate the students seated at the rear of the bus first.
- Using certain exits may place students in danger. For example, if the bus has been in a collision, the position of the bus could place students in the traffic lane if they use the front exit door.
- Certain exits may be blocked.

Alternate Exits

In some emergencies, it may not be possible to use any of the standard exit doors. Alternatives include:

- emergency windows,
- emergency roof hatch,
- standard windows,
- left side door, and
- windshield (which is designed to be kicked out in an emergency).

Remember that some buses will not start if the roof hatch is open.

After the Emergency—Post-emergency Procedures

Introduction

After students have evacuated the bus to a safe location, you will need to follow certain procedures concerning the accident scene and accident reporting.

Local school districts and local law enforcement may have different procedures. Always confirm expected procedures with both the local school district and local law enforcement. The procedure described here is a basic set of steps recommended in the event of a school bus emergency.

Recommended Post-emergency Procedures

1. Provide basic first aid to accident victims if necessary.
2. If the bus has been in a collision, determine whether the bus should be moved:
   - If possible, ask your supervisor for advice on whether to move the bus from the traffic lane.
   - If a collision involves injury or death, the vehicles involved should not be moved prior to the arrival of law enforcement personnel.
   - If a collision occurs on a freeway, involves property damage only, and the vehicle can be moved under its own power, the vehicle must be moved from the traffic lane.
   - If a collision occurs on a road other than a freeway, involves property damage only, and the vehicle can move under its own power, the vehicle should be moved from the traffic lane.
   - Most of all, consider the safety of your passengers (if not evacuated) and other motorists who could be involved in a subsequent collision if the bus is not moved from the traffic lane. If the best interests of safety can only be served by moving the bus out of the traffic lane, then move it.
3. Protect the scene:
   - If a vehicle is moved from its original location, mark the location of the tires (if possible) to aid investigators.

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- If the vehicle is not moved, protect the scene from traffic and people so evidence is not destroyed. See Figures 8-5, 8-6, and 8-7 for warning device placement.

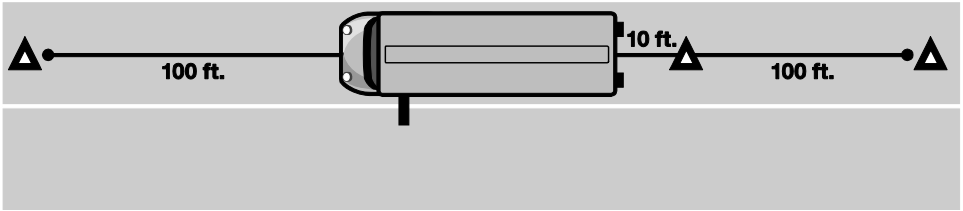

Figure 8-5. Warning Device Placement—Two-Lane Traffic or Undivided Highway.

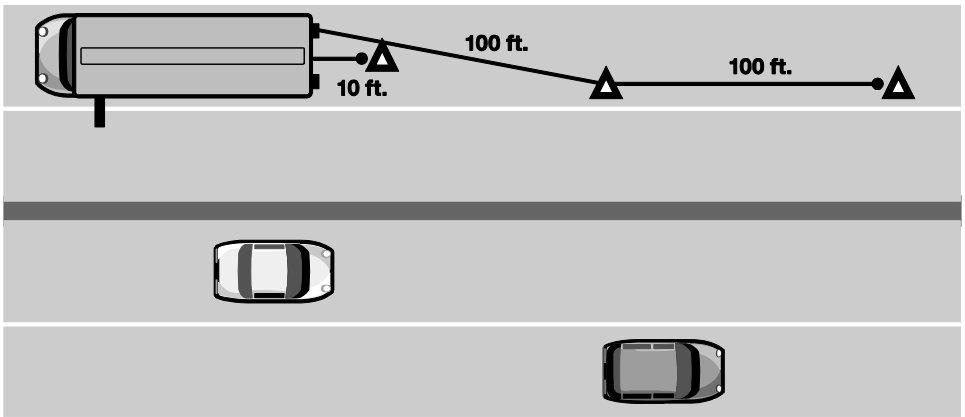

Figure 8-6. Warning Device Placement—One-Way or Divided Highway.

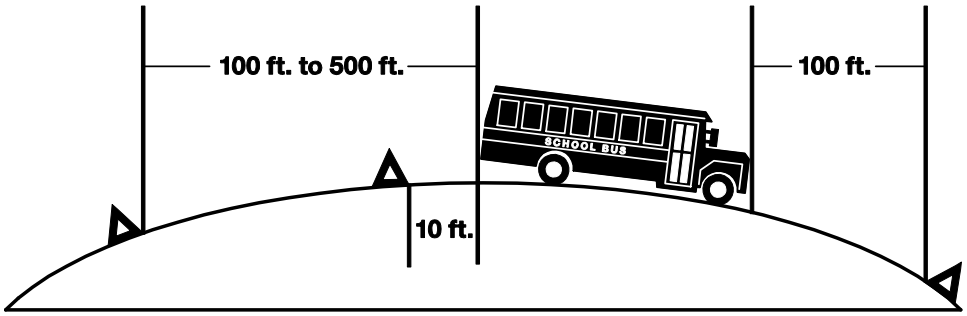

Figure 8-7. Warning Device Placement—Obstructed View (Hill).

4. Gather information about the emergency:
   - Obtain names, addresses, and license numbers of any witnesses.
   - Investigating officers may ask for the following information, so have it ready:

- a list of all passengers, ages, addresses, and seating positions; and
- information about the school bus, insurance, owner, and driver. Use the emergency information packet on the school bus that contains registration information, emergency phone numbers, and any additional directives on this subject.

5. When emergency responders arrive, they are in command of the scene. Focus your control on student passengers. Remember that your students may be scared and need calm reassuring.
6. Provide needed information to emergency responders:
   - Be patient. Evaluate questions. Give clear, concise answers.
   - Do not discuss the facts of the emergency with anyone except police, fire, ambulance/rescue personnel, and school district officials.
   - Refer all media questions to your supervisor.
7. Remember to follow the directives issued by state law and your local school district in the event of a collision or other emergency.

Remember!

Do not discuss the facts of the emergency with anyone except police, fire, ambulance or rescue personnel, and school district officials.

Collision Reporting Requirements

Any time you are involved in a collision, regardless of who is at fault, the law requires certain actions:

1. Stop at the scene and provide reasonable assistance to anyone who is injured.
2. Identify yourself to other parties involved.
3. Provide your name, address, driver license number, and insurance policy information to other parties involved.
4. Immediately notify the appropriate law enforcement agency if anyone has been injured or killed:
   - Within the city limits, contact the city police.
   - Outside the city limits, contact the highway patrol or county sheriff.
5. Make a reasonable effort to notify the owner or person in charge of an unattended vehicle or other property damaged in the collision. If you cannot locate the person, leave your name, address, and insurance information in a conspicuous place in or on the damaged property.

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TRC §550.021

TRC §550.024

Emergency Evacuation on the Special Needs Bus

Introduction

The most important part of a safe school bus evacuation is developing and practicing a safe plan before an emergency actually occurs.

Evacuation Plan

NHTSA recommends that each driver have a written plan for the emergency evacuation of preschool age children and other students with special needs. This plan should state exactly how all children should evacuate the school bus.

The emergency evacuation plan should consider:

- the individual capabilities and needs of each student,
- the type of behavior each student might exhibit during an emergency evacuation, and
- the type of wheelchair or support equipment being used for students.

Enlist the help of school personnel and nursing staff to help develop your plan. You may injure someone through lack of knowledge. For example, a student may use a catheter or be tube fed. The tubes may be anchored to the wheelchair. Severing the straps and pulling the student out of the wheelchair during an emergency may rip the tubes from the body, causing severe medical problems.

Some Issues to Consider When Establishing an Evacuation Plan

- Get student information from your supervisor. The student's emergency information form contains information concerning:
  - the student's disability,
  - the student's medical condition, and
  - whether the student is verbal or nonverbal.
- Identify which students are able to help and to what extent.
- Identify which students, if any, might run away after evacuation so that they can evacuate last.
- Evaluate seating positions of students:
  - chairs facing forward, side, or rear;
  - proximity to emergency exits; and
  - location of child safety restraint systems.
- Become familiar with assistive devices for each student:
  - lap belts,
  - harness,
  - trays, and
  - leg braces/crutches.
- Develop a plan to deal with individual emergencies, such as seizures, during the evacuation process.
- Determine whether students should be evacuated in their wheelchairs or be removed from their wheelchairs before evacuation. Evaluate individual students and equipment in terms of quick removal from the vehicle. Consider:
  - size (weight, height, and type of equipment),
  - student needs (ambulatory but needs assistance, can assist in an emergency, needs monitoring, etc.), and
  - physical impairments/weaknesses.
- Determine how to disconnect or cut wheelchair securement and occupant protection equipment, including belts, trays, and other support equipment.
- Know the length of time that a student who requires life support equipment or medical care procedures can survive if such service is interrupted or delayed during the evacuation process.

Know Your Plan

Memorize your plan and be able to state your emergency evacuation plan without hesitation.

Emergencies happen quickly. You may have only 3-5 minutes to complete an evacuation before serious injury occurs.

Safety Belt Cutter

All school buses carrying children in child safety restraint systems and/or wheelchairs/mobility aids should carry safety belt cutters that are accessible only to the driver and the monitor:

- The safety belt cutter must be angled at 45 degrees for maximum efficiency.
- The safety belt must have some tension.
- If the safety belt is hanging loosely, it is better to release the clasp.

Special Mechanical Equipment

Buses with wheelchair capabilities normally have a lifting device to facilitate loading and unloading of students confined to wheelchairs. These devices may or may not operate after a collision.

These devices operate by either a hydraulic system or an electrical system.

Hydraulic System

- Hydraulic lines operate under high pressure.
- If a hydraulic line ruptures or breaks loose, it could cause injury by spraying fluid or wildly whipping around the compartment.
- Hydraulic cylinders may rupture when exposed to heat or fire.

Electric Lift

- An electric lift may be tied into the bus's electrical system or have a separate battery.
- If it has a separate battery, know how to disconnect the battery in an emergency.

