UNIT V
LAWS, REGULATIONS and RECOMMENDATIONS

5.1 DEFINITION OF A SCHOOL BUS (MN. Stat. 169.011 Subd. 71)

"School bus" means a motor vehicle used to transport pupils to or from a school defined in section 120A.22, or to or from school-related activities, by the school or a school district, or by someone under an agreement with the school or a school district. A school bus does not include a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, a transit bus providing services as defined in section 174.22, subdivision 7, a multifunction school activity bus as defined by federal motor vehicle safety standards, or a vehicle otherwise qualifying as a Type III vehicle under paragraph (5), when the vehicle is properly registered and insured and being driven by an employee or agent of a school district for nonscheduled transportation. A school bus may be Type A, Type B, Type C, Type D, or Type III as follows:

5.2 TYPES OF SCHOOL BUSES (MN. Stat. 169.011 Subd. 71)

Definitions of School Buses:

	TYPE A: A Type "A" school bus is a van conversion or bus constructed utilizing a cutaway front section vehicle with a left-side driver's door. This definition includes two classifications: Type A-I, with a Gross Vehicle Weight Rating (GVWR) less than or equal to 14,500 pounds; and Type A II, with a GVWR greater than 14,500 pounds and less that or equal to 21,500 pounds.
	TYPE B: A Type "B" school bus is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: Type B-I, with a GVWR less than or equal to 10,000 pounds, and Type B-II, with a GVWR greater than 10,000 pounds.
	TYPE C: A Type "C" is a body installed upon a flat back cowl chassis with a gross vehicle weight rating of more than 21,500 pounds, designated for carrying more than ten persons. All of the engine is in front of the windshield and the entrance door is behind the front wheels. A Type C school bus has a maximum length of 45 feet.
	TYPE D: A Type "D" school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels.

	TYPE III: A "type III vehicle" is restricted to passenger vehicles and buses having a maximum manufacturer's rated seating capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a seating capacity of ten or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
	Multifunction School Activity Bus: A multifunction school activity bus is a school bus that meets the definition of a definition of a multifunction school activity in Code of Federal Regulations, title 49, section 571.3. A vehicle that meets the definition of a Type III vehicle is not a multifunction school activity bus.

In order to become a driver of a Type A, B, C or D school bus, an individual must take both written and driving tests, have a background check, drug testing, and submit to a physical every two years or as directed by your health care provider. There are different classes of licenses for these individuals. The classes of licenses, found in Minnesota Statute §171.02 are:

Vehicle Description	**License Class**	**Additional Endorsements**
Single unit vehicles with a gross vehicle weight rating of 26,000 pounds or less and designed to carry less than 15 passengers including the driver.	Class D	No Endorsement
All vehicles that an individual with a Class D license can drive and school buses with a gross vehicle weight rating of 26,000 pounds or less and designed to carry 15 or more passengers including the driver.	Class C	Passenger Endorsement School Bus Endorsement
All vehicles that an individual with a Class D or Class C license can drive and school buses with a gross vehicle weight rating of 26,000 pounds or more and designed to carry more than 15 passengers.	Class B	Passenger Endorsement School Bus Endorsement
All vehicles	Class A	Passenger Endorsement School Bus Endorsement

For example, an individual with a Class A license, with proper endorsements, can drive Types A, B, C and D school buses. An individual with a Class C license would only be able to drive Type A.

5.3 DRIVER'S LICENSE REQUIREMENTS (MN. Stat. 171.321, 171.3215, & MN. Rule 7414)

A. Endorsement Requirements:
No person shall drive a school bus when transporting school children to or from school or upon a school-related trip or activity without having a valid class A, class B, or class C driver's license with a school bus endorsement except that a person possessing a valid driver's license but not a school bus endorsement may drive a vehicle with a seating capacity of ten or less persons used as a school bus but not outwardly equipped or identified as a school bus. Anyone who wishes to start operating a school bus must obtain a class A, B, or C Commercial Driver's License and obtain a school bus endorsement.

