

CHAPTER 6

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CHAPTER 6

SCHOOL BUS REQUIREMENTS

1. INTRODUCTION. This chapter, comprised primarily of excerpts from the California Vehicle Code (VC), Title 13 California Code of Regulations (13 CCR), and the California Education Code (EC), covers requirements that relate to the operation of school buses. All drivers desiring a special certificate to drive a school bus should review the material in this chapter.

2. VEHICLE SAFETY REGULATIONS (SCHOOL BUS) - 34501.5 VC. The following section is quoted from Senate Bill 533, Chapter 1008, October 10, 1999.

34501.5 (a) The Department of the California Highway Patrol shall adopt reasonable rules and regulations which, in the judgment of the department, are designed to promote the safe operation of vehicles described in Sections 38045 and 82321 of the Education Code and Sections 545 and 34500 of this code. The Commissioner of the California Highway Patrol shall appoint a committee of 11 members to act in an advisory capacity when developing and adopting regulations affecting school pupil transportation buses and school pupil transportation operations. The advisory committee shall consist of 11 members appointed as follows:

- (1) One member of the State Department of Education.
- (2) One member of the Department of Motor Vehicles.
- (3) One member of the Department of the California Highway Patrol.
- (4) One member who is employed as a schoolbus driver.
- (5) One member of the Office of Traffic Safety in the Business, Transportation and Housing Agency.
- (6) Two members who are schoolbus contractors, one of whom shall be from an urban area of the state and one of whom shall be from a rural area of the state, as determined by the department.
- (7) Two members who are representatives of school districts, one of whom shall be from an urban area of the state and one of whom shall be from a rural area of the state, as determined by the department.
- (8) One professionally licensed member of the American Academy of Pediatrics.
- (9) One member representing school pupil transportation operations other than schoolbus operations.

(b) The department shall cooperate and confer with the advisory committee appointed pursuant to this section prior to adopting rules or regulations affecting school pupil transportation buses and school pupil transportation operations.

3. VIOLATION: MISDEMEANOR - 34506 VC. The following section is quoted from the VC:

34506. It is a misdemeanor to fail to comply with any rule or (a) regulation adopted by the Department of the California Highway Patrol pursuant to Section 34501, 34501.5, 34508, or 34513 regarding any of the following:

- (a) Hours of service of drivers.
 - (b) Hazardous material transportation.
 - (c) School bus construction, design, color, equipment, maintenance, or operation.
 - (d) Youth bus equipment, maintenance, or operation.
 - (e) Tour bus equipment, maintenance, or operation.
 - (f) Equipment, maintenance, or operation of any vehicle described in subdivision (a), (b), (c), (d), (e), (f), or (g) of Section 34500.
 - (g) Equipment, maintenance, or operation of any school pupil activity bus.
- (Ch. 928, Stats. 1991. Effective October 4, 1991.)

4. SCHOOL BUS - 545 VC. The following section is quoted from the VC:

545. A "schoolbus" is any motor vehicle designed, used, or maintained for the transportation of any school pupil at or below the 12th-grade level to or from a public or private school or to or from public or private school activities, except the following:

- (a) A motor vehicle of any type carrying only members of the household of the owner thereof.
- (b) A motortruck transporting pupils who are seated only in the passenger compartment, or a passenger vehicle designed for and carrying not more than 10 persons, including the driver, unless the vehicle or truck is transporting two or more handicapped pupils confined to wheelchairs.
- (c) A motor vehicle operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, only during the time it is on a scheduled run and is available to the general public, or on a run scheduled in response to a request from a handicapped pupil confined to a wheelchair, or from a parent of the handicapped pupil, for transportation to or from nonschool activities; provided, that the motor vehicle is designed for and actually carries not more than 16 persons including the driver, is available to eligible persons of the general public, and the school does not provide the requested transportation service.
- (d) A school pupil activity bus.
- (e) A motor vehicle operated by a carrier licensed by the Interstate Commerce Commission which is transporting pupils on a school activity entering or returning to the state from another state or country.
- (f) A youth bus.

(g) Notwithstanding any other provisions of this section, the governing board of a district maintaining a community college may, by resolution, designate any motor vehicle operated by or for the district, a school bus within the meaning of this section, if it is primarily used for the transportation of community college students to or from a public community college or to or from public community college activities. The designation shall not be effective until written notification thereof has been filed with the Department of the California Highway Patrol.

(h) A state-owned motor vehicle being operated by a state employee upon the driveways, paths, parking facilities, or grounds specified in Section 21113 that are under the control of a state hospital under the jurisdiction of the State Department of Developmental Services where the posted speed limit is not more than 20 miles per hour. The motor vehicle may also be operated for a distance of not more than one-quarter mile upon a public street or highway that runs through the grounds of a state hospital under the jurisdiction of the State Department of Developmental Services, if the posted speed limit on the public street or highway is not more than 25 miles per hour and if all traffic is regulated by posted stop signs or official traffic control signals at the points of entry and exit by the motor vehicle.

(i) A general public paratransit vehicle as defined in Section 336, provided that the general public paratransit vehicle does not duplicate existing schoolbus service, does not transport a public school pupil at or below the 12th grade level to a destination outside of that pupil's school district, and is not used to transport public school pupils in areas where school bus services were available during the 1986-87 school year. In areas where expanded school services require expanded transportation of public school pupils, as determined by the governing board of a school district, general public paratransit vehicles shall not be used to transport those pupils for a period of three years from the date that a need for expansion is identified. For purposes of this section, a pupil is defined as a student at or below the 12th grade level who is being transported to a mandated school activity.

(j) A schoolbus with the flashing red light signal system, the amber warning system, and the schoolbus signs covered, while being used for transportation of persons other than pupils, to or from school or school related activities.

(Ch. 624, Stats. 1992. Effective September 14, 1992.)

5. ADDITIONAL EXPLANATIONS.

a. Definitions. A school bus must meet all construction, design, equipment, and color requirements of a school bus, and contain a Vehicle Inspection Approval Certificate signed and dated within the past 13 months. The driver of a school bus must hold a Class A or B driver's license endorsed for passenger transportation, a valid medical certificate, and a special driver certificate valid for driving a school bus.

(1) School Pupil. School pupil includes children attending a pre-school.

(2) School Activities. The Education Code supports the proposition that schools have the function of developing the intellect and the recreational and social potentials of their pupils. The term "school activities" is broad in scope, including school-related activities. Any event organized by the school or occurring during normal school hours sanctioned for pupil attendance by the school is considered a school activity.

(3) School Graduation Activity Trips. Regardless of when a graduating senior receives a diploma, he/she is at the 12th-grade level until the last day of the school year, as established by the school district. Therefore, such a graduating senior transported to a school activity must be transported in a school bus, SPAB, or vehicle specifically exempt from school bus requirements.

(4) Passenger Vehicles, Motor Trucks, and Transit Buses.

(a) A passenger vehicle or motortruck is not exempt from the definition of a school bus when transporting two or more handicapped pupils confined to wheelchairs (reference Section 545[b] VC).

(b) A passenger vehicle is not exempt from the definition of a school bus when transporting 10 or more pupils, or if the passenger vehicle is designed for more than 10 persons including the driver and is transporting 1 or more pupils.

(c) A motor truck is not exempt from the definition of a school bus when transporting one or more pupils in the cargo area (reference Section 545[c] VC).

(d) A transit bus is not exempt from the definition of a school bus if the vehicle is not on a regularly scheduled route, is used to transport school pupils, and is not available to the general public.

b. School Bus Use.

(1) Public or Private School Use. The uses specified in the EC are for the purpose of determining reimbursement of state transportation allowances only. As such, they are not enforced by the California Highway Patrol (CHP).