Appendix A - Legal Basis

Federal Regulations (CFR)

20 United States Code (USC) §1232G. Family Educational Rights and Privacy Act (FERPA)

(a) Conditions for availability of funds to educational agencies or institutions; inspection and review of education records; specific information to be made available; procedure for access to education records; reasonableness of time for such access; hearings; written explanations by parents; definitions

(1)(A) No funds shall be made available under any applicable program to any educational agency or institution which has a policy of denying, or which effectively prevents, the parents of students who are or have been in attendance at a school of such agency or at such institution, as the case may be, the right to inspect and review the education records of their children. If any material or document in the education record of a student includes information on more than one student, the parents of one of such students shall have the right to inspect and review only such part of such material or document as relates to such student or to be informed of the specific information contained in such part of such material. Each educational agency or institution shall establish appropriate procedures for the granting of a request by parents for access to the education records of their children within a reasonable period of time, but in no case more than forty-five days after the request has been made.

(B) No funds under any applicable program shall be made available to any State educational agency (whether or not that agency is an educational agency or institution under this section) that has a policy of denying, or effectively prevents, the parents of students the right to inspect and review the education records maintained by the State educational agency on their children who are or have been in attendance at any school of an educational agency or institution that is subject to the provisions of this section.

(C) The first sentence of subparagraph (A) shall not operate to make available to students in institutions of postsecondary education the following materials:

(i) financial records of the parents of the student or any information contained therein;

(ii) confidential letters and statements of recommendation, which were placed in the education records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended;

(iii) if the student has signed a waiver of the student's right of access under this subsection in accordance with subparagraph (D), confidential recommendations—

(I) respecting admission to any educational agency or institution,

(II) respecting an application for employment, and

(III) respecting the receipt of an honor or honorary recognition.

(D) A student or a person applying for admission may waive his right of access to confidential statements described in clause (iii) of subparagraph (C), except that such waiver shall apply to recommendations only if (i) the student is, upon request, notified of the names of all persons making confidential recommendations and (ii) such recommendations are used solely for the purpose for which they were specifically intended. Such waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from such agency or institution.

(2) No funds shall be made available under any applicable program to any educational agency or institution unless the parents of students who are or have been in attendance at a school of such agency or at such institution are provided an opportunity for a hearing by such agency or institution, in accordance with regulations of the Secretary, to challenge the content of such student's education records, in order to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein and to insert into such records a written explanation of the parents respecting the content of such records.

(3) For the purposes of this section the term "educational agency or institution" means any public or private agency or institution which is the recipient of funds under any applicable program.

(4)(A) For the purposes of this section, the term "education records" means, except as may be provided otherwise in subparagraph (B), those records, files, documents, and other materials which—

(i) contain information directly related to a student; and

(ii) are maintained by an educational agency or institution or by a person acting for such agency or institution.

(B) The term "education records" does not include—

(i) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;

(ii) records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement;

(iii) in the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or

institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose; or

(iv) records on a student who is eighteen years of age or older, or is attending an institution of postsecondary education, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(5)(A) For the purposes of this section the term "directory information" relating to a student includes the following: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(B) Any educational agency or institution making public directory information shall give public notice of the categories of information which it has designated as such information with respect to each student attending the institution or agency and shall allow a reasonable period of time after such notice has been given for a parent to inform the institution or agency that any or all of the information designated should not be released without the parent's prior consent.

CFR §382.103. Applicability

(a) This part applies to service agents and to every person and to all employers of such persons who operate a commercial motor vehicle in commerce in any State, and is subject to:

(1) The commercial driver's license requirements of part 383 of this subchapter;

(2) The Licencia Federal de Conductor (Mexico) requirements; or

(3) The commercial drivers license requirements of the Canadian National Safety Code.

(b) An employer who employs himself/herself as a driver must comply with both the requirements in this part that apply to employers and the requirements in this part that apply to drivers. An employer who employs only himself/herself as a driver shall implement a random alcohol and controlled substances testing program of two or more covered employees in the random testing selection pool.

CFR §382.207. Pre-duty Use

No driver shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.

CFR §382.301. Pre-employment Testing

(a) Prior to the first time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances as a condition prior to being used, unless the employer uses the exception in paragraph (b) of this section. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.

CFR §382.303. Post-accident Testing

(a) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol for each of its surviving drivers:
- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- (2) Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
  - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
  - (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

(b) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers:
- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- (2) Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
  - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
  - (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

(c) The following table notes when a post-accident test is required to be conducted by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section:

Table for §382.303 (A) and (B)		
Type of accident involved	**Citation issued to the CMV driver**	**Test must be performed by employer**
i. Human fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

CFR §382.305. Random Testing

(i)(1) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers.

(i)(2) Each driver selected for random alcohol and controlled substances testing under the selection process used shall have an equal chance of being tested each time selections are made.

(i)(3) Each driver selected for testing shall be tested during the selection period.

CFR §382.307. Reasonable Suspicion Testing

(a) An employer shall require a driver to submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of subpart B of this part concerning alcohol. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

(b) An employer shall require a driver to submit to a controlled substances test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of subpart B of this part concerning controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

(c) The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or company official who is trained

in accordance with §382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the driver.

(d) Alcohol testing is authorized by this section only if the observations required by paragraph (a) of this section are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part. A driver may be directed by the employer to only undergo reasonable suspicion testing while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

CFR §382.309. Return to Duty Testing

Each employer shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by subpart B of Part 382, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and/or the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use. NOTE: A return to duty test is not valid unless the driver has first complied with education and/or treatment prescribed by a Substance Abuse Professional (§40.305).

CFR §382.311. Follow-Up Testing

The requirements for follow-up testing must be performed in accordance with 49 CFR part 40, Subpart O. If a Substance Abuse Professional determines that a driver needs assistance for the misuse of alcohol, or for use of a controlled substance, an employer must ensure that the driver is subject to follow-up testing. A minimum of six tests must be conducted in the first 12 months, and the driver may only be subject to this test for a maximum of 60 months.

Texas Administrative Code (TAC)

Title 37, Part 1, Chapter 4, Subchapter B, §4.21. Reports of Valid Positive Results on Alcohol and Drug Tests

(a) Reporting Requirement. An employer required under the federal safety regulations to conduct alcohol and controlled substance testing of employees shall report to the department a valid positive result on an alcohol or controlled substance test performed as part of the carrier's alcohol and drug testing program or consortium, as defined by Title 49, Code of Federal Regulations, Part 382, on an employee of the carrier who holds a commercial driver license issued under Texas Transportation Code, Chapter 522.

(1) The report must be submitted by employers within 10 days of receiving notice of a valid positive result on an alcohol or drug test performed.

(2) Report Submission Requirements. The report must be submitted on a form prescribed by the department that is available at the following Internet Web Site address: http://www.dps.texas.gov/internetforms/default.aspx All information requested on the form must be completed. The completed form must be mailed to MCS Section Supervisor, Motor Carrier Bureau, Texas Department of Public Safety, 6200 Guadalupe, MSC# 0521, Austin, Texas 78752-4019, or sent by facsimile to (512) 424-5310. Unless the report is for a refusal to submit a sample, employers must also attach a legible copy of either the Federal Drug Testing, Custody and Control Form (with at least steps one through six completed), the U.S. Department of Transportation (DOT) Alcohol Testing Form (with at least steps one through three completed), or the Medical Review Officer's or Breath Alcohol Technician's report of a positive, diluted, adulterated, or substituted alcohol or drug test.

(3) Any requestor who has obtained permission to request and receive release of information via electronic mail under subsection (b)(2) of this section may also submit reports via electronic mail. The complete report must be filled out in its entirety, and must be clearly scanned with attachments as described in paragraph (2)(A) of this subsection.

(4) When a valid positive result is obtained on an owner-operator, that owner-operator is responsible for submission of the Report of Valid Positive Drug or Alcohol test to the department.

(5) A Medical Review Officer, Breath Alcohol Technician, laboratory, consortium, or other individuals may submit a Report of Valid Positive Drug or Alcohol Test to the department. Reports by laboratories or other individuals will only be entered in the department's database when verified by the Medical Review Officer or Breath Alcohol Technician.

(6) A dilute positive drug test under Title 49, Code of Federal Regulations, Part 40.197(a) is a valid positive result. A dilute negative drug test is not a valid positive test. A positive drug test from a recollection under Title 49, Code of Federal Regulations, Part 40.197(b) is a valid positive test.

(b) Release of Information. Information regarding Reports of Valid Positive Drug or Alcohol Tests is confidential and only subject to release as provided in Texas Transportation Code, 521.053. A request must be submitted on a form prescribed by the department that is available at the following Internet web site address: http://www.dps.texas.gov/internetforms/default.aspx

(1) The request form must be mailed to MCS Section Supervisor, Motor Carrier Bureau, Texas Department of Public Safety, 6200 Guadalupe, MSC# 0521, Austin, Texas 78752-4019, or sent by facsimile to (512) 424-5310.

(2) A requester may apply for and obtain permission to request and receive release of information via electronic mail. Electronic mail addresses are subject to initial and continuing verification by the department. A request

must be submitted on a form prescribed by the department that is available at the following Internet web site address: http://www.dps.texas.gov/internetforms/default.aspx.
Once a requester has obtained permission to request and receive information via electronic mail, each individual request must still be made with a clearly scanned copy of the form described in subsection (b) of this section and be in compliance with the requirements of Texas Transportation Code, §521.053.

Texas Civil Practice and Remedies Code (TCP&RC)

TCP&RC §74.151. Liability for Emergency Care

(a) A person who in good faith administers emergency care is not liable in civil damages for an act performed during the emergency unless the act is willfully or wantonly negligent, including a person who:
  (1) administers emergency care using an automated external defibrillator; or
  (2) administers emergency care as a volunteer who is a first responder as the term is defined under Section 421.095, Government Code.

(b) This section does not apply to care administered:
  (1) for or in expectation of remuneration, provided that being legally entitled to receive remuneration for the emergency care rendered shall not determine whether or not the care was administered for or in anticipation of remuneration; or
  (2) by a person who was at the scene of the emergency because he or a person he represents as an agent was soliciting business or seeking to perform a service for remuneration.

(c), (d) Deleted by Acts 2003, 78th Leg., ch. 204, §10.01.

(e) This section does not apply to a person whose negligent act or omission was a producing cause of the emergency for which care is being administered.

TCP&RC §74.152. Unlicensed Medical Personnel

Persons not licensed or certified in the healing arts who in good faith administer emergency care as emergency medical service personnel are not liable in civil damages for an act performed in administering the care unless the act is willfully or wantonly negligent. This section applies without regard to whether the care is provided for or in expectation of remuneration.