B. Rules:

1. The commissioner of public safety shall adopt rules prescribing a training program for Head Start bus drivers. The program must provide for initial classroom and behind-the-wheel training, and annual in-service training. The program must provide training in defensive driving, human relations, emergency and crash procedures, vehicle maintenance, traffic laws, and use of safety equipment. The program must provide that the training will be conducted by the contract operator for a Head Start agency, the Head Start grantee, a licensed driver training school, or by another person or entity approved by both commissioners.

   a. The written test shall be based on the provisions in the school bus driver handbook, and on laws, rules and regulations relating to school bus operation prescribed by the State Department of Public Safety and general knowledge of the operation of school buses, including knowledge of the equipment, devices and laws peculiar to school buses.

   b. The road test shall be given in a school bus. The driver will be restricted to the size of the vehicle the test is given in. A test taken in a smaller vehicle will cause the applicant to be restricted to that size. A test taken in a larger vehicle will be unrestricted except for an air brake restriction on those buses without air brakes.

      At the beginning of the road test, you will be required to perform a driver pre-trip inspection. This will include all lights and warning systems including stop arm, mirrors and their correct adjustment, and the presence of all emergency equipment.

      Exception: When operating a vehicle with a seating capacity of nine or fewer passengers (Type III) which is being used as a school bus, but is not outwardly equipped or identified as such, it is not required to have a school bus endorsement, but the driver must possess a valid driver's license.

2. The commissioner of public safety shall prescribe rules governing the physical qualifications of school bus drivers and tests required to obtain a school bus endorsement. The rules must provide that an applicant for a school bus endorsement or renewal is exempt from the physical qualifications and medical examination required to operate a school bus upon providing evidence of being medically examined and certified within the preceding 24 months as physically qualified to operate a commercial motor vehicle, pursuant to Code of Federal Regulations, title 49, part 391, subpart E, or rules of the commissioner of transportation incorporating those federal regulations. The commissioner shall

accept physical examinations for school bus drivers conducted by medical examiners authorized as provided by Code of Federal Regulations, title 49, chapter 3, part 391, subpart E.

C. The applicant for a school bus driver's endorsement shall be in good physical and mental health, able-bodied, and free from communicable disease. As evidence of physical fitness and mental alertness, the applicant shall submit to a physical examination by a reputable physician designated by the local school authorities; and the physician's certificate of physical fitness and mental alertness shall accompany the application for school bus driver's endorsement when presented to the Department of Public Safety.

Each driver with a school bus endorsement shall submit to a physical examination as required to retain the school bus endorsement. The examination period starts from the examination date of the most recent physical examination certificate submitted by a driver with a school bus endorsement.

If driver fails to pass the physical examination, or return the physical examination certificate, the commissioner of public safety shall cancel the school bus endorsement from the Minnesota driver's license.

Additional exams: The commissioner may require additional medical examination of an applicant for a school bus endorsement or licensed driver with a school bus endorsement to determine competency.

The examination form used by the physician to record the physical condition of the applicant must comply with the form prescribed in Code of Federal Regulations, title 49, section 391.43, paragraph (f). The certificate of the examining physician must be in accordance with the certificate in Code of Federal Regulations, title 49, section 391.43, paragraph (g).

D. Age:
The driver shall be at least 18 years of age and have a qualifying driving record. (MN. Stat. 171.322)

E. Driver Background Check:
Before issuing or renewing a driver's license with a school bus driver's endorsement, the commissioner shall conduct an investigation to determine if the applicant has been convicted of committing a disqualifying offense, four moving violations in the previous three years, a violation of section 169A.20 or a similar statute or ordinance from another state, a gross misdemeanor, or if the applicant's driver's license has been revoked under section 169A.52. The commissioner shall not issue a new bus driver's endorsement and shall not renew an existing bus driver's endorsement if the applicant has been convicted of committing a disqualifying offense.

The commissioner shall not issue a new bus driver's endorsement and shall not renew an existing bus driver's endorsement if, within the previous five years, the applicant has been convicted of committing a violation of section 169A.20, or a similar statute or ordinance from another state, a gross misdemeanor, or if the applicant's driver's license has been revoked under section 169A.52, or if, within the previous three years, the applicant has been convicted of four moving violations. An applicant who has been convicted of violating section 169A.20 or a similar statute or ordinance from another state, or who has had a license revocation under section 169A.52 within the previous ten years must show proof of successful completion of an alcohol or controlled substance treatment program in order to receive a school bus driver's endorsement.

For the first offense, proof of completion is required only if treatment was ordered as part of a chemical use assessment. A school district or contractor that employs a nonresident school bus driver must conduct a background check of the employee's driving record and criminal history in both Minnesota and the driver's state of residence.