(a) School Pupils - Children. A school bus must be used to transport children, at or below the 12th-grade level, to or from school or a school activity, except as specified in VC Section 545(a) through (j).

(b) School Pupils - Adults. A school bus may be used to transport adults:

1 Enrolled in a public or private school at or below the 12th-grade level, to or from a school or school activity; or

2 Enrolled in a public community college, to or from the college activity, when the college district governing board has designated the vehicle by resolution to be a school bus and notified the CHP of its intent to operate a school bus.

(c) School Buses Transporting Disabled. Any school bus which is also used for the transportation of persons of any age who are developmentally disabled, as defined by the Lanterman Developmental Disabilities Services Act (Division 4.5, commencing with Section 4500 of the Welfare and Institutions Code), may be equipped with an amber light signal system, flashing red light signal system, and stop signal arm, and shall not be used other than as required by Sections 22112 and 22454 VC.

(2) Non - Pupil Transportation. A school bus used for purposes other than those specified in paragraph 4 must have the school bus flashing red light signal system (Section 25257[a] VC) and "School bus" signs (Section 27906 VC) covered. Additionally, privately owned school buses must be properly registered (reference Section 9102.5 VC).

6. DEFINITION OF SCHOOL BUS ACCIDENT - 12517.1 VC. The following section is quoted from the VC:

12517.1. (a) A "school bus accident" means any of the following:

(1) A motor vehicle accident resulting in property damage in excess of seven hundred fifty dollars (\$750) or personal injury, on public or private property, and involving a school bus, youth bus, school pupil activity bus, or general public paratransit vehicle transporting a pupil.

(2) A collision between a vehicle and a pupil or a school bus driver while the pupil or driver is crossing the highway when the school bus flashing red

signal lamps are required to be operated pursuant to Section 22112.

(3) Injury of a pupil inside a vehicle described in paragraph (1) as a result of acceleration, deceleration, or other movement of the vehicle.

(b) The Department of the California Highway Patrol shall investigate all school bus accidents, except that accidents involving only property damage and occurring entirely on private property shall be investigated only if they involve a violation of this code.

(Ch. 1360, Stats. 1990. Effective January 1, 1991.)

7. SCHOOL BUS ACCIDENTS - 13 CCR 1219. The following section is quoted from 13 CCR:

1219. (a) Reporting. Whenever any school bus accident occurs, the driver shall stop at the scene, immediately notify or cause to be notified the department, his or her employer, and the school district for which the bus may be operated under contract.

(b) Sending for Help. In the event of an accident or emergency, a driver shall not leave the immediate vicinity of the bus to seek aid unless no pupil aboard can be sent to summon help.

(Register 87, No. 23)

8. REPORTING OF ACCIDENTS - 13 CCR 1237. The following section is quoted from 13 CCR:

1237. Whenever a school bus, SPAB, or youth bus driver is involved in an accident specified in Section 1219, that requires the Department to be notified immediately by the driver, the carrier shall ensure the accident has been reported within 24 hours to the department and the superintendent of the school district for which the bus was operated. If the driver is physically incapable of reporting the accident, the carrier shall make the required notifications immediately upon becoming aware of such accident.

(Register 83, No. 18)

9. QUALIFICATIONS OF SCHOOL BUS DRIVERS - 12517 VC. The following section is quoted from the VC:

12517. (a) No person shall operate a school bus unless that person has in his or her immediate possession a valid driver's license for the appropriate class of vehicle to be driven endorsed for passenger transportation. When transporting one or more pupils at or below the 12th-grade level to or from a public or private school or to or from public or private school activities, the person shall also have in his or her immediate possession a certificate issued by the department to permit the operation of school buses.

(b) No person shall operate a school pupil activity bus unless that person has in his or her immediate possession a valid driver's license for the appropriate class of vehicle to be driven endorsed for passenger transportation. When transporting one or more pupils at or below the 12th-grade level to or from public or private school activities, the person shall also have in his or her immediate possession a certificate issued by the department to permit the operation of school pupil activity buses.

(c) The applicant for a certificate to operate a school bus or school pupil activity bus shall meet the eligibility and training requirements specified for school bus and school pupil activity bus drivers in this code, the Education Code and regulations adopted by the Department of the California Highway Patrol, and, in addition to the fee authorized in Section 2427, shall pay a fee of twenty-five dollars (\$25) with the application for issuance of an original certificate, and a fee of twelve dollars (\$12) for the renewal of that certificate.

(d) A person holding a valid certificate to permit the operation of a school bus or school pupil activity bus, issued prior to January 1, 1991, shall not be required to reapply for a certificate to satisfy any additional requirements imposed by the act adding this subdivision until the certificate he or she holds expires or is canceled or revoked.

(Ch. 440, Stats. 1996. Effective January 1, 1997)

10. TRAINING REQUIRED FOR SPECIFIED ENDORSEMENTS OR CERTIFICATES - 40080 EC. The following section is quoted from the EC:

40080. (a) This article governs the minimum training required for drivers to obtain or renew an endorsement or certificate described in Sections 12517, 12519, or 12804.6 of the Vehicle Code.

(b) As used in this article, "department" means the State Department of Education.

(Stats. 1990, c. 65, effective May 1, 1990.)

11. DEVELOPMENT OR APPROVAL OF TRAINING COURSES; INSTRUCTIONAL PERSONNEL - 40081 EC. The following section is quoted from the EC:

40081. (a) The department shall develop or approve courses for training school pupil activity bus (SPAB), transit bus, school bus, and farm labor vehicle drivers that will provide them with the skills and knowledge necessary to prepare them for certification or endorsement pursuant to Sections 12517, 12519, and 12804.6 of the Vehicle Code. The department shall seek the advice and assistance of the Department of Motor Vehicles and the Department of the California Highway Patrol in developing or approving those courses.

(b) The department shall train or approve the necessary instructional personnel to conduct the driver training courses. For all school bus and school pupil activity bus (SPAB) driver instructor training, the department shall provide for and approve the course outline and lesson plans used in the course. For transit bus and farm labor vehicle driver training, the department shall approve the course outline and lesson plans used in the course.

(c) All courses of study and training activities required by this article shall be approved by the department and given by, or in the presence of, an instructor in possession of a valid school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor certificate of the appropriate class.

(d) As an alternative to subdivision (a), (b), and (c), instructors who have received a certificate from the Transportation Safety Institute of the United States Department of Transportation indicating that they have completed the Mass Transit Instructor Orientation and Training (Train the Trainer) course may approve courses of instruction and train transit bus drivers in order to meet the requirements for certification pursuant to Section 12804.6 of the Vehicle Code.

(Stats. 1992, c. 1243, effective September 30, 1992.)

12. SCHOOL BUSES; MINIMUM COURSE WORK FOR DRIVER CERTIFICATION; INSTRUCTORS - 40082 EC. The following section is quoted from the EC:

40082. (a) An original applicant for a certificate to drive a school bus, as defined by Section 545 of the Vehicle Code, shall have successfully completed a minimum 40-hour course of instruction. The course shall include at least 20 hours of classroom instruction in, but not limited to, all units of the Instructor's Manual for California's Bus Driver's Training Course. All classroom instruction shall be given by, or in the presence of, a state-certified instructor of the appropriate class. The course shall also include at least 20 hours of applicant behind-the-wheel training in all sections of the Instructor's Behind the Wheel Guide for California's Bus Driver's Training Course. Applicant behind-the-wheel training shall include driving vehicles comparable to those vehicles that will be driven by the applicant to transport pupils. All behind-the-wheel training shall be given by a state-certified instructor of the appropriate class or the delegated behind-the-wheel trainer as designated pursuant to Section 40084.5.