Texas Education Code (TEC)

TEC §26.009. Consent Required for Certain Activities

(a) An employee of a school district must obtain the written consent of a child's parent before the employee may:
- (1) conduct a psychological examination, test, or treatment, unless the examination, test, or treatment is required under Section 38.004 or state or federal law regarding requirements for special education; or
- (2) make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice.

(b) An employee of a school district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used only for:
- (1) purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses;
- (2) a purpose related to a cocurricular or extracurricular activity;
- (3) a purpose related to regular classroom instruction; or
- (4) media coverage of the school.

TEC §34.004. Standing Children

A school district may not require or allow a child to stand on a school bus or passenger van that is in motion.

TEC §34.007. Public School Transportation System

(a) A board of county school trustees or a school district board of trustees may establish and operate an economical public school transportation system:
- (1) in the county or district, as applicable; or
- (2) outside the county or district, as applicable, if the county or school district enters into an interlocal contract as provided by Chapter 791, Government Code.

(b) In establishing and operating the transportation system, the county or school district board shall:
- (1) employ school bus drivers certified in accordance with standards and qualifications adopted by the Department of Public Safety; and
- (2) on determining eligibility for transportation services, allow a parent to designate one of the following locations instead of the child's residence as the regular location for purposes of obtaining transportation under the system to and from the child's school, if the location is an approved stop on an approved route:
  - (A) a child-care facility, as defined by Section 42.002, Human Resources Code; or
  - (B) the residence of a grandparent of the child.

TEC §37.125. Exhibition, Use, or Threat of Exhibition or Use of Firearms

(a) A person commits an offense if, in a manner intended to cause alarm or personal injury to another person or to damage school property, the person intentionally:
  (1) exhibits or uses a firearm:
    (a) in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a private or public school; or
    (b) on a school bus being used to transport children to or from school-sponsored activities of a private or public school;
  (2) threatens to exhibit or use a firearm in or on property described by Subdivision (1)(a) or on a bus described by Subdivision (1)(B) and was in possession of or had immediate access to the firearm;
  (3) threatens to exhibot or use a firearm in or on property described by Subdivision (1)(A) or on a bus described by Subdivision (1)(B).

(b) An offense under Subsection (a)(1) or (2) is a third degree felony.

(c) An offense under Subsection (a)(3) is a Class A misdemeanor.

TEC §37.126. Disruption of Transportation

(a) Except as provided by Section 37.125, a person other than a primary or secondary grade student commits an offense if the person intentionally disrupts, prevents, or interferes with the lawful transportation of children:
  (1) to or from school on a vehicle owned or operated by a county or independent school district; or
  (2) to or from an activity sponsored by a school on a vehicle owned or operated by a county or independent school district.

(b) An offense under this section is a Class C misdemeanor.

(c) It is an exception to the application of Subsection (a) (1) that, at the time the person engaged in conduct prohibited under that subdivision, the person was younger than 12 years of age.

TEC §38.006. E-Cigarettes and Tobacco Products on School Property

(a) In this section, “e-cigarette” has the meaning assigned by Section 161.081, Health and Safety Code.

(b) The board of trustees of a school district shall:
  (1) prohibit smoking or using e-cigarettes or tobacco products at a school-related or school-sanctioned activity on or off school property;
  (2) prohibit students from possessing e-cigarettes or tobacco products at a school-related or school-sanctioned activity on or off school property; and
  (3) ensure that school personnel enforce the policies on school property.

TEC §38.007. Alcohol-Free School Zones

(a) The board of trustees of a school district shall prohibit the use of alcoholic beverages at a school-related or school-sanctioned activity on or off school property.

(b) The board of trustees of a school district shall attempt to provide a safe alcohol-free environment to students coming to or going from school. The board of trustees may cooperate with local law enforcement officials and the Texas

Alcoholic Beverage Commission in attempting to provide this environment and in enforcing Sections 101.75, 109.33, and 109.59, Alcoholic Beverage Code. Additionally, the board, if a majority of the area of a district is located in a municipality with a population of 900,000 or more, may petition the commissioners court of the county in which the district is located or the governing board of an incorporated city or town in which the district is located to adopt a 1,000-foot zone under Section 109.33, Alcoholic Beverage Code.

Texas Family Code (TFC)

TFC §261.101. Persons Required to Report; Time to Report

(a) A person having reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter..

(b) If a professional has reasonable cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has reasonable cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 24th hour after the hour the professional first has reasonable cause to believe that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.

(b-1) In addition to the duty to make a report under Subsection (a) or (b), a person or professional shall make a report in the manner required by Subsection (a) or (b), as applicable, if the person or professional has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of:
(1) another child; or
(2) an elderly person or person with a disability as defined by Section 48.002, Human Resources Code.

(c) The requirement to report under this section applies without exception to an individual whose personal comminucations may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, an employee or member of a board that licenses or certifies a professional, and an employee of a clinic or health care facility that provides reproductive services.

(d) Unless waived in writing by the person making the report, the identity of an individual making a report under this chapter is confidential and may be disclosed only:
(1) as provided by Section 261.201;
(2) to a law enforcement officer for the purposes of conducting a criminal investigation of the report; or
(3) to the Texas Education Agency or the State Board for Educator Certification, on request by the agency or board, for the purposes of:
(A) conducting an investigation of the report;
(B) conducting an investigation of an allegation that a person failed to submit a report as required under this chapter; or
(C) compliance monitoring or conducting an investigation or review of an investigation under Section 22A.156, Education Code.

TFC §261.102. Matters to Be Reported

A report should reflect the reporter's belief that a child has been or may be abused or neglected or has died of abuse or neglect.

TFC §261.103. Report Made to Appropriate Agency

(a) Except as provided by Subsections (b) and (c) and Section 261.405, a report shall be made to:
(1) any local or state law enforcement agency;
(2) the department;
(3) the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or
(4) the agency designated by the court to be responsible for the protection of children.

(b) A report may be made to the Texas Juvenile Justice Department instead of the entities listed under Subsection (a) if the report is based on information provided by a child while under the supervision of the commission concerning the child's alleged abuse of another child.

(c) Notwithstanding Subsection (a), a report, other than a report under Subsection (a)(3) or Section 261.405, must be made to the department if the alleged or suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child.

TFC §261.104. Contents of Report

The person making a report shall identify, if known:
(1) the name and address of the child;
(2) the name and address of the person responsible for the care, custody, or welfare of the child; and
(3) any other pertinent information concerning the alleged or suspected abuse or neglect.

TFC §261.105. Referral of Report by Department or Law Enforcement

(a) All reports received by a local or state law enforcement agency that allege abuse or neglect by a person responsible for a child's care, custody, or welfare shall be referred immediately to the department.

(b) The department shall immediately notify the appropriate state or local law enforcement agency of any report it receives, other than a report from a law enforcement agency, that concerns the suspected abuse or neglect of a child or death of a child from abuse or neglect.

(c) In addition to notifying a law enforcement agency, if the report relates to a child in a facility operated, licensed, certified, or registered by a state agency, the department shall refer the report to the agency for investigation.

(c-1) Notwithstanding Subsections (b) and (c), if a report under this section relates to a child with an intellectual disability receiving services in a state supported living center as defined by Section 531.002, Health and Safety Code, or the ICF-IID component of the Rio Grande State Center, the department shall proceed with the investigation of the report as provided by Section 261.404.

(d) If the department initiates an investigation and determines that the abuse or neglect does not involve a person responsible for the child's care, custody, or welfare, the department shall refer the report to a law enforcement agency for further investigation. If the department determines that the abuse or neglect involves an employee of a public primary or secondary school, and that the child is a student at the school, the department shall orally notify the superintendent of the school district in which the employee is employed about the investigation.

(e) In cooperation with the department, the Texas Juvenile Justice Department by rule shall adopt guidelines for identifying a report made to the commission under Section 261.103(b) that is appropriate to refer to the department or a law enforcement agency for investigation. Guidelines adopted under this subsection must require the commission to consider the severity and immediacy of the alleged abuse or neglect of the child victim.

TFC §261.1055. Notification of District Attorneys

(a) A district attorney may inform the department that the district attorney wishes to receive notification of some or all reports of suspected abuse or neglect of children who were in the county at the time the report was made or who were in the county at the time of the alleged abuse or neglect.

(b) If the district attorney makes the notification under this section, the department shall, on receipt of a report of suspected abuse or neglect, immediately notify the district attorney as requested and the department or designated agency shall forward a copy of the reports to the district attorney on request.

TFC §261.106. Immunities

(a) A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse or neglect or who testifies or otherwise participates in a judicial proceeding arising from a report, petition, or investigation of alleged child abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.

(b) Immunity from civil and criminal liability extends to an authorized volunteer of the department or a law enforcement officer who participates at the request of the department in an investigation of alleged or suspected abuse or neglect or in an action arising from an investigation if the person was acting in good faith and in the scope of the person's responsibilities.

(c) A person who reports the person's own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect is not immune from civil or criminal liability.

TFC §261.107. False Report; Criminal Penalty; Civil Penalty

(a) A person commits an offense if, with the intent to deceive, the person knowingly makes a report as provided in this chapter that is false. An offense under this subsection is a state jail felony unless it is shown on the trial of the offense that the person has previously been convicted under this section, in which case the offense is a felony of the third degree.

(b) A finding by a court in a suit affecting the parent-child relationship that a report made under this chapter before or during the suit was false or lacking factual foundation may be grounds for the court to modify an order providing for possession of or access to the child who was the subject of the report by restricting further access to the child by the person who made the report.

(c) The appropriate county prosecuting attorney shall be responsible for the prosecution of an offense under this section.

(d) The court shall order a person who is convicted of an offense under Subsection (a) to pay any reasonable attorney's fees incurred by the person who was falsely accused of abuse or neglect in any proceeding relating to the false report.

(e) A person who engages in conduct described by Subsection (a) is liable to the state for a civil penalty of $1,000. The attorney general shall bring an action to recover a civil penalty authorized by this subsection.

TFC §261.108. Frivolous Claims against Person Reporting

(a) In this section:

(1) "Claim" means an action or claim by a party, including a plaintiff, counterclaimant, cross-claimant, or third-party plaintiff, requesting recovery of damages.

(2) "Defendant" means a party against whom a claim is made.

(b) A court shall award a defendant reasonable attorney's fees and other expenses related to the defense of a claim filed against the defendant for damages or other relief arising from reporting or assisting in the investigation of a report under this chapter or participating in a judicial proceeding resulting from the report if:

(1) the court finds that the claim is frivolous, unreasonable, or without foundation because the defendant is immune from liability under Section 261.106; and

(2) the claim is dismissed or judgment is rendered for the defendant.