Convictions for disqualifying offenses, gross misdemeanors, a fourth moving violation within the previous three years, or violations of section 169A.20, or a similar statute or ordinance in another state, must be reported to the department of public safety. Other disqualifying offense includes any felony offense, any misdemeanor, gross misdemeanor, or felony violation of chapter 152, or any violation under section 609.3451, 609.746, subdivision 1, or 617.23, or while driving, operating, or being in physical control of a school bus or Head Start bus, in violation of section 169A.20, or a similar statute or ordinance from another state, or a fourth moving violation in the previous three years.

F. Temporary School Bus Endorsement:
An applicant for a school bus endorsement who has not resided in Minnesota for 5 consecutive years may be eligible for a temporary endorsement pending the FBI background check. (MN. Stat.171.321 Subd. 3 (b))

G. Renewal Requirements:
To keep endorsement valid, a current physical examination report must be submitted. School bus drivers will be re-tested for current knowledge every four years on driver's license renewal. A physical and health form will be mailed to your last known address, 60 days before renewal date. If you have not received this form prior to your renewal date, contact the Driver and Vehicle Services section of the Department of Public Safety at once. Give your first, middle, and last name and date of birth and a form will be sent to you.

H. Training and Competencies:
No person shall drive a Type A, B, C, or D school bus when transporting school children to or from school or upon a school-related trip or activity without having demonstrated sufficient skills and knowledge to transport students in a safe and legal manner. A bus driver must have training or experience that allows the driver to meet at least the following competencies:

1. safely operate the type of school bus the driver will be driving;
2. understand student behavior, including issues relating to students with disabilities;
3. encourage orderly conduct of students on the bus and handle incidents of misconduct appropriately;
4. know and understand relevant laws, rules of the road, and local school bus safety policies;
5. handle emergency situations; and
6. safely load and unload students.

The commissioner of public safety shall develop a comprehensive model school bus driver training program and model assessments for school bus driver training competencies, which are not subject to chapter 14. A school district may use alternative assessments for bus driver training competencies with the approval of the commissioner of public safety. The employer shall keep the assessment for the current period available for inspection by representatives of the commissioner. NOTE: Annually means within the previous 380 days per Minnesota Statute 171.321 subd. 5.

I. Annual Evaluation:

A school district, nonpublic school or private contractor also shall provide in-service training annually (annually means 380 calendar days) to each school bus driver. A school district, nonpublic school, or private contractor shall verify annually the validity of the driver's license of each person who transports students for the district in a Type A school bus, a Type B school bus, a Type C school bus, or Type D school bus or regulatory transports students for the district in a Type III vehicle with the National Drivers Register or with the Department of Public Safety.

J. Driver Disclosure of Moving Violation Convictions to Employer: (Minnesota Statute 171.168)

Subd. 1. Department notice. Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by this state, and who is convicted of a criminal offense; of a serious traffic violation, as defined in Code of Federal Regulations, title 49, section 383.5; or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in another state or jurisdiction, shall notify the department's Division of Driver and Vehicle Services of the conviction. The person shall notify the division within 30 days after the date that the person was convicted.

Subd. 2. Employer notice. Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by this state, and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction. The person shall notify the person's employer within 30 days after the date that the person was convicted. If the person is not currently employed, the person shall notify the division according to subdivision 1.

Subd. 3. Department notice information**.** Notification to the division must be made in writing and contain the following information:

1. the driver's full name;
2. the driver's license number;
3. the date of conviction;
4. the specific criminal or other offense; serious traffic violation, as defined in Code of Federal Regulations, title 49, section 383.5; and any other violation of state or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, or cancellation of certain driving privileges that resulted from the conviction;
5. an indication whether the violation was in a commercial motor vehicle;
6. the location of the offense; and
7. the driver's signature.

REMINDER: The Minnesota State Patrol conducts random driver license record checks and verifications of school bus drivers on an annual basis. Failure to disclose a moving violation conviction to your employer will result in a citation being issued to you the driver.

K. Driver Disclosure of Suspension, Revocation, Disqualification and Cancellation of License to Employer: (Minnesota Statute 171.169)

Each employee, as defined in Code of Federal Regulations, title 49, section 383.5, who has a Minnesota-issued driver's license suspended, revoked, or canceled by this state or another state or jurisdiction, who loses the right to operate a

commercial motor vehicle in this state or another state or jurisdiction for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. The employee shall notify the employer before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

REMINDER: The Minnesota State Patrol conducts random driver license record checks and verifications of school bus drivers on an annual basis. Failure to disclose ANY driver license status change as noted above to your employer will result in a citation being issued to you the driver.