(b) Except as provided in subdivision (c), a driver who is holding a driver certificate or endorsement described in Section 40083, and is seeking a school bus certificate of the appropriate class, shall have successfully completed a minimum of five hours of classroom instruction, including but

not limited to, school bus laws and regulations, defensive driving, student loading and unloading, and the exceptional child. All classroom instruction shall be given by, or in the presence of, a state-certified instructor of the appropriate class. The driver shall also complete at least three hours of behind-the-wheel training in defensive driving practices, lane control, railroad grade crossing procedures, and student loading and unloading.

(c) A driver who has received training by an instructor who has received a certificate as described in subdivision (d) of Section 40081 may not be certified to drive a school bus in the manner described in subdivision (b).

(Stats. 1989, c. 1136, operative July 1, 1990.)

13. BEHIND-THE-WHEEL TRAINING; INSTRUCTORS AND TRAINERS - 40084.5 EC. The following section is quoted from the EC:

40084.5. (a) All behind-the-wheel training required to obtain certificates pursuant to Sections 12517 and 12519 of the Vehicle Code shall be performed by a state-certified instructor or by a delegated behind-the-wheel trainer who has been certified or approved by the department to conduct the required training.

(b) A delegated behind-the-wheel trainer is a person selected to assist a state-certified instructor in the behind-the-wheel training of drivers. Selected persons shall be trained by state-certified instructors and approved by the department prior to conducting any behind-the-wheel training. The minimum standards for the selection of a delegated behind-the-wheel trainer are as follows:

(1) One year experience as a driver of the appropriate type and size vehicle immediately proceeding the date of selection as a delegated behind-the-wheel trainer.

(2) Possession of the appropriate license, certificates, and endorsements needed to drive and train in a particular type and size vehicle.

(3) A high school diploma or general education development equivalent.

(4) A driving record with no chargeable accidents within the past three years immediately proceeding the date of selection.

(5) Successful completion of all training in the latest edition of the Instructor's Behind-the-Wheel Training Guide for California's Bus Driver's Training Course given by, and in the presence of, a state-certified instructor of the appropriate class.

(6) Successful completion of a written assessment test on current laws, regulations, and policies given by, and in the presence of, a state-certified instructor of the appropriate class.

(7) Successful completion of a driving test and behind-the-wheel training performance test on all phases of behind-the-wheel and vehicle inspection training. The test shall be given by, and in the presence of, a state-certified

instructor of the appropriate class.

(c) A state-certified instructor shall train and document the qualifications and competence of each delegate behind-the-wheel trainer to be utilized in training. All training required by this section shall be documented on the State Department of Education Training Certificate T-01, and signed by a state-certified school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor of the appropriate class, and by the delegated behind-the-wheel trainer. The signatures shall certify that the instruction was given to, and received by, the delegated behind-the-wheel trainer and that the delegated behind-the-wheel trainer displayed a level of competency necessary to train drivers to drive authorized vehicles in a safe and competent manner. The completed State Department of Education Training Certificate T-01 shall be submitted to the department in Sacramento, along with all other required documents, when requesting approval of a delegated behind-the-wheel trainer.

(d) Department may disapprove the eligibility of a delegated behind-the-wheel trainer for any of the following causes:

(1) The state-certified instructor authorizing the competency of the delegated behind-the-wheel trainer has requested disapproval.

(2) The employer of the delegated behind-the-wheel trainer has requested disapproval.

(3) The delegated behind-the-wheel trainer has voluntarily requested disapproval.

(4) The delegated behind-the-wheel trainer failed to comply with Section 40087.

(5) The delegated behind-the-wheel trainer failed to comply with Section 40084.5.

(6) Delegated behind-the-wheel trainer does not possess a valid driver's license, appropriate endorsements, or special driver's certificate of the appropriate class.

(7) The delegated behind-the-wheel trainer's driver's license or special driver's certificate has been suspended or revoked.

(e) A delegated behind-the-wheel trainer may be limited in behind-the-wheel training as determined by the department.

(Stats. 1994, c. 1220, effective September 30, 1994.)

14. SCHOOL BUS AND SCHOOL PUPIL ACTIVITY BUS DRIVERS; RENEWAL TRAINING REQUIREMENTS; FAILURE TO COMPLETE REQUIRED TRAINING - 40085 EC. The following section is quoted from the EC:

40085. Applicants seeking to renew a certificate to drive a school bus as defined in Section 545 of the Vehicle Code or a school pupil activity bus as defined in Section 546 of the Vehicle Code shall have successfully completed at least 10 hours of original or renewal classroom instruction, or behind-the-wheel or in-service training during each 12 months of certificate validity. In-service training credit may be given by a state-certified driver instructor of the appropriate class to an applicant for attending or participating in appropriate driver training workshops, driver safety meetings, driver safety conferences, and other activities directly related to passenger safety and driver training. During the last 12 months of the special driver certificate validity, the 10 hours required shall consist of classroom instruction covering, but not limited to, current laws and regulations, defensive driving, accident prevention, emergency procedures, and passenger loading and unloading. Failure to successfully complete the required training during any 12-month period of certificate validity is cause for the Department of Motor Vehicles to cancel the bus driver certificate. All training required by Education Code Section 40089 may be accepted in lieu of the requirements of this section.

(Stats. 1989, c. 1136, operative July 1, 1990.)

15. FAILURE TO COMPLETE REQUIRED TRAINING. Employers shall notify the local CHP school bus officer/coordinator of a driver in violation of 40085 EC. Upon notification of a first occurrence, the CHP school bus officer/coordinator will inform the employer and the driver that proof of receiving the training must be submitted to the local CHP office within 30 days from the date of notification. Failure to submit the required proof of training constitutes reason for the officer/coordinator to recommend to the DMV cancellation of the driver's certificate. Upon notification of a subsequent occurrence, the officer/coordinator will immediately recommend cancellation of the driver's certificate. These provisions will not apply to a driver on an extended leave of absence due to illness, or lack of employment as a driver. In those instances, the officer/coordinator will notify the employer that when the driver returns to work, proof of receiving the training must be submitted to the local CHP office within 30 days. Failure to submit the required proof constitutes reason for the officer/coordinator to recommend cancellation of the driver's certificate.

16. DOCUMENTATION OF DRIVER TRAINING - 40087 EC. The following section is excerpted from the EC:

40087. (a) . . . driver training required by this article shall be properly documented on the State Department of Education Training Certificate T-01, and signed by a state-certified school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor or the appropriate class, and by the driver or applicant. The signatures certify that the instructions was given to, and received by, the applicant or driver, and that the applicant or driver displayed a level of competency necessary to drive the vehicle in a safe and competent manner. The applicant or driver shall present the completed State Department of Education Training Certificate T-01, to the examining state agency when applying for a endorsement or certificate, or, for renewal of an endorsement or certificate. . . .

(Stats. 1990, c. 65, operative July 1, 1990.) (See Annex A.)

17. INSTRUCTOR CERTIFICATION COURSE; APPLICANT QUALIFICATION; DURATION OF CERTIFICATES; SUSPENSION, REVOCATION OR CANCELLATION OF INSTRUCTOR CERTIFICATE - 40088 EC. The following section is quoted from the EC:

40088. (a) An applicant for a school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor certificate shall successfully complete the appropriate instructor course given or approved by the department.

(b) An applicant for the course shall possess:

(1) A valid driver's license and endorsement valid for driving the vehicles for which the driver instructor rating is sought.

(2) A certificate or endorsement valid for driving the vehicles for which the driver instructor rating is sought.