(c) To recover under this section, the defendant must, at any time after the filing of a claim, file a written motion stating that:

(1) the claim is frivolous, unreasonable, or without foundation because the defendant is immune from liability under Section 261.106; and

(2) the defendant requests the court to award reasonable attorney's fees and other expenses related to the defense of the claim.

TFC §261.109. Failure to Report; Penalty

(a) A person commits an offense if the person is required to make a report under Section 261.101(a) and knowingly fails to make a report as provided in this chapter.

(a-1) A person who is a professional as defined by Section 261.101(b) commits an offense if the person is required to make a report under Section 261.101(b) and knowingly fails to make a report as provided in this chapter.

(b) An offense under Subsection (a) is a Class A misdemeanor, except that the offense is a state jail felony if it is shown on the trial of the offense that the child was a person with an intellectual disability who resided in a state supported living center, the ICF-IID component of the Rio Grande State Center, or a facility licensed under Chapter 252, Health and Safety Code, and the actor knew that the child had suffered serious bodily injury as a result of the abuse or neglect.

(c) An offense under Subsection (a-1) is a Class A misdemeanor, except that the offense is a state jail felony if it is shown on the trial of the offense that the actor intended to conceal the abuse or neglect.

Texas Penal Code (TPC)

TPC §49.04. Driving While Intoxicated

(a) A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place.

(b) Except as provided by Subsection (c) and (d) and Section 49.09, an offense under this section is a Class B misdemeanor, with a minimum term of confinement of 72 hours.

(c) If it is shown on the trial of an offense under this section that at the time of the offense the person operating the motor vehicle had an open container of alcohol in the person's immediate possession, the offense is a Class B misdemeanor, with a minimum term of confinement of six days.

(d) If it is shown on the trial of an offense under this section that an analysis of a specimen of the person's blood, breath, or urine showed an alcohol concentration level of 0.15 or more at the time the analysis was performed, the offense is a Class A misdemeanor.

TPC §49.045. Driving While Intoxicated with Child Passenger

(a) A person commits an offense if:
  (1) the person is intoxicated while operating a motor vehicle in a public place; and
  (2) the vehicle being operated by the person is occupied by a passenger who is younger than 15 years of age.

(b) An offense under this section is a state jail felony.

TPC §49.07. Intoxication Assault

(a) A person commits an offense if the person, by accident or mistake:
  (1) while operating an aircraft, watercraft, or amusement ride while intoxicated, or while operating a motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another; or
  (2) as a result of assembling a mobile amusement ride while intoxicated causes serious bodily injury to another.

(b) In this section, "serious bodily injury" means injury that creates a substantial risk of death or that causes serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

(c) Except as provided by Section 49.09, an offense under this section is a felony of the third degree.

TPC §49.08. Intoxication Manslaughter

(a) A person commits an offense if the person:
  (1) operates a motor vehicle in a public place, operates an aircraft, a watercraft, or an amusement ride, or assembles a mobile amusement ride; and
  (2) is intoxicated and by reason of that intoxication causes the death of another by accident or mistake.

(b) Except as provided by Section 49.09, an offense under this section is a felony of the second degree.

Texas Transportation Code (TRC)

TRC §21.002. Convenience to Public

The department shall implement its duties under this chapter in the manner that provides the greatest convenience to the public.

TRC §521.022. Restrictions on Operators of Certain School Buses

(a) A person under 18 years of age may not operate a school bus for the transportation of students.

(b) A person who is 18 years of age or older may not operate a school bus unless the person holds an appropriate class of driver's license for the vehicle being operated.

(c) **A person may not operate a school bus for the transportation of students unless the person meets the mental and physical capability requirements the department establishes by rule and has passed an examination approved by the department to determine the person's mental and physical capabilities to operate a school bus safely.** A physician, advanced practice nurse, or physician assistant may conduct the examination. An ophthalmologist, optometrist, or therapeutic optometrist may conduct the part of the examination relating to the person's vision. Each school bus operator must pass the examination annually.

(d) **A person may not operate a school bus for the transportation of students unless the person's driving record is acceptable according to minimum standards adopted by the department.** A check of the person's driving record shall be made with the department annually. The minimum standards adopted by the department must provide that a person's driving record is not acceptable if the person has been convicted of an offense under Section 49.04, 49.045, 49.07, or 49.08, Penal Code, within the 10-year period preceding the date of the check of the person's driving record.

(e) **A person may not operate a school bus for the transportation of students unless the person is certified in school bus safety education or has enrolled in a school bus safety education class under provisions adopted by the department.** Effective on the date and under provisions determined by the department, a school bus operator must hold a card that states that the operator is enrolled in or has completed a driver training course approved by the department in school bus safety education. The card is valid for three years.

(f) Before a person is employed to operate a school bus to transport students, the employer must obtain a criminal history record check. A school district, school, service center, or shared services arrangement, or a commercial transportation company under contract with a school district, that obtains information that a person has been convicted of a felony or misdemeanor involving moral turpitude may not employ the person to drive a school bus on which students are transported unless the employment is approved by the board of trustees of the school district or the board's designee.

(g) This section does not affect the right of an otherwise qualified person with a hearing disability to be licensed, certified, and employed as a bus operator for vehicles used to transport hearing-impaired students.

(h) This section does not apply to the operation of a vehicle owned by a public institution of higher education to transport students of a school district that operates within that institution if:

(1) the person operating the vehicle is approved by the institution to operate the vehicle; and

(2) the transportation is for a special event, including a field trip.
(i) For purposes of this section, "school bus" includes a school activity bus as defined by Section 541.201.

TRC §522.061. Notification of Conviction to Department or Employer

(a) A person who holds or is required to hold a commercial driver's license or a commercial learner's permit under this chapter and who is convicted in another state of violating a state law or local ordinance relating to motor vehicle traffic control shall notify the department in the manner specified by the department not later than the 7th day after the date of conviction.

(b) A person who holds or is required to hold a commercial driver's license or commercial learner's permit under this chapter and who is convicted in this state or another state of violating a state law or local ordinance relating to motor vehicle traffic control, including a law regulating the operation of vehicles on highways, shall notify the person's employer in writing of the conviction not later than the 7th day after the date of conviction.

(c) A notification to the department or an employer must be in writing and must contain:
(1) the driver's full name;
(2) the driver's license number or permit number;
(3) the date of conviction;
(4) the nature of the violation;
(5) a notation of whether the violation was committed in a commercial motor vehicle;
(6) the location where the offense was committed; and
(7) the driver's signature.

(d) This section does not apply to a parking violation.

TRC §522.063. Notification of Disqualification

A person who is denied the privilege of driving a commercial motor vehicle in a state for any period, who is disqualified from driving a commercial motor vehicle, or who is subject to an out-of-service order shall notify the person's employer of that fact before the end of the first business day after the date the person receives notice of that fact.

TRC §522.064. Notification of Previous Employment and Offenses

(a) A person who applies for employment as a commercial motor vehicle driver shall provide the employer, at the time of the application, with the following information for the 10 years preceding the date of application:
(1) a list of the names and addresses of the applicant's previous employers for which the applicant drove a commercial motor vehicle;
(2) the dates between which the applicant drove for each employer;
(3) the reason for leaving the employment of each employer; and

(4) each specific criminal offense or serious traffic violation of which the applicant has been convicted and each suspension, revocation, or cancellation of driving privileges that resulted from the conviction.

(b) The applicant must certify that the information furnished is true and complete. An employer may require an applicant to provide additional information. Before an application is submitted, the employer shall inform the applicant that the information provided by the applicant under this section may be used, and the applicant's previous employers may be contacted, to investigate the applicant's work history.

(c) An employer shall require each applicant to provide the information specified by Subsections (a) and (b).

TRC §522.081. Disqualification

(a) This subsection applies to a violation committed while operating any motor vehicle, including a commercial motor vehicle. A person who holds a commercial driver's license or commercial learner's permit is disqualified from driving a commercial motor vehicle for:

(1) 60 days if convicted of:

(A) two serious traffic violations that occur within a three-year period; or

(B) one violation of a law that regulates the operation of a motor vehicle at a railroad grade crossing; or

(2) 120 days if convicted of:

(A) three serious traffic violations arising from separate incidents occurring within a three-year period; or

(B) two violations of a law that regulates the operation of a motor vehicle at a railroad grade crossing that occur within a three-year period.

(b) Except as provided by this subsection, this subsection applies to a violation committed while operating any motor vehicle, including a commercial motor vehicle. A person who holds a commercial driver's license or commercial learner's permit is disqualified from driving a commercial motor vehicle for one year:

(1) if convicted of three violations of a law that regulates the operation of a motor vehicle at a railroad grade crossing that occur within a three-year period;

(2) on first conviction of:

(A) driving a motor vehicle under the influence of alcohol or a controlled substance, including a violation of Section 49.04 or 49.07, Penal Code;

(B) leaving the scene of an accident involving a motor vehicle driven by the person;

(C) using a motor vehicle in the commission of a felony, other than a felony described by Subsection (d)(2);

(D) causing the death of another person through the negligent or criminal operation of a motor vehicle; or

(E) driving a commercial motor vehicle while the person's commercial driver's license is revoked, suspended, or canceled, or while the person is disqualified from driving a commercial motor vehicle, for an action or conduct that occurred while operating a commercial motor vehicle;

(3) for refusing to submit to a test under Chapter 724 to determine the person's alcohol concentration or the presence in the person's body of a controlled substance or drug while operating a motor vehicle in a public place; or

(4) if an analysis of the person's blood, breath, or urine under Chapter 522, 524, or 724 determines that the person:

(A) had an alcohol concentration of 0.04 or more, or that a controlled substance or drug was present in the person's body, while operating a commercial motor vehicle in a public place; or

(B) had an alcohol concentration of 0.08 or more while operating a motor vehicle, other than a commercial motor vehicle, in a public place.