L. Alcohol – Related School Bus or Head Start Bus Driving

1. Subd. 1. Crime described. It is a crime for any person to drive, operate, or be in physical control of any class of school bus or Head Start bus within this state when there is physical evidence present in the person's body of the consumption of any alcohol.

   Subd. 2. Gross misdemeanor alcohol-related school bus or Head Start bus driving. A person who violates subdivision 1 is guilty of gross misdemeanor alcohol-related school bus or Head Start bus driving if:

   a. the violation occurs while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator; or

   b. the violation occurs within ten years of a qualified prior impaired driving incident.

   Subd. 3. Misdemeanor alcohol-related school bus or Head Start bus driving. Except as provided in subdivision 2, a person who violates subdivision 1 is guilty of misdemeanor alcohol-related school bus or Head Start bus driving.

5.4 REGULATIONS - CONTRACT PROVISIONS: (MN. Stat. 169.449)

The Commissioner of Public Safety has the authority to adopt and enforce regulations to govern the operation of school district or privately owned buses operated under contract, and bus operation is subject to these regulations. These regulations shall be made a part of any such contract by reference as required by law.

5.5 GENERAL OPERATING RULES: (MN. Stat. 169.447, 169.443, 123B.91, 123B.86 & MN. Rule 7470)

When transportation is provided, the scheduling of routes manner and method of transportation, control and discipline of school children and any other matter relating thereto shall be within the sole discretion, control and management of the board. (MN. Stat. 123B.86 & 123B.88)

A. The school board of the district may adopt such operating rules as deemed necessary to meet local conditions and needs, providing they do not conflict with state laws and rules.

B. Only pupils assigned to the school bus by the school board or designated administrative officer of the school district shall be transported at district expense.

C. The authorized person shall see that no materials, including guns, loaded or unloaded; gasoline cans, empty or full; animals, except service dogs accompanying persons with disabilities, or any other object of dangerous or objectionable nature are transported in the school bus when pupils are being transported.

D. No pupils may be in the bus while the fuel tank is being filled. On leaving the vehicle when pupils are in the bus, the driver shall stop the motor, remove the ignition key, set the brake and otherwise render the bus immobile.

E. The driver of a school bus shall keep the aisle and emergency exit of a school bus or Head Start bus. Unobstructed at all times when children are being transported.

F. School buses may pull a trailer, as defined by 169.447 subd. 5, only when traveling to or from co-curricular or extracurricular trips, but not when transporting children to and from school.

G. Pupils are not to be evicted from the bus along the route for a breach of discipline. All breaches of discipline must be reported by the bus driver to the authorized person.

H. The entrance door must be closed at all times when transporting pupils and the bus is in motion.

I. Never permit pupils to get up from their seats or get on or off the bus while it is in motion.

J. Bring the bus to full stop and disengage gears by shifting into neutral or park before LOADING or UNLOADING pupils.

K. When children are getting off a school bus or Head Start bus, the driver shall visually determine that they are a safe distance from the bus before moving the bus.

L. All buses must load and unload in the right lane of the roadway, at pupil stops on bus routes approved by the authorized person. Loading or unloading in a designated turn lane or in a lane immediately adjacent to a turn lane is prohibited unless the turn lane is a designated school bus stop at which pupils are not required to cross the road. Under these circumstances, the bus must stop at the extreme right-hand side of the turn lane and the eight-light and stop arm should not be used. Loading and unloading within an intersection is prohibited.

M. Passenger seating: The number of pupils or other authorized passengers transported in a school bus or Head Start bus must not be more than the number of pupils or passengers that can be fully seated. Seating capacity must be adjusted according to each passenger's individual physical size, but not more than the manufacturers' rated seating capacity. No person shall stand in the school bus or Head Start bus when the bus is in motion.

5.6 <u>SPEED LIMITS</u>: (MN. Stat. 169.14 (all drivers, including school bus))

A. The driver of a school bus shall never drive at a speed that is faster than reasonable under existing conditions. (Drivers should never operate any school bus improperly equipped or in an unsafe condition.)