(3) Five years of experience as a driver in the appropriate vehicle category, or two years experience of that driving experience and three years equivalent experience driving vehicles that require a class A or B driver's license.

(4) A high school diploma or General Education Development (GED) equivalent.

(5) A driving record with no chargeable accidents within the past three years proceeding the date of application for the instructor certificate.

(6) The department may waive any or all of the requirements of this subdivision as it determines is necessary to ensure that there are an adequate number of state-certified instructors in the state.

(c)(1) A state-certified school bus driver instructor of the appropriate class may instruct all applicants for a school bus, school pupil activity bus (SPAB), transit bus, or farm labor vehicle driver's certificate.

(2) A state-certified school pupil activity bus (SPAB) driver instructor of the appropriate class may instruct all applicants for a school pupil activity bus (SPAB), transit bus, or farm labor vehicle driver's certificate, but not a school bus certificate.

(3) A state-certified transit bus instructor of the appropriate class may instruct all applicants for a transit bus or farm labor driver's certificate, but not a school pupil activity bus (SPAB) or a school bus certificate.

(4) A state-certified farm labor vehicle driver instructor may instruct applicants only for a certificate to drive a farm labor vehicle.

(d) A school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor certificate shall be valid until suspended, revoked, or canceled if it is accompanied by a valid driver's license and a special driver's certificate or valid driver's license and endorsement of the appropriate class or is limited to classroom or in-service training only.

(e) The department may suspend or revoke a school pupil activity bus (SPAB), transit bus, school bus or farm labor vehicle driver instructor certificate for any of the following causes:

(1) The certificate holder failed to comply with Section 40087.

(2) The certificate holder failed to comply with Section 40084.5.

(3) The certificate holder had committed an act listed in Section 13369 of the Vehicle Code or Section 13370 of that Code.

(f) The department shall revoke a school bus, school pupil activity bus (SPAB), transit bus, or farm labor vehicle driver instructor certificate if the certificate holder falsified a State Department of Education Training Certificate T-01, T-02, or T-03.

(g) The department may cancel the driver instructor certificate for any of the following causes:

(1) The certificate holder has voluntarily requested cancellation.

(2) The certificate holder has his or her driving privilege suspended or revoked.

(3) The certificate holder has failed to meet the provisions required for retention of the driver instructor certificate. This includes failure to meet the instructor training requirements prescribed by Section 40089.

(4) The certificate holder does not possess a valid driver's license, endorsement, or special driver's certificate of the appropriate class.

(h) The department shall by regulation adopt an instructor certificate appeals procedure for subdivisions (e), (f), and (g).

(i) The Department of Motor Vehicles or the Department of the California Highway Patrol may disallow the driver training documentation provided pursuant to Section 40087 signed by any driver instructor certified pursuant to Section 40081 if either of those departments finds that the instructor's certificate would have been suspended, revoked, or canceled for any of the reasons designated in subdivision (e), (f), and (g).

(Stats. 1994, c. 1220, effective September 30, 1994.)

18. MINIMUM HOURS OF INSTRUCTION TO BE CONDUCTED; LIMITATIONS RELATING TO TYPE OF INSTRUCTION; DOCUMENTATION OF INSTRUCTOR TRAINING - 40089 EC. The following section is quoted from the EC.

40089. (a) A school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor with no instructional limitations shall conduct at least 20 hours of instruction each 12 months that includes at least 10 hours of behind the-wheel and 10 hours of classroom training, which need not be given in a single session. A school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor limited to either classroom or behind-the-wheel training only shall conduct at least 10 hours of instruction each 12 months that includes at least 10 hours of behind-the-wheel or classroom training depending on the limitation. The training need not be given in a single session. A school pupil activity bus (SPAB), transit bus, school bus, and farm labor vehicle driver instructor limited to in-service training only shall conduct at least 10 hours of in-service training each 12 months. All school pupil activity bus (SPAB), transit bus, school bus, and farm labor vehicle driver instructor training conducted by department staff may be accepted in lieu of the requirements of this subdivision.

(b) A school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor may be limited to classroom instruction, behind-the-wheel training or in-service training only, and prohibited from recording, documenting, or signing for any training required by this article, as determined by the department.

(c) A school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor shall be limited to behind-the-wheel instruction in vehicles that the instructor is qualified to drive.

(d) All school pupil activity bus (SPAB), transit bus, school bus, or farm labor vehicle driver instructor training required by subdivision (a) shall be properly documented on a State Department of Education Training Certificate T-01, and signed by the state-certified instructor at the end of each 12-month training period. The signature certifies that the required instruction was conducted during the 12-month training period. Upon renewal of the instructor driver's license, endorsement, or certificate, the completed instructor training record, recorded on the State Department of Education Training Certificate shall be submitted to the department in Sacramento.

(Stats. 1994, c. 1220, effective September 30, 1994.)

19. AUTHORITY OF THE DRIVER - 5 CCR 14103. The following section is quoted from 5 CCR:

14103. (a) Pupils transported in a school bus or in a school pupil activity bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway, or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus en route between home and school or other destinations. (b) Governing boards shall adopt rules to enforce this section. Such rules shall include, but not be limited to, specific administration procedures relating to suspension of riding privileges and shall be made available to parents, pupils, teachers, and other interested parties.

NOTE: For additional information reference Chapter 4, paragraph 18, or 13 CCR 1202(b).

20. EJECTION OF PUPILS - 13 CCR 1217(i). The following section is excerpted from 13 CCR:

1217. . . . (i) Ejection of Pupils. The driver of a school bus, youth bus, or SPAB shall not eject any school pupil unless the pupil is given into the custody of a parent or any person designated by the parent or school. . . .

(Register 93, No. 22)

21. UNINCORPORATED AREA PARKING, SCHOOL BUS STOPS - 22504 VC. The following section is quoted from the VC:

22504. (a) Upon any highway in unincorporated areas no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park, or leave the vehicle off such portion of the highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of the stopped vehicle shall be available from a distance of 200 feet in each direction upon the highway. This section shall not apply upon a highway where the roadway is bounded by adjacent curbs.

(b) This section shall not apply to the driver of any vehicle which is disabled in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle on the roadway.

(c) When, in the judgment of the governing board of a school district, it is necessary for the safety of pupils being transported to and from schools to authorize a school bus stop at a place where there is not a clear view of the stop

from a distance of 200 feet in each direction along the highway, such stop may be authorized by and with the approval of the California Highway Patrol. The Department of Transportation, in respect to state highways, and local authorities, in respect to highways under their jurisdiction, shall place sufficient signs along the highway to give adequate notice to motorists that they are approaching such bus stops.

(Ch. 545, Stats. 1974. Effective January 1, 1975.)

22. SCHOOL BUS STOPS (REGULATIONS) - 13 CCR 1238. The following section is quoted from 13 CCR:

1238. (a) Designated Stops. School bus and SPAB stops made for receiving and discharging pupils shall be designated by the school district superintendent.

(b) Prohibited Stops. A school bus stop shall not be designated at the following locations:

(1) Within 200 ft of the nearest rail of any railroad crossing or grade, except at railroad stations or on highways that parallel the railroad tracks.

(2) The left-hand side of any highway.

(3) On a divided or multiple-lane highway where pupils must cross the highway to board or after exiting the bus, unless traffic is controlled by a traffic officer or official traffic control signal. For the purposes of this subsection, a multiple-lane highway is defined as any highway having two or more lanes of travel in each direction.

(c) CHP Approval. Unless approved by the department, a school bus stop shall not be designated at the following locations:

(1) Upon the main traveled portion of a highway where there is not a clear view of the stop from 500 ft in each direction along the highway and the speed limit is more than 25 mph.