(c) A person who holds a commercial driver's license is disqualified from operating a commercial motor vehicle for three years if:

(1) the person:

(A) is convicted of an offense listed in Subsection (b)(2) and the vehicle being operated by the person was transporting a hazardous material required to be placarded; or

(B) refuses to submit to a test under Chapter 724 to determine the person's alcohol concentration or the presence in the person's body of a controlled substance or drug while operating a motor vehicle in a public place and the vehicle being operated by the person was transporting a hazardous material required to be placarded; or

(2) an analysis of the person's blood, breath, or urine under Chapter 522, 524, or 724 determines that while transporting a hazardous material required to be placarded the person:

(A) while operating a commercial motor vehicle in a public place had an alcohol concentration of 0.04 or more, or a controlled substance or drug present in the person's body; or

(B) while operating a motor vehicle, other than a commercial motor vehicle, in a public place had an alcohol concentration of 0.08 or more.

(d) A person is disqualified from driving a commercial motor vehicle for life:

(1) if the person is convicted two or more times of an offense specified by Subsection (b)(2), or a combination of those offenses, arising from two or more separate incidents;

(2) if the person uses a motor vehicle in the commission of a felony involving:

(A) the manufacture, distribution, or dispensing of a controlled substance; or

(B) possession with intent to manufacture, distribute, or dispense a controlled substance; or

(3) for any combination of two or more of the following, arising from two or more separate incidents:

(A) a conviction of the person for an offense described by Subsection (b)(2);

(B) a refusal by the person described by Subsection (b)(3); and

(C) an analysis of the person's blood, breath, or urine described by Subsection (b)(4).

(e) A person may not be issued a commercial driver's license or a commercial learner's permit and is disqualified from operating a commercial motor vehicle if, in connection with the person's operation of a commercial motor vehicle, the person commits an offense or engages in conduct that would disqualify the holder of a commercial driver's license from operating a commercial motor vehicle, or is determined to have had an alcohol concentration of 0.04 or more or to have had a controlled substance or drug present in the person's body. The period of prohibition under this subsection is equal to the appropriate period of disqualification required by Subsections (a)-(d).

(f) In this section, "felony" means an offense under state or federal law that is punishable by death or imprisonment for a term of more than one year.

(g) A person who holds a commercial driver's license or commercial learner's permit is disqualified from operating a commercial motor vehicle if the person's driving is determined to constitute an imminent hazard under 49 C.F.R. Section 383.52. The disqualification is for the disqualification period imposed under that section and shall be noted on the person's driving record.

(h) A disqualification imposed under Subsection (g) must run concurrently with any imminent hazard disqualification that is then currently in effect.

TRC §522.082. Reinstatement Following Disqualification for Life

(a) The department may adopt rules establishing guidelines, including conditions, under which a person disqualified for life under Section 522.081(d)(1) may apply to the department for reinstatement of the person's commercial driver's license, if authorized under federal law.

(b) A person is not eligible for reinstatement unless the person has been disqualified for at least 10 years and meets the department's conditions for reinstatement.

(c) If a reinstated driver is subsequently convicted of another disqualifying offense as specified by Section 522.081(b), the person is permanently disqualified and is not eligible for reinstatement.

TRC §522.101. Driving While Having Alcohol in System Prohibited

(a) Notwithstanding any other law of this state, a person may not drive a commercial motor vehicle in this state while having a measurable or detectable amount of alcohol in the person's system.

(b) A person who violates Subsection (a) or who refuses to submit to an alcohol test under Section 522.102 shall be placed out of service for 24 hours.

(c) A peace officer may issue an out-of-service order based on probable cause that the person has violated this section. The order must be on a form approved by the department. The peace officer shall submit the order to the department.

TRC §541.201. Vehicles

(11-a) "**Multifunction school activity bus**" means a motor vehicle that was manufactured in compliance with the federal motor vehicle safety standards for school buses in effect on the date of manufacture other than the standards requiring the bus to display alternately flashing red lights and to be equipped with movable stop arms, and that is used to transport preprimary, primary, or secondary students on a school-related activity trip other than on routes to and from school. The term does not include a school bus, a school activity bus, a school-chartered bus, or a bus operated by a mass transit authority.

(3) "**School activity bus**" means a bus designed to accommodate more than 15 passengers, including the operator, that is owned, operated, rented, or leased by a school district, county school, open-enrollment charter school, regional education service center, or shared services arrangement and that is used to transport public school students on a school-related activity trip, other than on routes to and from school. The term does not include a chartered bus, a bus operated by a mass transit authority, a school bus, or a multifunction school activity bus.

(4) "**School bus**" means a motor vehicle that was manufactured in compliance with the federal motor vehicle safety standards for school buses in effect on the date of manufacture and that is used to transport pre-primary, primary, or secondary students on a route to or from school or on a school related-related activity trip other than on routes to and from school. The term does not include a school-chartered bus or a bus operated by a mass transit authority.

TRC §545.066. Passing a School Bus; Offense

(a) An operator on a highway, when approaching from either direction a school bus stopped on the highway to receive or discharge a student:

- (1) shall stop before reaching the school bus when the bus is operating a visual signal as required by Section 547.701; and
- (2) may not proceed until:
  - (A) the school bus resumes motion;
  - (B) the operator is signaled by the bus driver to proceed; or
  - (C) the visual signal is no longer actuated.

(b) An operator on a highway having separate roadways is not required to stop:

- (1) for a school bus that is on a different roadway; or
- (2) if on a controlled-access highway, for a school bus that is stopped:
  - (A) in a loading zone that is a part of or adjacent to the highway; and
  - (B) where pedestrians are not permitted to cross the roadway.

(c) An offense under this section is a misdemeanor punishable by a fine of not less than $500 or more than $1,250, except that the offense is:

(1) a misdemeanor punishable by a fine of not less than $1,000 or more than $2,000 if the person is convicted of a second or subsequent offense under this section committed within five years of the date on which the most recent preceding offense was committed;
(2) a Class A misdemeanor if the person causes serious bodily injury to another; or
(3) a state jail felony if the person has been previously convicted under Subdivision (2).

(d) The court may order that the driver's license of a person convicted of a second or subsequent offense under this section be suspended for not longer than six months beginning on the date of conviction. In this subsection, "driver's license" has the meaning assigned by Chapter 521.

(e) If a person does not pay the previously assessed fine or costs on a conviction under this section, or is determined by the court to have insufficient resources or income to pay a fine or costs on a conviction under this section, the court may order the person to perform community service. The court shall set the number of hours of service under this subsection.

(f) For the purposes of this section:
(1) a highway is considered to have separate roadways only if the highway has roadways separated by an intervening space on which operation of vehicles is not permitted, a physical barrier, or a clearly indicated dividing section constructed to impede vehicular traffic; and
(2) a highway is not considered to have separate roadways if the highway has roadways separated only by a left turn lane.

TRC §545.251. Obedience to Signal Indicating Approach of Train

(a) An operator approaching a railroad grade crossing shall stop not closer than 15 feet or farther than 50 feet from the nearest rail if:
(1) a clearly visible railroad signal warns of the approach of a railroad train;
(2) a crossing gate is lowered, or a flagger warns of the approach or passage of a train;
(3) a railroad engine approaching within approximately 1,500 feet of the highway crossing emits a signal audible from that distance and the engine is an immediate hazard because of its speed or proximity to the crossing;
(4) an approaching railroad train is plainly visible to the operator and is in hazardous proximity to the crossing; or
(5) the operator is required to stop by:
(A) other law;
(B) a rule adopted under a statute;
(C) an official traffic-control device; or
(D) a traffic-control signal.

(b) An operator of a vehicle required by Subsection (a) to stop shall remain stopped until permitted to proceed and it is safe to proceed.

(c) An operator of a vehicle who approaches a railroad grade crossing equipped with railroad crossbuck signs without automatic, electric, or mechanical signal devices,

crossing gates, or a flagger warning of the approach or passage of a train shall yield the right-of-way to a train in hazardous proximity to the crossing, and proceed at a speed that is reasonable for the existing conditions. If required for safety, the operator shall stop at a clearly marked stop line before the grade crossing or, if no stop line exists, not closer than 15 feet or farther than 50 feet from the nearest rail.

(d) An operator commits an offense if the operator drives around, under, or through a crossing gate or a barrier at a railroad crossing while the gate or barrier is closed, being closed, or being opened.

(e) In a prosecution under this section, proof that at the time of the offense a train was in hazardous proximity to the crossing and that the train was plainly visible to the operator is prima facie evidence that it was not safe for the operator to proceed.

(f) An offense under this section is punishable by a fine of not less than $50 or more than $200.

TRC §545.2535. School Buses to Stop at All Railroad Grade Crossings

(a) Except as provided by Subsection (c), the operator of a school bus, before crossing a track at a railroad grade crossing:
  (1) shall stop the vehicle not closer than 15 feet or farther than 50 feet from the track;
  (2) while stopped, shall listen and look in both directions along the track for an approaching train and signals indicating the approach of a train; and
  (3) may not proceed until it is safe to do so.

(b) After stopping as required by Subsection (a), the operator may proceed in a gear that permits the vehicle to complete the crossing without a change of gears. The operator may not shift gears while crossing the track.

(c) An operator is not required to stop at:
  (1) an abandoned railroad grade crossing that is marked with a sign reading "tracks out of service"; or
  (2) an industrial or spur line railroad grade crossing that is marked with a sign reading "exempt."

(d) A sign under Subsection (c) may be erected only by or with the consent of the appropriate state or local governmental official.

TRC §545.255. Moving Heavy Equipment at Railroad Grade Crossings

(a) This section applies only to:
  (1) a crawler-type tractor, steam shovel, derrick, or roller; and
  (2) any other equipment or structure with:
    (A) a normal operating speed of 10 miles per hour or less; or
    (B) a vertical body or load clearance of less than one-half inch per foot of the distance between two adjacent axles or less than nine inches measured above the level surface of a roadway.

(b) An operator of a vehicle or equipment may not move on or across a track at a railroad grade crossing unless the operator has given notice to a station agent of

the railroad and given the railroad reasonable time to provide proper protection at the crossing.

(c) To move a vehicle or equipment on or across a track at a railroad grade crossing, the operator:
  (1) shall stop the vehicle or equipment not closer than 15 feet or farther than 50 feet from the nearest rail of the railroad;
  (2) while stopped, shall listen and look in both directions along the track for an approaching train and for signals indicating the approach of a train; and
  (3) may not proceed until it is safe to cross the track.

(d) An operator of a vehicle or equipment may not cross a railroad grade crossing when warning of the immediate approach of a railroad car or train is given by automatic signal, crossing gates, a flagger, or otherwise. If a flagger is provided by the railroad, the operator shall move the vehicle or equipment over the crossing at the flagger's direction.

(e) An offense under this section is punishable by a fine of not less than $50 or more than $200.