B. The driver of a school bus shall not exceed the posted speed limits at any time.

5.7 SEAT BELTS: (MN. Stat. 169.447)

All school bus drivers must PROPERLY wear their seat belt whenever the bus is in motion.

5.8 LIGHTED HEADLIGHTS: (MN. Stat. 169.48)

The driver shall display lighted headlamps (Iow beam) during daylight hours when transporting children.

5.9 RAILROAD CROSSINGS: (MN. Stat. 169.28, 169.443 & MN. Rules 7470.1100, .1200, .1500)

School buses are required to stop at all railroad crossings unless an "Exempt" sign is posted. The stop is required whether or not there are students aboard the bus. The eight-light system shall NOT be used. Make sure the Master Switch is off. There are two ways that a school bus driver can warn traffic behind when preparing to stop for a railroad crossing: the school bus driver should use both the four-way hazard lights and brake lights. This procedure is required with or without passengers.

State law requires that school buses stop not less than 15 feet no more than 50 feet from the nearest rail. Required procedures for checking and crossing rail road tracks include:

A. Be sure master switch is off.

B. Make sure passengers are quiet, use noise suppression switch if equipped.

C. FULLY open the service door and driver's window.

D. Listen and look in both directions.

E. Check in both directions again.

Before crossing the tracks, the driver must close the service door. It is recommended policy that a driver should completely cross the tracks without shifting gears. After the crossing is completed, the driver will have to turn off the four-way hazard lights. The driver must ensure there is ample room, minimum of 10 feet, on the other side of the tracks for the rear end of the bus to clear the tracks before proceeding across.

5.10 PASSENGER CAPACITY: (MN. Stat. 169.447)

The number of pupils or other authorized passengers transported in a school bus or Head Start bus must not be more than the number of pupils or passengers that can be fully seated. Seating capacity must be adjusted according to each passenger's individual physical size, but not more than the manufacturer's rated capacity. No person shall stand when the school bus or Head Start is in motion.

5.11 INSPECTION: (MN. Stat. 169.451 & MN. Rule 7470)

A. No school bus shall be registered for the first time in this state unless it has been inspected and certified that it conforms to all minimum standards and laws for buses.

B. Every school bus shall be inspected annually by the Minnesota State Patrol.

C. No school bus shall be driven without displaying a current valid inspection certificate. (See Appendix Section 4 for sample display of certificates.)

D. Other inspections: In addition to the annual inspections and re-inspections scheduled for the purpose of verifying that deficiencies have been corrected, a trooper or CVI may

conduct an unannounced inspection of any school bus and driver. This subpart shall not be construed to limit the right or duty of any law enforcement officer to inspect any vehicle upon reasonable cause.

See also: Minnesota school bus equipment standards in sections 169.4501 to 169.4504.

5.12 SCHOOL BUS CRASH - INSPECTION: (MN. Stat. 169.4511)

Subdivision 1. Post-crash inspection**.**

A. A peace officer responding to an accident involving a school bus or Head Start bus must immediately notify the State Patrol if the accident results in:

1. a fatality;
2. bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
3. one or more motor vehicles incurring disabling damage as a result of the accident, requiring a motor vehicle to be transported away from the scene by tow truck or other motor vehicle.

B. No person shall drive or knowingly permit or cause to be driven, for the purpose of transporting students, any school bus or Head Start bus after such an accident unless:

1. the vehicle has been inspected by the Minnesota State Patrol and the State Patrol has determined that the vehicle may safely be operated; or
2. a waiver has been granted under subdivision 2.

C. A violation of this section is a misdemeanor.

Subd. 2.Waiver.

A state trooper or designee of the Minnesota State Patrol called to the scene of an accident by a responding peace officer under subdivision 1 may waive the inspection requirement of subdivision 1 if the trooper or State Patrol designee determines that a post crash inspection is not needed or cannot be accomplished without unreasonable delay. The trooper or State Patrol designee granting a waiver must provide to the driver of the school bus for which the waiver is granted a written statement that the inspection has been waived. The written statement must include the incident report number assigned to the accident by the State Patrol.

5.13 USE OF EIGHT-LIGHT WARNING SYSTEM/LOADING UNLOADING/STROBE LIGHTS: (MN. Stat. 169.443)

Use of the Eight-Light Warning System: School buses are equipped with a system of alternating flashing amber and red lights called an eight-light system. The purpose of the alternating flashing amber lights is to warn other driver's of a potentially hazardous situation (the school bus is preparing to stop to load or unload students).