(2) On a highway, pursuant to Vehicle Code Section 22504(c).

(Register 92, No. 6)

23. SCHOOL BUS SIGNAL - 22112 VC. The following section is quoted from the VC:

22112. (a) On approach to a schoolbus stop where pupils are loading or unloading from a schoolbus, the schoolbus driver shall activate an approved amber warning light system, if the schoolbus is so equipped, beginning 200 feet before the schoolbus stop. The schoolbus driver shall deactivate the amber warning light system after reaching the schoolbus stop. The schoolbus driver shall operate the flashing red light signal system and stop signal arm, as required on the schoolbus, at all times when the schoolbus is stopped for the purpose of loading or unloading pupils. The flashing red light signal system, amber warning lights system, and stop signal arm shall not be operated at any place where traffic is controlled by a traffic officer or at any location identified in subdivision (e) of this section. The schoolbus

flashing red light signal system, amber warning lights system, and stop signal arm shall not be operated at any other time.

(b) The schoolbus driver shall stop to load or unload pupils only at a schoolbus stop designated for pupils by the school district superintendent or authorized by the superintendent for school activity trips.

(c) When a schoolbus is stopped on a highway or private road for the purpose of loading or unloading pupils, at a location where traffic is not controlled by a traffic officer, the driver shall, before opening the door, ensure that the flashing red light signal system and stop signal arm are activated, and that it is safe to enter or exit the schoolbus.

(d) When a schoolbus is stopped on a highway or private road for the purpose of loading or unloading pupils, at a location where traffic is not controlled by a traffic officer or official traffic control signal, the schoolbus driver shall do all of the following:

(1) Escort all pupils in prekindergarten, kindergarten, or any of grades 1 to 8, inclusive, who need to cross the highway or private road upon which the schoolbus is stopped. The driver shall use an approved hand-held "STOP" sign while escorting all pupils.

(2) Require all pupils who need to cross the highway or private road upon which the schoolbus is stopped to walk in front of the bus as they cross.

(3) Ensure that all pupils who need to cross the highway or private road upon which the schoolbus is stopped have crossed safely, and that all other pupils and pedestrians are a safe distance from the schoolbus before setting the schoolbus in motion.

(e) Except at a location where pupils are loading or unloading from a schoolbus and must cross a highway or private road upon which the schoolbus is stopped, the schoolbus driver may not activate the amber warning light system, the flashing red light signal system and stop signal arm at any of the following locations:

(1) Schoolbus loading zones on or adjacent to school grounds or during an activity trip, if the schoolbus is lawfully stopped or parked.

(2) Where the schoolbus is disabled due to mechanical breakdown. The driver of a relief bus that arrives at the scene to transport pupils from the disabled schoolbus shall not activate the amber warning light system, the flashing red light system, and stop signal arm.

(3) Where a pupil requires physical assistance from the driver or authorized attendant to board or leave the schoolbus and providing the assistance extends the length of time the schoolbus is stopped beyond the time required to load or unload a pupil that does not require physical assistance.

(4) Where the roadway surface on which the bus is stopped is partially or completely covered by snow or ice and requiring traffic to stop would pose a safety hazard as determined by the schoolbus motor carrier.

(5) On a state highway with a posted speed limit of 55 miles per hour or higher where the schoolbus is completely off the main traveled portion of the highway.

(6) Any location determined by a school district, with the approval of the Department of the California Highway Patrol, to present a traffic or safety hazard.

(f) Notwithstanding subdivisions (a) to (d), inclusive, the Department of the California Highway Patrol may require the activation of an approved flashing amber warning light system, if the schoolbus is so equipped, or the flashing red light signal system and stop signal arm, as required on the schoolbus, at any location where the department determines that the activation is necessary for the safety of school pupils loading or unloading from a schoolbus.

24. SCHOOL BUS STOP SIGNAL ARM - 13 CCR 1256.5(7)(G). The following section is excerpted from 13 CCR:

1256.5. . . . (7) . . . (G) Operation. The stop signal arm shall be operated by electricity, air or vacuum. Manual operation of the stop signal arm is prohibited. The stop signal arm shall be automatically extended whenever the alternately flashing red signal lamp switch is activated as required by Vehicle Code Section 22112. The stop arm shall not be activated or deployed at any other time ..

..
(Register 95, No. 49)

25. REPORTING FAILURE TO STOP FOR SCHOOL BUS. The driver of the school bus or any other person who observes a motor vehicle violate Section 22454 VC by overtaking a school bus operating its flashing red light signal system and/or having the stop signal arm deployed may within 24 hours report the violation to the local law enforcement agency having jurisdiction over the offense. The report should contain the following:

- a. Reported by.
- b. Date and time of violation.
- c. Location of violation.
- d. Direction of travel of violator.
- e. Approximate speed of vehicle.
- f. Color of vehicle.
- g. License number.
- h. Vehicle year, make, and model.
- i. Description of driver.

- j. Number of passengers in vehicle.
- k. Details of the incident.

26. SCHOOL BUSES LOADING AND UNLOADING PASSENGERS - 22500.5 VC.

The following section is quoted from the VC:

22500.5. Upon agreement between a transit system operating buses engaged as common carriers in local transportation and a public school district, local authorities may, by ordinance, permit school buses owned by, or operated under contract for, that public school district to stop for the loading or unloading of passengers alongside any or all curb spaces designated for the loading or unloading of passengers of the transit system buses.

(Ch. 822, Stats. 1982. Effective January 1, 1983.)

27. PROHIBITED STOPPING, STANDING, OR PARKING - 22500(h) VC. The following section is excerpted from the VC:

22500. . . . (h) On the roadway side of any vehicle stopped, parked, or standing at the curb or edge of a highway, except for a school bus when stopped to load or unload pupils in a business or residence district where the speed limit is 25 miles per hour or less. . . .

(Ch. 495, Stats. 1985. Effective January 1, 1986.)

28. FLASHING LIGHTS: SCHOOL BUSES TRANSPORTING DISABLED - 25257.2 VC. The following section is quoted from the VC:

25257.2. If a school bus is used for the transportation of persons of any age who are developmentally disabled, as defined by the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code), the amber light signal system, flashing red light signal system, and stop signal arm shall not be used other than as required by Sections 22112 and 22454.

(Ch. 127, Stats. 1984. Effective January 1, 1985.)

29. FLASHING LIGHTS: SCHOOL BUSES - 25257.5 VC. The following section is quoted from the VC:

25257.5. To warn other motorists or pedestrians on a roadway during a backing maneuver, the operator of a school bus may flash turn signal lamps if the front turn signal lamps at each side are flashed simultaneously and the rear signal lamps at each side are flashed simultaneously.

(Ch. 127, Stats. 1984. Effective January 1, 1985.)

30. SEAT BESIDE DRIVER - 13 CCR 1217(d). The following section is excerpted from 13 CCR:

1217. . . . (d) Seat Beside Driver. No more than two pupils shall be allowed to occupy the seating space beside the driver of a Type 2 school bus. . . .

(Register 93, No. 22)

31. STANDING PASSENGERS - 13 CCR 1217(e) and (j). The following section is excerpted from 13 CCR:

1217. . . . (e) Standing Passengers. A vehicle shall not be put in motion until all passengers are seated, and all passengers must remain seated while the vehicle is in motion. Standing passengers are permitted only on a bus (except a school bus, SPAB, or youth bus) operated in regularly scheduled passenger stage service or urban and suburban service by a common carrier or publicly-owned transit system, and equipped with grab handles or other means of support for standing passengers, and constructed so that standing room in the aisle is at least 74 in. high. . . .