TRC §545.352. Prima Facie Speed Limits

(a) A speed in excess of the limits established by Subsection (b) or under another provision of this subchapter is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful.

(b) Unless a special hazard exists that requires a slower speed for compliance with Section 545.351 (b), the following speeds are lawful:
  (1) 30 miles per hour in an urban district on a street other than an alley and 15 miles per hour in an alley;
  (2) except as provided by Subdivision (4), 70 miles per hour on a highway numbered by this state or the United States outside an urban district, including farm-to-market or ranch-to-market road;
  (3) except as provided by Subdivision (4), 60 miles per hour on a highway that is outside an urban district and not a highway numbered by this state or the United States;
  (4) outside an urban district:
    (A) 60 miles per hour if the vehicle is a school bus that has passed a commercial motor vehicle inspection under Section 548.201 and is on a highway numbered by the United States or this state, including a farm-to-market road; or
    (B) 50 miles per hour if the vehicle is a school bus that:
      (i) has not passed a commercial motor vehicle inspection under Section 548.201; or
      (ii) is traveling on a highway not numbered by the United States or this state;
  (5) on a beach, 15 miles per hour; or
  (6) on a county road adjacent to a public beach, 15 miles per hour, if declared by the commissioners court of the county.

(c) The speed limits for a bus or other vehicle engaged in the business of transporting passengers for compensation of hire, for a commercial vehicle used as a highway post office vehicle for highway post office service in the transportation of United States mail, for a light truck, and for a school activity bus are the same as required for a passenger car at the same time and location.

(d) In this section:

(1) "Interstate highway" means a segment of the national system of interstate and defense highways that is:

(A) located in this state;

(B) officially designated by the Texas Transportation Commission; and

(C) approved under Title 23, United States Code.

(2) "Light truck" means a truck with a manufacturer's rated carrying capacity of not more than 2,000 pounds, including a pick-up truck, panel delivery truck, and carry-all truck.

(3) "Urban district" means the territory adjacent to and including a highway, if the territory is improved with structures that are used for business, industry, or dwelling houses and are located at intervals of less than 100 feet for a distance of at least one-quarter mile on either side of the highway.

(e) An entity that establishes or alters a speed limit under this subchapter shall establish the same speed limit for day time and nighttime.

TRC §545.425. Use of Wireless Communication Device in a School Crossing Zone or While Operating a School Bus with a Minor Passenger; Offense

(a) In this section:

(1) "Hands-free device" means speakerphone capability,a telephone attachment or another function or other piece of equipment, regardless of whether permanently installed in the motor vehicle, that allows use of the wireless communication device without use of either of the operator's hands, except to activate or deactivate a function of the wireless communication device or hands-free device. The term includes voice-operated technology and a push-to-talk function..

(2) "Wireless communication device" means a device that uses a commercial mobile service, as defined by 47 U.S.C Section 332.

(b) Except as provided by Subsection (c), an operator may not use a wireless communication device while operating a motor vehicle within a school crossing zone, as defined by Section 541.302, Transportation Code, unless:

(1) the vehicle is stopped; or

(2) the wireless communication device is used with a hands free device.

(b-1) Except as provided by Subsection (b-2), a local authority that enforces this section

in a school crossing zone in the local authority's jurisdiction shall post a sign, or approve posting of a sigh by a school or school district, that complies with the standards described by this subsection at the entrance to each school crossing zone. The Texas Department of Transportation shall adopt standards that:

(1) allow for a sign required to be posted under this subsection to be attached to an existing sign at a minimal cost; and

(2) require that a sign required to be posted under this subsection inform an operator that:

(A) the use of a wireless communication device is prohibited in the school crossing zone; and

(B) the operator is subject to a fine if the operator uses a wireless communication device in the school crossing zone.

(b-2) A local authority that by ordinance or rule prohibits the use of a wireless communication device while operating a motor vehicle, including a prohibition that contains an exception for the use of a wireless communication device with a hands-free device, throughout the jurisdication of the local authority is not required to post a sign as required by Subsection (b-1) and shall:

(1) posts signs that are located at each point at which a state highway, U.S. highway, or interstate highway enters the jurisdiction of the local authority and that state:

(A) that an operator is prohibited from using a wireless communication device while operating a motor vehicle in the jurisdiction of the local authority, and whether use of a wireless communication device with a hands-free device is allowed in the jurisdiction of the local authority; and

(B) that an operator is subject to a fine if the operator uses a wireless communication device while operating a motor vehicle in the jurisdiction of the local authority; and

(2) subject to all applicable United States Department of Transportation Federal Highway Administration rules, posts a message that complies with Subdivision (1) on any dynamic message sign operated by the political subdivision located on a state highway, U.S. highway, or interstate highway in the political subdivision.

(b-3) A sign posted under Subsection (b-2) (1) must be readable to an operator traveling at the applicable speed limit.

(b-4) The local authority shall pay the costs associated with the posting of signs under Subsection (b-1) and (b-2), unless the authority enters an agreement providing otherwise.

(c) **An operator may not use a wireless communication device while operating a passenger bus with a minor passenger on the bus unless the passenger bus is stopped.**

(d) It is an affirmative defense to prosecution of an offense under this section that:
- (1) the wireless communication device was used to make an emergency call to:
  - (A) an emergency response service, including a rescue, emergency medical, or hazardous material response service;
  - (B) a hospital;
  - (C) a fire department;
  - (D) a health clinic;
  - (E) a medial doctor's office;
  - (F) an individual to administer first aid treatment; or
  - (G) a police department; or
- (2) a sign required by Subsection (b-1) was not posted at the entrance to the school crossing zone at the time of an offense committed in the school crossing zone.

(d-1) The affirmative defense available in Subsection (d) (2) is not available for an offense under Subsection (b) committed in a school crossing zone located in the jurisdiction of a local authority that is in compliance with Subsection (b-2).

(e) This section does not apply to:
- (1) an operator of an authorized emergency vehicle using a wireless communication device while acting in an official capacity; or
- (2) an operator who is licensed by the Federal Communications Commission while operating a radio frequency device other than a wireless communication device.

(e-1) Subsection (c) does not apply to an operator of a school bus or passenger bus using a wireless communication device:
- **(1) in the performance of the operator's duties as a bus driver; and**
- **(2) in a manner similar to using a two-way radio.**

(f) Except as provided by Subsection (b-2), this section preempts all local ordinances, rules, or regulations that are inconsistent with specific provisions of this section adopted by a political subdivision of this state relating to the use of a wireless communication device by the operator of a motor vehicle.

TRC §545.426 Operation of School Bus

(a) A person may not operate a school bus if:
- (1) the door of the school bus is open; or
- (2) the number of passengers on the bus is greater than the manufacturer's design capacity for the bus.

(b) An operator of a school bus, while operating the bus, shall prohibit a passenger from:
- (1) standing in the bus; or
- (2) sitting:
  - (A) on the floor of the bus; or
  - (B) in any location on the bus that is not designed as a seat.

(c) The department may adopt rules necessary to administer and enforce this section.

TRC §546.001 Permissible Conduct

In operating an authorized emergency vehicle the operator may:

(1) park or stand, irrespective of another provision of this subtitle;

(2) proceed past a red or stop signal or stop sign, after slowing as necessary for safe operation;

(3) exceed a maximum speed limit, except as provided by an ordinance adopted under Section 545.365, as long as the operator does not endanger life or property; and

(4) disregard a regulation governing the direction of movement or turning in specified directions.

TRC §547.701. Additional Equipment Requirements for School Buses and Other Buses Used to Transport Schoolchildren

(a) A school bus shall be equipped with:

(1) a convex mirror or other device that reflects to the school bus operator a clear view of the area immediately in front of the vehicle that would otherwise be hidden from view; and

(2) signal lamps that:

(A) are mounted as high and as widely spaced laterally as practicable;

(B) display four alternately flashing red lights, two located on the front at the same level and two located on the rear at the same level; and

(C) emit a light visible at a distance of 500 feet in normal sunlight.

(b) A school bus may be equipped with:

(1) rooftop warning lamps:

(A) that conform to and are placed on the bus in accordance with specifications adopted under Section 34.002, Education Code; and

(B) that are operated under rules adopted by the school district; and

(2) movable stop arms:

(A) that conform to regulations adopted under Section 34.002, Education Code; and

(B) that may be operated only when the bus is stopped to load or unload students.

(c) **When a school bus is being stopped or is stopped on a highway to permit students to board or exit the bus, the operator of the bus shall activate all flashing warning signal lights and other equipment on the bus designed to warn other drivers that the bus is stopping to load or unload children. A person may not operate such a light or other equipment except when the bus is being stopped or is stopped on a highway to permit students to board or exit the bus.**

(c-1) A person may not operate a light or other equipment described by Subsection (c) except when a school bus is being stopped or is stopped on a highway to:
(1) permit a student to board or exit the bus; or
(2) distribute to a student or the parent or guardian of a student:
(A) food; or
(B) technological equipment for use by the student for educational purposes.

(d) The exterior of a school bus may not bear advertising or another paid announcementdorected at tje [in;oc of tje advertising or announcement distracts from the effectiveness of required safety warning equipment. The department shall adopt rules to implement this subsection. A school bus that violates this section or rules adopted under this section shall be placed out of service until it complies.

(e) In this subsection, "bus" includes a school bus, school activity bus, multifunction school activity bus, or school-chartered bus. A bus operated by or contracted for use by a school district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This subsection does not apply to:
(1) a bus purchased by a school district that is a model year 2017 or earlier; or
(2) a bus purchased by a school district that is a model year 2018 or later if the board of trustees for the school district:
(A) determines that the district's budget does not permit the district to purchase a bus that is equipped with the seat belts required by this subsection; and
(B) votes to approve that determination in a public meeting.

TRC §550.021. Accident Involving Personal Injury or Death

(a) The operator of a vehicle involved in an accident that results or is reasonably likely to result in injury to or death of a person shall:
- (1) immediately stop the vehicle at the scene of the accident or as close to the scene as possible;
- (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and
- (3) immediately determine whether a person is involved in the accident, and if a person is involved in the accident, whether that person requires aid; and
- (4) remain at the scene of the accident until the operator complies with the requirements of Section 550.023.