The alternating flashing red lights indicate to other drivers that the school bus is stopped and in the process of loading or unloading students.

Drivers of other vehicles may legally pass a school bus displaying alternating flashing amber lights on the left side; although it is not recommended that they do so. When the

alternating flashing red lights are displayed, along with the stop arm, other drivers are legally required to stop and remain stopped until the lights are extinguished and the stop arm retracted.

The eight-light system is used only for loading or unloading student passengers.
The eight-light system is controlled through a series of switches located in a control box or in the steering wheel or on the left side of the driver. Each bus is manufactured differently, know your school bus.

The driver shall not use the School Bus pre-amber warning or red signals in the following: (MN. Stat. 169.443 Subd. 3)

A. In special school bus loading areas where the bus is entirely off the traveled portion of the roadway and where no other motor vehicle is moving or is likely to be moving within 20 feet of the bus.

B. When directed not to do so, in writing, by the local school board.

C. When a school bus is being used on a street or highway for purposes other than the actual transportation of school children to or from school or a school-approved activity, except as provided in subdivision 8.

D. At railroad grade crossings.

E. When loading and unloading people at designated school bus stops where people are not required to cross the street or highway, while the bus is completely off the traveled portion of a roadway that has adequate shoulders. The driver shall drive the bus completely off the traveled portion of this roadway before loading or unloading people. A school bus stop is designated under this clause if the transportation director of the school district in which the bus stop is located, in consultation with the road authority, certifies the integrity of the shoulder and the safety of the location for loading and unloading people. Each designated school bus stop must be documented and approved by the school board.

5.14 <u>LOADING AND UNLOADING - TYPE A, B, C, AND D BUSES</u> (MN. Stat.169.443 & MN. Rule 7470.1100)

Greater than 35 MPH speed zone: The driver shall activate and continuously operate the amber signals at least 300 feet before the stop, 100 feet before stopping in a speed zone of 35 MPH or less. Some drivers prefer to use a time interval of 8-10 seconds before the stop. The bus should be stopped in the middle of the right hand lane. As the bus nears the stop area, the driver should count the students. It is good a practice to stop 10 feet before reaching the waiting students. This provides a good safety margin.

Activate the alternating flashing red lights and stop arm only after coming to a complete stop. Before moving on, recount the students, check side and cross-over mirrors, and make sure passengers are seated. Close the service door before pulling away from the stop.

The driver shall not retract the stop signal arm nor extinguish the flashing red signals until loading or unloading is completed, students are seated, and children who must cross the roadway are safely across.

Loading and unloading stops are established by the school board. They SHALL NOT be changed at the driver's discretion. Only school officials can authorize changes in student stops. The only exception to this policy would be cases in which the immediate safety of the students is threatened.

When loading and unloading, the eight-light warning system shall be used unless local policy prohibits its use. The driver should be thoroughly familiar with local policies regarding loading and unloading procedures.

A. The following procedure is recommended when the eight-light system is not used:

1. Check traffic in both directions.
2. Activate right turn signal at least 100 feet (or 8-10 seconds) before the stop. (Some local policies call for the use of the hazard warning lights. Be familiar with the procedures used in your school district).
3. Touch brake pedal to activate brake lights.
4. Make sure master switch is off.
5. Move to the right next to curb. Stop 10 feet before reaching students. Indicate to passengers when it is safe to board the bus.

B. After students are on board and seated:

1. Turn off hazard warning lights if used.
2. Turn on the left turn signal.
3. Check left mirror.
4. Pull away from curb.

C. Student Loading – 8 Light Warning System

To load in areas where the 8-light warning system will be used, follow these steps:

1. Check traffic in all directions
2. Activate alternately flashing amber lights:
   a. 300 feet before stopping in a speed zone of more than 35 mph.
   b. 100 feet before stopping in a speed zone of 35 mph or less.
3. As the bus nears the stop, count the students. It is a safe practice to plan to stop 6-8 feet before reaching the waiting students. Roll slowly forward until in proper position. The bus should be stopped in the middle of the right lane.
4. After stopping and putting the transmission in neutral, check traffic to make sure it is able to stop.
5. Open the service door just a crack to activate the alternately flashing red lights and activate the stop signal arm.
6. Make sure that all traffic is stopped before opening the door fully.
7. Students who must cross the road should cross at least ten feet in front of the bus, after being signaled by the driver that it is safe to do so.
8. A long, steady blast of the horn can be used as a warning to students that it is NOT safe to cross.