. . . (j) Exemptions. The provisions of subsections (c) and (e) shall not apply to persons testing or training a driver, maintenance personnel, a sales or manufacturers' representative, or an adult acting upon a request by a school bus or SPAB driver to supervise or assist a pupil.

(Register 93, No. 22)

32. DISCONTINUANCE FROM USE - 13 CCR 1220. The following section is quoted from 13 CCR:

1220. When a bus is rendered unsafe for continued operation due to accident damage or a mechanical failure, the driver shall discontinue use of the bus and notify the motor carrier of these circumstances. The driver or motor carrier shall then make the necessary arrangements to have the pupils safely transported to their destinations.

33. ALCOHOLIC BEVERAGES - 13 CCR 1221. The following section is quoted from 13 CCR:

1221. Alcoholic beverages shall not be transported in a school bus, SPAB, or youth bus at any time.
(Register 92, No. 6)

34. SMOKING - 13 CCR 1222. The following section is quoted from 13 CCR:

1222. When a pupil is aboard, smoking is prohibited in a school bus or SPAB.

35. DRIVER'S VISION - 13 CCR 1223. The following section is quoted from 13 CCR:

1223. The driver shall not allow any person to occupy a position that will interfere with the driver's vision to the front or sides, or in the rear view mirrors.

36. SEAT BELT - 13 CCR 1224. The following section is quoted from 13 CCR:

1224. The driver shall be properly secured to the driver's seat with the seat belt at all times while the bus is in motion. **(Revised 3-05)**

37. HEADLAMPS - 13 CCR 1225. The following section is quoted from 13 CCR:

1225. The driver shall ensure the headlamps are lighted while the bus is in motion. **(Revised 3-05)**

38. LEAVING DRIVER'S COMPARTMENT - 13 CCR 1226. The following section is quoted from 13 CCR:

1226. When a pupil is aboard, the driver shall not leave the driver's compartment without first stopping the engine, effectively setting the parking brake, placing the transmission in first or reverse gear or park position, and removing the ignition keys, which shall remain in the driver's possession. On vehicles with automatic transmissions which do not have a park position, the transmission shall be placed in neutral.
(Register 91, No. 52)

39. RAILROAD CROSSING - 13 CCR 1228. The following section is quoted from 13 CCR:

1228. In addition to the provisions of Vehicle Code Section 22452, the driver shall stop the school bus parallel to and as close as practicable to the appropriate edge of the highway, fully open the entrance door on a Type 1 bus or open the window on a Type 2 bus, and then listen and look to ensure that the tracks are clear of an approaching train, and proceed only when the tracks are safe to cross and the door is closed.

(Register 80, No.14)

NOTE: For additional information refer to Chapter 3, paragraph 26.

40. EQUIPMENT REQUIREMENTS. Drivers should be familiar with the following list of required equipment:

a. First Aid Kits. Every school bus shall carry a readily visible, accessible, and plainly marked first aid kit. The required contents of a first aid kit and the required number of units are determined by the number of passengers the bus is designed to carry. A bus designed for 1 to 16 passengers must have a minimum 10 unit first aid kit. A bus designed for 17 to 42 passengers must have a minimum 16 unit first aid kit. Finally, a bus designed for 43 or more passengers must have a 24 unit first aid kit.

NOTE: For additional information refer to Chapter 5, paragraph 34, or 13 CCR 1243.

b. Roadside Warning Devices. Every school bus shall be equipped with emergency reflectors maintained in good working order as specified in Section 25300 VC.

NOTE: For additional information refer to HPH 82.7, Chapter 3, paragraph 24, or 13 CCR 1292.

c. Fire Extinguisher. Every school bus shall be equipped with one extinguisher having an aggregate rating of not less than 8B:C or two extinguishers each having an aggregate rating of not less than 4B:C. A wheelchair school bus shall be equipped with two extinguishers, each having an aggregate rating of not less than 8B:C; one to be placed in the driver's compartment and the other at the wheelchair loading door or emergency exit.

NOTE: For additional information refer to Chapter 5, paragraph 33, or 13 CCR 1242.

d. Mirrors. All school buses constructed after July 1, 1970, shall be equipped with two exterior rearview mirrors, one on each side of the bus, and so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle. Every school bus shall be equipped with a cross-view mirror mounted on the front exterior of the bus to provide the seated driver with a clear view of the area directly in front of the bus.

NOTE: For additional information refer to Chapter 5, paragraphs 69 and 70, or Section 26709 VC and 13 CCR 1258.

e. Tires. Tires shall not be used with boot or blowout patches or with any of the following defects:

(1) Unrepaired fabric breaks.

(2) Exposed or damaged cord.

(3) Bumps, bulges, or knots due to internal separation or damage.

(4) Cuts that measure more than 1 inch (25 mm) and expose body cord.

(5) Cracks in valve stem rubber.

(6) Recapped or retreaded tires shall not be used on the front wheels of a school bus. No person shall use on a highway a pneumatic tire on a school bus when the tire has less than the following tread depths: four thirty-seconds (4/32) of an inch at all points in all major grooves on a tire on the steering axle and two thirty-seconds (2/32) of an inch at all other points in all major grooves on all other tires. The measurement of tread depth shall not be made where tie bars, humps, or fillets are located.

NOTE: For additional information refer to Chapter 5, paragraphs 88 through 94, or Section 27465 VC and 13 CCR 1087.

f. Equipment and Securement of Wheelchairs. Wheelchairs shall be equipped with brakes and a restraining belt properly maintained by the owner of the chair. Electric wheelchairs transported on school buses shall be capable of being locked in gear when placed in a school bus or shall have an independent braking system capable of holding the wheelchair in place. Batteries used to propel electric wheelchairs transported on school buses shall be both leak resistant and spill resistant or shall be placed in a leak resistant container. Batteries shall be secured to the wheelchair frame in such a manner as to prevent separation in the event of an accident. Passengers shall be secured to wheelchairs by a restraining belt while being loaded, unloaded, and transported. Wheelchairs shall be secured as follows:

(1) Wheelchairs shall be secured with fasteners of sufficient strength to prevent the chairs from rotating, prevent the chair wheels from leaving the floor in case of sudden movement, or support the chairs in event the vehicle is overturned.

(2) Fasteners shall contact the wheelchair on at least three points and shall be spaced to provide the most effective securement. No fastener shall be attached to any door.

(3) No driver shall permit a pupil to be unattended on a loading or unloading device outside the passenger compartment.

(4) Any loading devices stored inside the vehicle shall be equipped with padding capable of minimizing injury-producing impact forces, and all exposed edges or other hazardous protrusions shall be padded.

NOTE: For additional information refer Chapter 5, paragraph 99 and 100, or 13 CCR 1293.

41. BUS EVACUATION INSTRUCTION. All prekindergarten through eighth grade pupils who receive home-to-school transportation shall receive safety instruction, at least once each school year, which includes proper loading and unloading procedures, including escorting by the driver, proper passenger conduct, bus evacuation, and location of emergency equipment. As part of the instruction, pupils shall evacuate the school bus through the emergency exit door(s) (not the entrance door). Specified information must be documented and retained for one year and is subject to inspection by the California Highway Patrol. Additionally, the law requires safety instruction to be given to all pupils regardless of grade level prior to departure on each school activity trip. The instruction must include the location of the emergency exits and location and use of emergency equipment. This applies to both school buses and SPABs.

NOTE: For additional information refer to Chapter 4, Paragraph 16.

42. CARRIER NOTIFICATION - 1808.8 VC. The following section is quoted from the VC:

1808.8. (a) Dismissal of any driver certified pursuant to Section 12517, 12523, 12523.5, for a cause relating to pupil transportation safety, shall be reported by the carrier to the department within five days of the dismissal date.