(b) An operator of a vehicle required to stop the vehicle by Subsection (a) shall do so without obstructing traffic more than is necessary.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of this section. An offense under this section:
- (1) involving an accident resulting in:
  - (A) death of a person is a felony of the second degree; or
  - (B) serious bodily injury, as defined by Section 1.07, Penal Code, to a felony of the third degree; and
- (2) involving an accident resulting in injury to which Subdivision (1) does not apply is punishable by:
  - (A) imprisonment in the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;
  - (B) a fine not to exceed $5,000; or
  - (C) both the fine and the imprisonment or confinement.

TRC §550.022. Accident Involving Damage to Vehicle

(a) Except as provided by Subsection (b), the operator of a vehicle involved in an accident resulting only in damage to a vehicle that is driven or attended by a person shall:
- (1) immediately stop the vehicle at the scene of the accident or as close as possible to the scene of the accident without obstructing traffic more than is necessary;
- (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and
- (3) remain at the scene of the accident until the operator complies with the requirements of Section 550.023.

(b) If an accident occurs on a main lane, ramp, shoulder, median, or adjacent area of a freeway in a metropolitan area and each vehicle involved can be normally and safely driven, each operator shall move the operator's vehicle as soon as possible to a designated accident investigation site, if available, a location on the frontage road, the nearest suitable cross street, or other suitable location to complete the requirements of Section 550.023 and minimize interference with freeway traffic.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of Subsection (a). An offense under this subsection is:
- (1) a Class C misdemeanor, if the damage to all vehicles is less than $200; or
- (2) a Class B misdemeanor, if the damage to all vehicles is $200 or more.

(c-1) A person commits an offense if the person does not comply with the requirements of Subsection (b). An offense under this subsection is a Class C misdemeanor.

(d) In this section, a vehicle can be normally and safely driven only if the vehicle:
- (1) does not require towing; and
- (2) can be operated under its own power and in its usual manner, without additional damage or hazard to the vehicle, other traffic, or the roadway.

TRC §550.023. Duty to Give Information and Render Aid

The operator of a vehicle involved in an accident resulting in the injury or death of a person or damage to a vehicle that is driven or attended by a person shall:
- (1) give the operator's name and address, the registration number of the vehicle the operator was driving, and the name of the operator's motor vehicle liability insurer to any person injured or the operator or occupant of or person attending a vehicle involved in the collision;
- (2) if requested and available, show the operator's driver's license to a person described by Subdivision (1); and
- (3) provide any person injured in the accident reasonable assistance, including transporting or making arrangements for transporting the person to a physician or hospital for medical treatment if it is apparent that treatment is necessary, or if the injured person requests the transportation.

TRC §550.024. Duty on Striking Unattended Vehicle

(a) The operator of a vehicle that collides with and damages an unattended vehicle shall immediately stop and:
- (1) locate the operator or owner of the unattended vehicle and give that person the name and address of the operator and the owner of the vehicle that struck the unattended vehicle; or
- (2) leave in a conspicuous place in, or securely attach in a plainly visible way to, the unattended vehicle a written notice giving the name and address of the operator and the owner of the vehicle that struck the unattended vehicle and a statement of the circumstances of the collision.

(b) A person commits an offense if the person violates Subsection (a). An offense under this section is:
- (1) a Class C misdemeanor, if the damage to all vehicles involved is less than $200; or
- (2) a Class B misdemeanor, if the damage to all vehicles involved is $200 or more.

TRC §550.025. Duty on Striking Fixture or Highway Landscaping

(a) The operator of a vehicle involved in an accident resulting only in damage to a structure adjacent to a highway or a fixture or landscaping legally on or adjacent to a highway shall:

(1) take reasonable steps to locate and notify the owner or person in charge of the property of the accident and of the operator's name and address and the registration number of the vehicle the operator was driving; and

(2) if requested and available, show the operator's driver's license to the owner or person in charge of the property.

(b) A person commits an offense if the person violates Subsection (a). An offense under this section is:

(1) a Class C misdemeanor, if the damage to all fixtures and landscaping is less than $200; or

(2) a Class B misdemeanor, if the damage to all fixtures and landscaping is $200 or more.

TRC §644.252. Report of Refusal and Certain Results

(a) An employer required to conduct alcohol and drug testing of an employee who holds a commercial driver's license under Chapter 522 under federal safety regulations as part of the employer's drug testing program or consortium, as defined by 49 C.F.R. Part 382, shall report to the department:

(1) a valid positive result on an alcohol or drug test performed and whether the specimen producing the result was a dilute specimen, as defined by 49 C.F.R. Section 40.3;

(2) a refusal to provide a specimen for an alcohol or drug test; or

(3) an adulterated specimen or substituted specimen, as those terms are defined by 49 C.F.R. Section 40.3, on an alcohol or drug test performed.

(b) The department shall maintain the information provided under this section.

(c) Information maintained under this section is confidential and only subject to release as provided by Section 521.053.

IDEA

CFR §300.139. Location of Services and Transportation

(b) Transportation

(1) General

(i) If necessary for the child to benefit from or participate in the services provided under this part, a parentally-placed private school child with a disability must be provided transportation-

(A) From the child's school or the child's home to a site other than the private school; and

(B) From the service site to the private school, or to the child's home, depending on the timing of the service.

(ii) LEAs are not required to provide transportation from the child's home to the private school.

(2) Cost of transportation. The cost of the transportation described in paragraph (b)(1)(i) of this section may be included in calculating whether the LEA has met the requirements of 300.133.

CFR §300.34. Related Services

(c) Individual related services term defined. The terms used in this definition are defined as follows:

(16) Transportation includes -

(i) Travel to and from school and between schools;

(ii) Travel in and around school buildings; and

(iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

Appendix B - Driver Record Evaluation and Penalty Point System

Table I
School Bus Driver Driving Record Evaluation

Assess **1 penalty point** for each conviction if the date of the violation is within **3 years** of the date of the driving record evaluation.

Brakes not on all wheels required

Carry passenger without a helmet

Clearance lamps improperly mounted

Clearance lights not visible sufficient distance

Defective parking lamp(s)

Defective safety glazing material

Defective stop lamp(s)

Defective tail lamp(s)

Defective turn signal lamps

Defective windshield wiper

Driving safety course sec. 143(a)(1)

Endorsement violation CDL

Fail to give info/render aid

Hazardous material placard violation

Head lamps glaring not adjusted

Identification lamps not visible sufficient distance

Improper flashing lights

Improper use of back-up lamp

Improperly directed or adjusted lamp(s)

Mirror violation

More than four driving lamps lighted

Muffler violation

No automatic brake application on breakaway (trailer)

No beam indicator

No clearance lamps

No double trailer endorsement (CDL)

No fire extinguisher

No front seat belts (when required)

No hazmat endorsement (CDL)

No head lamp(s)—not equipped

No motorcycle endorsement

No mud flaps or improper mud flaps

No multiple-beam road lighting equipment

No parking lamps

No passenger vehicle endorsement (CDL)

No reflector(s) when required

No school bus endorsement (CDL)

No stop lamps

No tail lamp(s)—not equipped

No tank vehicle endorsement (CDL)

No turn signal lamps when required

Table I (Continued)
School Bus Driver Driving Record Evaluation

Assess **1 penalty point** for each conviction if the date of the violation is within **3 years** of the date of the driving record evaluation.

No white flag on tow chain (or cable)

No windshield wiper

Pull more than one trailer or other vehicle

Red light(s) on front

Reflectors improperly mounted

Reflectors not visible sufficient distance

Side marker lamps not visible sufficient distance

Slow-moving vehicle emblem violation

Tail lamp(s) improperly located

Too many auxiliary driving lamps

Too many auxiliary passing lamps

Too many fog lamps

Too many spot lamps

Unauthorized glass coating material

Warning devices not installed or defective

Wrong color back-up lamp

Wrong color clearance lamp(s)

Wrong color identification lamps

Wrong color license plate light

Wrong color reflectors

Wrong color side marker

Wrong color signal device

Wrong color spotlight

Table II
School Bus Driver Driving Record Evaluation

Assess **2 penalty points** if the date of occurrence is within **3 years** of the date of the driving record evaluation. Persons disqualified because of penalty points assessed for crash* involvement shall be notified of their right to a review. (See below for review procedure.)

Accident	Accident non-incapacitating injury
Accident citation issued	Accident non-injury
Accident fatal	Accident no citation issued
Accident incapacitating injury	Accident possible injury

*****The terms “crash” and “accident” shall be used interchangeably.

Review Procedure for Disqualification Appeal

(2 point penalty assessments under Table II)

Two penalty points shall automatically be assessed for a crash involvement occurring within **3 years** of the date of the driver record evaluation that appears on the driver history record. Applicants disqualified on the basis of penalty points assessed for crash involvements appearing on their driving records may request a review by the person(s) designated by the employer to determine if the applicant was a cause of the crash(es). The applicant must identify the specific crash involvement(s) to be reviewed and request a copy of the crash report(s) on the approved form. Mail the form to Crash Records, Texas Department of Transportation at the address listed on the form.

The designated person(s) shall review information pertinent to the crash(es), which should include the **Texas Peace Officer’s Crash Report**. In examining this report, consideration of such items as Charges Filed, Investigators’ Narrative of What Happened, Diagram, and Factors/Conditions Contributing to the Crash should assist in making a determination as to whether or not the assessment of penalty points is appropriate.

If the designated person(s) reviews the crash report and any other pertinent information and determines that the applicant was not a cause of the crash(es), no penalty points should be assessed. If the designated person(s) determines that the applicant was a cause of the crash(es), 2 penalty points shall be assessed for each crash.