9. Count all students as they enter the bus.
10. The driver must not retract the stop signal arm nor turn off the flashing red signals until the loading is completed and the students are safely seated.
11. Always recheck side and crossover mirrors and close the service door before moving the bus.

C. Unloading Procedure:

Follow these steps:

1. Check traffic in both directions.
2. Activate the pre-amber warning lights. (100 feet under 35 mph and 300 feet over 35 mph).
3. Slow gradually and stop in the roadway.
4. Check traffic from all directions to make sure it is able to stop.
5. Open the service door just a crack to turn on the alternately flashing red lights and activate stop arm.
6. Make sure that all oncoming traffic has stopped before opening the door fully.
7. Count the students as they leave the bus.
8. Students should walk away from the bus and not go toward the rear of the bus.
9. Students who must cross the road should move out at least 10 feet in front of the bus, outside of the danger zone, and wait for the driver to signal that it is safe to cross. Check traffic carefully before giving the signal to cross.
10. A long steady blast of the horn can be used as a warning to students that it is NOT safe to cross.
11. Always check your mirrors and recount your students before moving the bus.
12. Never load or unload pupils where the view is obstructed to other motorists for 500 feet in either direction.
13. Buses shall load and unload in the right lane of the roadway and only at pupil stops designated by the School Board on approved bus routes.
14. Loading or unloading in a designated turn lane or in a lane immediately adjacent to a designated right turn lane is prohibited unless the turn lane is a designated school bus stop at which pupils are not required to cross the road. Under these circumstances, the bus must stop at the extreme right-hand side of the turn lane and the eight-light system and stop arm should not be used. Loading and unloading pupils within an intersection is prohibited.
15. The driver shall be responsible for safely delivering the pupils, who must cross the street or highway, to the left side of the road by one of the following methods:
    a. The pupil shall pass around in front of the vehicle and cross the road only upon receiving word from the driver.
    b. The pupil shall pass around in front of the bus and be conducted across the road by the school bus patrol or the bus monitor; or the driver shall personally conduct the pupils across the road.

If the driver escorts the pupil, the motor must be stopped, ignition key removed, brakes set and vehicle otherwise rendered immobile.

D. For Type III Buses**:** (MN. Rule 7470.1500)

The driver of a Type III school bus shall not:

1. operate the vehicle as a Type A, B, C, or D school bus;
2. stop traffic;
3. load or unload in a vehicular traffic lane or on the shoulder, but is restricted to curb, non-traffic side (normal parking lane), off-street loading areas, driveways, yard service and other areas to avoid hazardous conditions;
4. load or unload in the right-hand lane of the roadway, designated turn lane, or lane immediately adjacent to a designated turn lane;
5. load or unload so that a pupil has to cross the road, except where not possible or impractical, then the driver or aide shall personally escort the pupil across the road;
6. escort a pupil across the road under item 5 unless the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; or
7. load or unload before making a complete stop and disengaging gears by shifting into neutral or park.

E. Use of Strobe Lights - MN. Stat.169.442 Subd. 5

The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals. This will alert motorists to the presence of the school bus. A strobe lamp may not be lighted unless the school bus is actually being used as a school bus (on a school bus route).

F. Stop Arm Violations - MN. Stat. 169.444

Minnesota state law requires all motorists to stop for flashing red lights and extended stop arm on school buses. The prescribed penalties for violating this law are quite severe. Therefore, it is very important that the school bus driver use the eight-light system when required to do so and ascertain that the system is activated in accordance with the law. This assures that the motorists view consistent, uniform use of the system and can therefore respond and comply without guessing as to what is going to happen, and allows prosecution of violations because the requirements of the law are met.

The school bus driver must remember that the safety of the student is first. Gathering information for prosecution is secondary. The driver must ascertain that all traffic that may pose a hazard is stopped before opening the door or crossing the students. During the crossing/loading/unloading procedure, the driver must be alert for the motorist that fails to observe the stopped bus in order to alert the students. Then, if time permits, observe the basic vehicle, color and license number. This much will allow prosecution of the owner. Further information as to the driver's sex, age, color, clothing will assist in prosecution of the actual driver.