(b) Reinstatement of any driver whose dismissal has been reported under subdivision (a) shall be reported by the carrier to the department within five days of the reinstatement date.

(Ch. 359, Stats. 1989. Effective January 1, 1990.)

43. PRIVATE SCHOOL BUS REQUIREMENTS - 2808 VC. The following section is quoted from the VC:

2808. (a) Except as provided in subdivision (b), all school buses transporting pupils to or from any private school or private school activity shall be subject to the same statutes, rules, and regulations relating to construction, design, operation, equipment, and color as are now or hereafter applicable to school buses transporting pupils to or from any public school or public school activity.

(b) School buses shall be exempt from such statutes, rules, and regulations relating to construction, design, safe operation, and equipment as the Commissioner of the California Highway Patrol shall determine necessary to permit such school buses to continue in operation or when it appears that the results intended to be attained by such rules and regulations are being accomplished by the use of other methods. Such exemption shall be specified by rule or regulation of the commissioner. No such exemption shall be made which in the opinion of the commissioner would jeopardize the safety of the pupils so transported.

(Ch. 545, Stats. 1974. Effective January 1, 1975.)

44. SCHOOL BUS INSPECTIONS - 2807 VC. The following section is quoted from the VC:

2807. (a) The California Highway Patrol shall inspect every school bus at least once each school year to ascertain whether its construction, design, equipment, and color comply with all provisions of law.

(b) No person shall drive any school bus unless there is displayed therein a certificate issued by the California Highway Patrol stating that on a certain date, which shall be within 13 months of the date of operation, an authorized employee of the California Highway Patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color. The Commissioner of the California Highway Patrol shall provide by rule or regulation for the issuance and display of distinctive inspection certificates.

(Ch. 580, Stats. 1969. Effective November 10, 1969.)

45. PREVENTIVE MAINTENANCE INSPECTION - 2807.2 VC. The following section is quoted from the VC:

2807.2. The Department of the California Highway Patrol shall, by regulation, provide for a preventive maintenance inspection guide for use by operators of tour buses, motor vehicles specified in Sections 2807 and 2807.1, and vehicles described in subdivisions (a), (b), (d), (e), (f), and (g) of Section 34500. The regulations shall provide that the record of inspection shall be signed by the person making the inspection, and the record of the inspections shall be retained on file by the operator for review and inspection by the Department of the California Highway Patrol.

(Ch. 382, Stats. 1988. Effective January 1, 1989.)

46. PRIVATE SCHOOL BUS CONTRACTOR: LICENSING - 2570 VC. The following section is quoted from the VC:

2570. It is the intent of the Legislature, in enacting this chapter, that the public be provided additional protection through the licensing of private school bus contractors transporting school pupils under contracts with school districts, and that the Department of the California Highway Patrol be authorized to inspect and license the contractors described in subdivision (a), giving special attention directed to negligent operators or repeat violators.

(Ch. 1563, Stats. 1990. Effective January 1, 1991.)

47. LICENSE FEES - 2571 VC. The following section is quoted from the VC:

2571. Every private school bus contractor who contracts with a school district for the transportation of school pupils shall be licensed in accordance with regulations adopted by the commissioner. The license fee shall be one hundred dollars (\$100) for an initial license and seventy-five dollars (\$75) for each annual renewal.

(Ch. 1563, Stats. 1990. Effective January 1, 1991.)

48. REGULATIONS: VIOLATIONS - 2572 VC. The following section is quoted from the VC:

2572. (a) The commissioner may adopt whatever regulations are necessary to administer this chapter. The regulations shall be consistent with regulations regarding school buses and school bus drivers adopted by the commissioner pursuant to other provisions of law.

(b) In addition to any other requirements, it is unlawful for the private school bus contractor or the person who directs the driver to operate a

vehicle transporting school pupils, when that transportation requires a license, to knowingly cause the operation of the vehicle unless the private school bus contractor holds a valid license for the transportation of school pupils. A violation of this subdivision shall be punished by a fine of not more than two thousand dollars (\$2,000).

(Ch. 1563, Stats. 1990. Effective January 1, 1991.)

49. LICENSE SUSPENSION - 2573 VC. The following section is quoted from the VC:

2573. (a) The commissioner may temporarily suspend a license to transport school pupils under contract with a school district, subject to a hearing conducted pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, when, in the commissioner's opinion, the action is necessary to prevent an imminent and substantial danger to the public health.

(b) The commissioner may, following a hearing, suspend a license to transport school pupils under contract with a school district, for a period of at least 30 days but not more than 90 days, if the holder of the license knowingly permits the transportation of school pupils by a person who does not possess the appropriate driver's license and driver's certificate.

(c) The suspensions authorized pursuant to subdivisions (a) and (b) may, at the discretion of the commissioner, be enforced for all operations of a school bus contractor, or for the operations of the contractor in the school district in which the alleged violations occurred, or for the operations of the contractor in the contractor's terminal in which the alleged violations occurred.

(d) The commissioner shall provide notification of a suspension hearing to those school districts whose terminals would be affected by the suspension.

(Ch. 1563, Stats. 1990. Effective January 1, 1991.)

50. FEES: DISPOSITION - 2574 VC. The following section is quoted from the VC:

2574. (a) All fees collected by the Department of the California Highway Patrol pursuant to the issuance or renewal of a license for the transportation of school pupils under contract with a school district shall be deposited in the Motor Vehicle Account of the State Transportation Fund.

(b) All moneys collected from these fees shall be used for the support of the licensing program of the department upon appropriation therefor by the Legislature.

(Ch. 1563, Stats. 1990. Effective January 1, 1991.)

51. UNAUTHORIZED ENTRY; OFFENSE; PUNISHMENT; NOTICE - 39842 EC. The following section is quoted from the EC:

39842. (a) Any person who enters a school bus or school pupil activity bus without prior authorization of the driver or other school official with intent to commit any crime and who refuses to disembark after being ordered to do so by the driver or other school official is guilty of a misdemeanor and is punishable by imprisonment in the county jail for not more than six months, be a fine of not more than one thousand dollars (\$1,000), or both.

(b) A school district or county superintendent of schools may place a notice at the entrance of a school bus or school pupil activity bus that complies with the requirements of paragraph (3), subdivision (c) Section 1256.5, Title 13, of the California Code of Regulations and that warns against unauthorized entry.

(Stats. 1995, c. 175)

52. VARIABLE SEATING REQUIREMENTS. School buses may be configured with variable seating arrangements provided: they are installed by the manufacturer; the manufacturer has certificated that the bus is in compliance with Federal Motor Vehicle Safety Standards (FMVSS) 222 (School bus passenger seating and crash protection); and the following:

(1) School Bus carriers must carry a letter in each affected school bus which provides the driver with an illustration of the manufacturer's measurements for seat and/or barrier distance between the front of the back of one seat and the rear of the back of the seat or restraining barrier immediately ahead, i.e., the distance (not more than 24 inches) measured along a horizontal longitudinal line through the seating reference point in the forward direction.

(2) The letter must also contain instructions to the driver explaining the following:

(a) The requirements of 13 CCR 1293(d)(2)(A), i.e., an emergency passageway with a width of not less than 9 inches which shall provide access to each wheelchair station, and;

(b) The requirements of 13 CCR 1279, i.e., an aisle which provides unobstructed access to all seats on the aisle which must be at least 12 inches wide for Type 1 school buses or 11 inches wide for Type 2 school buses. These requirements must be maintained at all times when the school bus is configured with seated passengers and passengers in wheelchairs.