Table III
School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Allow passenger to stand/sit improperly on a school bus

Bus driver failed to activate warning signal/equipment

Bus failed to stop at RR crossing

Bus shifting gears while crossing RR tracks

Careless driving

Carry motorcycle passenger under 5; except in side car

Changed lane when unsafe

Child passenger safety offense

Coasting

Coasting (truck, truck tractor or bus, specify) with clutch engaged

Consumed alcohol while driving

Crossed RR with heavy equipment without notice

Crossed RR with heavy equipment without stop (or safety)

Crossing fire hose without permission

Crossing physical barrier

Cut across driveway to make turn

Cut corner left turn

Cut in after passing

Did not use designated lane or direction

Displayed fictitious driver license

Disregard solid yellow turn signal arrow

Disregard warning signs or barricades

Disregarded flashing red signal (at stop sign, etc)

Disregarded flashing yellow light

Disregarded lane control signal

Disregarded no lane change sign

Disregarded no passing zone

Disregarded police officer

Disregarded RR crossing gate or flagger

Disregarded signal at RR crossing

Disregarded traffic control device

Disregarded turn marks at intersection

Disregarded warning sign at construction

Drawbar over 15 feet

Drive into block where fire engine stopped

Driving around barricades

Driver opened door in moving traffic

Drove center lane (not passing, not turning left)

Drove on or across streetcar track where prohibited

Drove on sidewalk

Drove on wrong side-RR crossing

Drove on wrong side of approaching bridge

Drove on wrong side of divided highway

Drove on wrong side of road

Table III (Continued)
School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Drove on wrong side road approaching intersection

Drove wrong side of road approaching RR grade crossing

Drove on wrong side road awaiting access to ferry

Drove onto (or from) controlled access highway where prohibited

Drove through safety zone

Drove to left of rotary traffic island

Drove without lights-when required

Drove wrong way on one-way roadway

Fail to comply with requirements on striking fixtures on highway

Fail to comply with requirements on striking unattended vehicle

Fail to control speed

Fail to dim headlights--following

Fail to dim headlights—meeting

Fail to drive in single lane

Fail to give hand signals when required

Fail to give one-half of roadway

Fail to give way when overtaken

Fail to keep right on mountain roadway

Fail to pass left safely

Fail to pass met vehicle to right

Fail to pass to right safely

Fail to signal for stop

Fail to signal required distance before turning

Fail to signal with turn indicator

Fail to sound horn—mountain road

Fail to stop at marked RR crossing

Fail to stop at proper place (at traffic light)

Fail to stop at proper place (flashing red signal)

Fail to stop at proper place (not intersection)

Fail to stop for approaching train

Fail to stop for school bus (or remain stopped, specify)

Fail to stop for street car-or stop at wrong location

Fail to stop-designated point-at stop sign

Fail to stop-designated point-at yield sign

Fail to stop-emerging from alley, driveway, or building

Fail to use due care for pedestrian

Fail to use proper headlight beam

Fail to yield at stop intersection

Fail to yield at yield intersection

Fail to yield right of way

Fail to yield right of way from private road

Fail to yield right of way—changing lanes

Fail to yield right of way—turning right on red signal

Table III (Continued)
School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Fail to yield right of way at open intersection (specify type)

Fail to yield right of way leaving (private drive, alley, or building)

Fail to yield right of way on green arrow signal

Fail to yield right of way on green signal

Fail to yield right of way on left at obstruction

Fail to yield right of way to emergency vehicle

Fail to yield right of way to pedestrian at signal intersection

Fail to yield right of way to pedestrian in crosswalk

Fail to yield right of way to pedestrian in crosswalk—no signal

Fail to yield right of way to pedestrian on sidewalk

Fail to yield right of way to pedestrian—green arrow signal

Fail to yield right of way to pedestrian turning right or left at intersection

Fail to yield right of way—turning left (at intersection, alley, private road, or driveway)

Fail to yield to vehicle in intersection

Fail to yield to vehicle leaving highway

Fail to signal lane change

Fail to yield for blind or incapacitated person

Fleeing from police officer

Following ambulance

Following fire apparatus

Following too closely

Following too closely—truck

Following too closely—caravan

Illegal backing

Illegal load extension

Illegal pass on right

Illegally passed streetcar

Impeding traffic

Improper lane change

Improper lookout

Improper passing

Improper turn

Improper turn or stop hand signal

Improper use of auxiliary driving lamps

Improper use of auxiliary passing lamps

Improper use of fog lamps

Improper use of lighting-hwy. equip.

Improper use of spot light

Improper use of turn indicator

Increased speed while being overtaken

Interfere with funeral procession

Interfere with streetcar

Table III (Continued)
School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Lack of caution on green arrow signal

Leaving scene of accident

Made a U-turn on curve or hill

Negligent collision

No commercial driver license(CDL)

No driver license

No flag or projecting load—daytime

No lamps (or reflectors) on project load at night

No seat belt—driver

No seat belt—passenger

Obstructed view through windshield

Obstructing traffic

Open container DRIVER

Operate motorcycle without approved headgear

Operate school bus over passenger design capacity

Operate school bus with door open

Operate vehicle with more than one passenger-minor

Operate vehicle where prohibited

Operate vehicle with child in open bed

Parked double

Parked on a bridge or in a tunnel

Parked on crosswalk

Parked on grade—failed to turn wheels

Parked on roadway

Parked with headlamps not dimmed

Parked within an intersection

Parked without lights

Parked without locking ignition and/or removing key

Passed streetcar on left w/out reducing speed or w/out caution

Passed through barricade

Passed vehicle stopped for pedestrian

Passed—insufficient clearance

Passengers/load obstruct driver's view or control

Passing authorized emergency vehicle

Permitted/operated unsafe vehicle

Person(s) riding in trailer or semi-trailer

Prohibited motor vehicle on controlled-access highway

Racing—drag racing—acceleration context, etc.

Ran red light

Ran stop sign

Reckless driving

Restriction violation-CDL

Riding boat/watercraft drawn by vehicle

Slower vehicle failed to keep right

Table III (Continued)
School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Speed under minimum

Speeding

Speeding-10 mph maximum for solid tire

Speeding-15 miles over (CDL)

Speeding > 10% above posted speed limit

Speeding over limit

Speeding—school zone

Too many riders on motorcycle

Turned across dividing section

Turned left from wrong lane

Turned right from wrong lane

Turned right too wide

Turned so as to impede or interfere with streetcar

Turned when unsafe

Unauthorized use of siren, bell or whistle

Unrestrained child under 4 or less than 36 inches in height not secured by child passenger safety seat

Unrestrained child – safety seat violation

Unsafe speed (too fast for conditions)

Unsafe start

Unsafe start from parked, stopped or standing position

Use of school bus signal for wrong purpose

Use/operate/install/purchase/sell radar interference device

Use wireless device while driving bus

Use wireless device while driving—minor

Use wireless device in school zone

Vehicle hauling explosives (or flammable materials) failed to stop at RR crossing

Vehicle hauling explosives failed to reduce speed at RR crossing

Vehicle without required equipment or in unsafe condition

Violate DL restriction on occupational license

Violate DL restrictions

Violate operating hours—minor

Violated out of service order

Violated out-of-service order hazmat and/or passenger

Warning devices not displayed (flags, fuses, flares, reflectors)

Wrong side of road-not passing

Wrong side, 4 or more lane, two-way roadway

Table IV
School Bus Driver Driving Record Evaluation

Assess **10 penalty points** for each conviction if the date of the violation is within **10 years** of the date of the driving record evaluation.

Aggravated assault with motor vehicle

Alcohol beverage code offense

Boating while intoxicated

Controlled substance act offense

Criminal negligent homicide with motor vehicle-1st or 2nd degree

Dangerous drug act offense

Driving under influence

Driving under influence (DUI)-minor

Driving while impaired

Driving while intoxicated

Driving while intoxicated—with child under 15

Driving while intoxicated-probated

Driving while intoxicated bond forfeiture

Driving while license invalid

Driving while license invalid bond forfeiture

Driving while license disqualified-CMV

Drug offense

Drug offense-bond forfeiture

Fail to stop and render aid-felony

Fail to stop and render aid-misdemeanor

Felony-use of CMV

Felony-use of CMV-controlled substance

Intoxication assault

Intoxication assault with motor vehicle

Intoxication manslaughter

Intoxication manslaughter motor vehicle

Involuntary manslaughter with motor vehicle

Volatile chemical act offense

Table V
School Bus Driver Driving Record Evaluation

Assess **10 penalty points** for each conviction if the date of the violation is within **10 years** of the date of the driving record evaluation.

ALR CMV disqualification—0.04 or more	ALR suspension—failure
ALR CMV disqualification—0.04 or more HAZMAT	ALR suspension—refusal
ALR CMV disqualification—refusal	ALR suspension—Under 21—Refusal
ALR CMV disqualification—refusal—HAZMAT	ALR suspension—Under 21—Failure

Appendix C- School Bus Driver Safety Education Coordinator Offices

REGION I (1)
1900 W. Schunior
Edinburg, TX 78541
(956) 984-6283
http://www.esc1.net/

REGION II (2)
209 N. Water St.
Corpus Christi, TX 78418
(361) 561-8410
http://transportation.esc2.net/

REGION III (3)
1905 Leary Lane
Victoria, TX 77901
(361) 573-0731 x256
http://www.esc3.net/

REGION IV (4)
7145 W. Tidwell
Houston, TX 77092
(713) 744-4495
https://www.esc4.net/

REGION V (5)
350 Pine St., Suite 500
Beaumont, TX 77701
(409) 951-1862
http://www.esc5.net/

REGION VI (6)
3332 Montgomery Rd.
Huntsville, TX 77340
(936) 435-8339
http://www.esc6.net/

REGION VII (7)
1909 North Longview
Kilgore, TX 75662
(903) 988-6842
http://www.esc7.net/

REGION VIII (8)
PO Box 1894, FM 1734
Mt. Pleasant, TX 75456
(903) 572-8551 x2719
http://www.reg8.net/

REGION IX (9)
301 Loop 11
Wichita Falls, TX 76306
(940) 322-6928
http://www.esc9.net/

REGION X (10)
400 E. Spring Valley Road
Richardson, TX 75081
(972) 348-1026
https://www.region10.org/

REGION XI (11)
1451 S. Cherry Lane
White Settlement, TX 76108
(817) 740-3631
http://www.esc11.net/

REGION XII (12)
2101 West Loop 340
Waco, TX 76712
(254) 716-3885
https://txr12.escworks.net/

REGION XIII (13)
5701 Springdale Rd.
Austin, TX 78723
(512) 919-5241
http://www4.esc13.net/

REGION XIV (14)
1850 SH 351
Abilene, TX 79601
(325) 675-8613
http://www.esc14.net/

REGION XV (15)
612 S. Irene St.
San Angelo, TX 76903
(325) 658-6571
https://www.esc15.net/domain/107

REGION XVI (16)
5800 Bell St.
Amarillo, TX 79109-6230
(806) 677-5072
http://www.esc16.net/

REGION XVII (17)
1111 W. Loop 289
Lubbock, TX 79416
(806) 792-4000 x826
http://www.esc17.net/

REGION XVIII (18)
2811 LaForce
Midland, TX 79711
(432) 567-3211
http://www.esc18.net/

REGION XIX (19)
6611 Boeing Drive
El Paso, TX 79925
(915) 790-4676
http://www.esc19.net/

REGION XX (20)
1314 Hines Ave.
San Antonio, TX 78208
(210) 370-5203
http://www.esc20.net/