A full report on each observed incident should be prepared and forwarded for prosecution according to the company or district policy. There is a presumption by law that the system was working properly if there is testimony that the system was inspected within the past 12 hours prior to the infraction. A pre-trip inspection sheet may be offered for evidence.

5.15 REPORTS (MN. Stat. 169.09)

A. All crashes involving personal injury or death must be reported to the police.

B. All crashes involving personal injury or death, and/or property damage of $1000 or more must be reported within 10 days to the Commissioner of Public Safety under 169.09 Subd. 7.

C. Drivers shall make reports as required by state law and district policies.

5.16 SCHOOL BUS CRASHES (MN. Rules 7470.1000)

In case of a crash or breakdown of the bus, the driver shall not leave the bus. The driver should use required communications systems in the school bus to make notification.

Immediate reports of all crashes, however slight, involving the school bus must be made by the driver to the authorized person and to any other authorities as required by law, rule, or regulation. The driver shall prepare and keep all record and reports required by the authorized person.

5.17 BACKING PROCEDURES (MN. Rule 7470.1000)

Buses must not be run backwards on the school grounds or at any other point if it can be avoided. If necessary to run a bus backwards, the driver should have adequate visibility to determine if any moving vehicles are within 500 feet in either direction, when on roadways. When there is a pupil pick-up or unloading at a backing point, the driver shall always load before backing and unload after backing. No pupils may be outside the bus when it is backing.

5.18 FOLLOWING DISTANCE (MN. Rule 7470.1100)

School buses shall maintain at least a 50-foot interval when following another bus entering or leaving the school ground, and at least 500 feet when traveling on the highway, in accordance with Minnesota Statute, section 169.18, Subd. 8, paragraph (b).

5.19 DAILY PRE-TRIP SAFETY INSPECTION (MN. Rule 7470.1300)

No school bus shall be driven unless the driver or other designated person has inspected the vehicle to ensure that, at a minimum, the following parts and accessories are in good working order: service brakes, including trailer brake connections; parking (hand) brakes; steering mechanism; lighting devices and reflectors; tires; fluid levels; horn; windshield wiper or wipers; rear-vision and crossover mirrors, including their proper adjustment; eight-light system; and stop arm.

A copy of the current daily pre-trip inspection report must be carried in the bus. Local pre-trip inspection policies may vary widely. Every driver should be familiar with the policy of their employer. See Appendix B

5.20 MINIMUM STANDARDS FOR MINNESOTA SCHOOL BUSES

Standards pertinent to Minnesota are above and beyond the National Minimums and are found in MN. Stats. 169.4501. 169.4502, 169.4503, 169.4504, 169.454.

The construction, design, equipment, and color of Types A, B, C, and D school buses used for the transportation of school children shall meet the requirements of the "bus chassis standards" and "bus body standards" in the current revised edition of the "National School

Transportation Specifications and Procedures " adopted by the National Conference on School Transportation and published by the National Safety Council. The construction, design, and equipment of Types A, B, C, and D school buses used for the transportation of students with disabilities also shall meet the requirements of the "specially equipped school bus standards" in the “National School Transportation Specifications and Procedure.” The "bus chassis standards," "bus body standards," and "specially equipped school bus standards" sections of the "National School Transportation Specifications and Procedures" are incorporated by reference in this chapter.

5.21 CELL PHONE USAGE (MN Statute 169.443 Sub 9)

A school bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether handheld or hands free, when the vehicle is in motion.

5.22 TEXTING (MN Statute 169.475)

A school bus driver may not operate a school bus while using a wireless communications device to compose, read, or send an electronic message, when the vehicle is in motion or a part of traffic.

Standards for School Buses are available to each school district. Information can be obtained from:

Minnesota State Patrol
Office of Pupil Transportation Safety
1110 Centre Pointe Curve, Suite 410
Mendota Heights, MN. 55120
(651) 405-6047
Website: https://dps.mn.gov/divisions/msp/commercial-vehicles/Pages/school-bus-safety.aspx

SUMMARY

The above material includes State of Minnesota rules, regulations and recommendations that will assist the driver in providing safe and efficient transportation of our students. This does not imply that all regulations are included. Local policy and regulations are also an important part of the driver instruction and should be incorporated into this training.