(c) Effective January 17, 1994, the letter must also inform school bus drivers of the amendments to FMVSS 222, i.e., on any school bus manufactured after 1/17/94, each wheelchair location is required to have not less than four wheelchair securement anchorages (two locations in front and two locations in the rear) and that each wheelchair must be secured in a forward-facing position.

(3) It is the responsibility of the driver to ascertain that the seat configuration reflects the specifications in the letter, and that the available seats do not exceed the maximum seating capacity.

53. SCHOOLBUS LENGTH – 35400 VC. The following section is excerpted from the VC:

35400. (a) No vehicle shall exceed a length of 40 feet.

(b) This section does not apply to any of the following: . . .

(6) A schoolbus, when the excess length is caused by the projection of a crossing control arm. For the purposes of this chapter, “crossing control arm” means an extendable and retractable device fitted to the front of a schoolbus that is designed to impede movement of pupils exiting the schoolbus directly in front of the schoolbus so that pupils are visible to the driver while they are moving in front of the schoolbus. An operator of a schoolbus shall not extend a crossing control arm while the schoolbus is in motion. Except when activated, a crossing control arm shall not cause the maximum length of the schoolbus to be extended by more than 10 inches, inclusive of any front safety bumper. Use of crossing control arm by the operator of a schoolbus does not, in and of itself, fulfill his or her responsibility to ensure the safety of students crossing a highway or private road pursuant to Section 22112. . . .

SAMPLE TRAINING CERTIFICATE (T-01) ORIGINAL APPLICANT, SCHOOL BUS

CALIFORNIA DEPARTMENT OF EDUCATION
Form T-01 (Rev. 10-97)

Training Certificate

Check (✓) Driver Delegated trainer Instructor Applicant's birth date 4/1/70
 Check (✓) Whether application is: Original Renewal Certificate issuance date _____
 Check (✓) Bus type I II Date renewal training started _____
 Check (✓) School bus SPAB Transit bus Farm labor Youth bus Other

Applicant's name (Last) (First) (Initial) Driver license number
Adams John A A1234567
 Employer: XYZ Unified School District County: Inyo

| Record of hours of training | | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total | |
|--------------------------------------|---------------------------------|----------------------------------|------|------|------|-----|--|------|------|-------|------|------|-------------|------------------|--|
| 97 | Classroom | | | | | | 10 | 10 | | | | | | 20 | |
| | In-service training | | | | | | | | | | | | | | |
| | Behind the wheel | | | | | | 5 | 15 | | | | | | 20 | |
| Training period 1 | ID# 9999 A* <i>Judy Hart</i> | ID# 9999 B** <i>Judy Hart</i> | | | | | Driver's signature and date <i>John Adams 7-31-97</i> | | | | | | | | |
| | Classroom | | | | | | | | | | | | | | |
| | In-service training | | | | | | | | | | | | | | |
| Training period 2 | Behind the wheel | | | | | | | | | | | | | | |
| | ID# A* | ID# B** | | | | | Driver's signature and date | | | | | | | | |
| | Classroom | | | | | | | | | | | | | | |
| Training period 3 | In-service training | | | | | | | | | | | | | | |
| | Behind the wheel | | | | | | | | | | | | | | |
| | ID# A* | ID# B** | | | | | Driver's signature and date | | | | | | | | |
| Training period 4 | Classroom | | | | | | | | | | | | | | |
| | In-service training | | | | | | | | | | | | | | |
| | Behind the wheel | | | | | | | | | | | | | | |
| Training period 5 | ID# A* | ID# B** | | | | | Driver's signature and date | | | | | | | | |
| | Classroom | | | | | | | | | | | | | | |
| | In-service training | | | | | | | | | | | | | | |
| Training period 6 | Behind the wheel | | | | | | | | | | | | | | |
| | ID# A* | ID# B** | | | | | Driver's signature and date | | | | | | | | |
| | Classroom | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | Grand total | 40 | |
| Additional training hours: Classroom | | | | | | | | | | | | | | Behind the wheel | |

*A—Classroom instructor's signature
 **B—Driving instructor's signature or in-service training instructor's signature

FOR STATE USE ONLY

(MUST BE COMPLETED IN THE PRESENCE OF THE EXAMINING STATE AGENCY)

Written test: Failed Failed Failed Passed First-aid test: Failed Failed Failed Passed Waived
 Driving test: Failed Failed Failed Passed Certificate issuance date _____
 Training verification _____ (Driver's signature)
 Exam verification _____ (Examiner's signature) (Area)

SAMPLE TRAINING CERTIFICATE (T-01) RENEWAL APPLICANT, SCHOOL BUS

CALIFORNIA DEPARTMENT OF EDUCATION
Form T-01 (Rev. 8-94)

Training Certificate

Check Driver Delegated trainer Instructor Date training started 9/5/88
 Check Whether application is: Original Renewal Applicant's birth date 4/15/60
 Check Bus type I II Certificate issuance date 8/2/88
 Check School bus SPAB Transit bus Farm labor Other

Applicant's name (Last) Smith, (First) John (Initial) A. Driver's license number A1234567
 Employer XYZ Student Transportation Co. Inc. County Fresno

| Record of hours of training | | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total |
|-----------------------------|-----------------------|-----------------|------|------|--------------------------------------|-----|------|------|------|-------|------|------|-------------|-------|
| 88 | Classroom | | | | | | | | | | | | | |
| | 1 In-service training | | 1½ | 2½ | | | | | | 2 | 1 | | | 7 |
| | Behind the wheel | | | | | | | | | | | | | |
| 89 | ID# <u>A*</u> | ID# <u>9999</u> | | | Driver's signature <u>John Smith</u> | | | | | | | | | |
| | B** <u>Sandy Hart</u> | | | | | | | | | | | | | |
| | Classroom | | | | | | | | | | | | | |
| 90 | 2 In-service training | | | 2 | 2 | | | | | 2 | 4 | | | 10 |
| | Behind the wheel | | | | | | | | | | | | | |
| | ID# <u>A*</u> | ID# <u>9999</u> | | | Driver's signature <u>John Smith</u> | | | | | | | | | |
| B** <u>Sandy Hart</u> | | | | | | | | | | | | | | |
| 90 | Classroom | | 1½ | | | | | | | | | | | 1½ |
| | 3 In-service training | | | 1½ | 2 | | | | | | 4 | | | 7½ |
| | Behind the wheel | | | | 3½ | | | | | | | | | 3½ |
| 91 | ID# <u>A*</u> | ID# <u>9999</u> | | | Driver's signature <u>John Smith</u> | | | | | | | | | |
| | B** <u>Sandy Hart</u> | | | | | | | | | | | | | |
| | Classroom | | 5 | 5 | | | | | | | | | | 10 |
| 92 | 4 In-service training | | | | | | | | | | 4 | | | 4 |
| | Behind the wheel | | | | | | | | | | | | | |
| | ID# <u>A*</u> | ID# <u>9999</u> | | | Driver's signature <u>John Smith</u> | | | | | | | | | |
| B** <u>Sandy Hart</u> | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | Grand total | 43 |

*A—Classroom instructor's signature
 **B—Driving instructor's signature or in-service training instructor's signature

Additional training hours: Classroom Behind the wheel

FOR STATE USE ONLY
(MUST BE COMPLETED IN THE PRESENCE OF THE EXAMINING STATE AGENCY)

Written test: Failed Failed Failed Passed First-aid test: Failed Failed Failed Passed Waived
 Driving test: Failed Failed Failed Passed Certificate issuance date _____
 Training verification _____ (Driver's signature)
 Exam verification _____ (Examiner's signature) (Area)