

**ACTIVITY TRIP SMALL VEHICLE/MULTIFUNCTION BUS OPERATOR
RULES FOR THE OPERATION OF SCHOOL TRANSPORTATION VEHICLES**

1 CCR 301-26

July 1, 2009

4204-R-200.00 Statement of Basis and Purpose

- 200.01 Colorado law provides for the State Board of Education to adopt and enforce regulations governing the safe operation of school buses used for the transportation of students pursuant to 42-4-1904 and 22-51-108, C.R.S.
- 200.02 The purpose of these amendments is to reflect recommendations from the National School Transportation Specifications and Procedures, Colorado State Patrol's Motor Carrier Safety Regulations, and other input from the School Transportation Unit and school districts/service provider transportation professionals.
- 200.03 Pursuant to 22-32-113, C.R.S., the board of education of a school district is authorized but is not required to furnish student transportation home to school, school to school, school to home, and on school sponsored activities. Public school districts may be subject to federal and state requirements relating to transportation for eligible students with disabilities and students meeting the definition of homeless.
- 200.04 These rules shall become effective July 1, 2009, for all student transportation.

4204-R-201.00 Applicability of Rules

- 201.01 These rules and regulations apply to all school transportation vehicle operators (school bus, multifunction bus, and small vehicle) transporting students to and from public school, school to school, or to school related events in vehicles, owned, leased, or rented by the district or under agreement with the district. Refer to The Colorado School Transportation Glossary and Colorado Minimum Standards Governing School Transportation Vehicles, 301-25, for definitions of the different types of school transportation vehicles.
- 201.01 (a) An agreement is payment to a service provider furnishing a scheduled service to students at least once per week.
- 201.02 These rules are not intended to include:
- 201.02 (a) Private motor vehicles used exclusively to carry members of the owner's household; or
- 201.02 (b) Transportation arrangements not authorized by the district including but not limited to; sharing of actual gasoline expense or participation in a car pool; or
- 201.02 (c) The operation of vehicles in emergency situations consistent with policies of the local board of education; or
- 201.02 (d) Student transportation under public transportation programs complying with 49 CFR 390 to 397. [22-51-104(1) (c)]

4204-R-202.00 School Transportation Vehicle Operator Classifications

202.01 Route operator: Route operators regularly transport students home to school, school to school and school to home. (Does not pertain to Activity Trip Small Vehicle operator)

202.02 Activity trip operator: Activity trip operators transport students to and from events sanctioned by the school district other than route operation as defined in 202.01.

202.02 (a) Small vehicle and multifunction bus (14 or less passenger capacity) activity trip operators shall meet or exceed the following requirements before transporting students:

- (1) Possess a valid operator's license.
- (2) Be a minimum of 21 years of age.
- (3) Annual motor vehicle record check (refer to 207.02).
- (4) Pre-service operator training for type of vehicle (refer to 207.04).
- (5) Annual CDE small vehicle written test [refer to 207.06(b)].
- (6) Shall meet qualification standards and insurance coverage as adopted by the local board of education/service provider.
- (7) Medical history shall be provided annually on a CDE approved form. Any yes annotations shall require a doctors qualification.
- (8) A driving performance test shall be part of initial certification.
- (9) Documentation of activity trip operator qualifications shall be maintained by the district/service provider.
- (10) Training topics, date, and duration shall be documented.

202.02 (b) Activity trip operators of greater than 15 passenger capacity vehicles shall meet or exceed the requirements for route operator (202.01).

4204-R-203.00 Commercial Driver's License (CDL) Endorsement

(Does not pertain to Activity Trip Small Vehicle operator)

4204-R-204.00 Para-Professionals

(Does not pertain to Activity Trip Small Vehicle operator)

4204-R-205.00 Physical Standards

205.01 (Does not pertain to Activity Trip Small Vehicle operator)

205.02 (Does not pertain to Activity Trip Small Vehicle operator)

205.03 (Does not pertain to Activity Trip Small Vehicle operator)

205.04 (Does not pertain to Activity Trip Small Vehicle operator)

- 205.05 School transportation vehicle operators, para-professionals, and bus assistants are required to be able to perform all essential functions including emergency evacuations when transporting students as determined by district/service provider job description or physical performance test.
- 205.06 School transportation vehicle operators, who have medical conditions which result in temporary loss of performance abilities as addressed in 205.05, shall provide satisfactory medical proof of restoration of health to the employing school district/service provider.
- 205.07 The employing school district/service provider has the authority to require at any time a medical evaluation of school transportation vehicle operators for any condition that could impair the operator's ability to operate the vehicle safely, and may take appropriate action on the outcome of such evaluation.
- 205.08 School transportation vehicle operators requiring vision correction by eyeglasses or contact lenses, shall be required to wear them at all times while operating the school transportation vehicle.
- 205.09 School transportation vehicle operators requiring hearing correction by a corrective device, shall be required to wear the properly functioning device at all times while operating the school transportation vehicle.

4204-R-206.00 Character Requirements

- 206.01 The school transportation vehicle operator character requirements shall be specified by the school district/service provider.

4204-R-207.00 Operator Requirements

(The following requirements are referenced in section 202.00.)

- 207.01 (Does not pertain to Activity Trip Small Vehicle operator)
- 207.02 Prior to operating a school transportation vehicle, and annually thereafter, a copy of the motor vehicle record shall be approved, meeting the requirements of the local board of education/service provider/insurance carrier and placed in the driver qualification file.
- 207.03 (Does not pertain to Activity Trip Small Vehicle operator)
- 207.04 The activity trip/small vehicle operator shall be provided with a pre-service training program including training for:
- Type of vehicle
 - First aid information
 - Adverse weather information
 - Mountain driving information
 - Driving performance test
- 207.04 (a) This shall be documented with topics, date, and duration.
- 207.05 (Does not pertain to Activity Trip Small Vehicle operator)
- 207.06 The operator shall pass the following appropriate written tests.
- 207.06 (a) (Does not pertain to Activity Trip Small Vehicle operator)
- 207.06 (b) Current CDE small vehicle written test during the pre-service training and annually thereafter for small vehicle route or activity trip operator level.

207.06 (c) (Does not pertain to Activity Trip Small Vehicle operator)

207.06 (d) (Does not pertain to Activity Trip Small Vehicle operator)

207.07 (Does not pertain to Activity Trip Small Vehicle operator)

207.08 All training required by section 207.00 shall be documented by the district/service provider.

4204-R-208.00 Student Medical Information

208.01 Medical and behavioral information as it relates to student transportation must be on file with the transportation department prior to the first day of service. This shall include medical and behavioral plans. [IDEA sec. 300.342(b)(2) and (3)]

4204-R-209.00 Railroad Crossings

209.01 The following rules shall apply to all school/multifunction buses, whether transporting students or not, during the process of approaching, stopping, and crossing of railroad tracks.

209.01 (a) The four-way hazard lamps shall be activated not less than 200 feet from the railroad crossing to alert other motorists of the pending stop for the crossing.

209.01 (b) When stopped, the bus shall be as far to the right of the roadway as possible, and shall not form two lanes of traffic unless the highway is marked for four or more lanes of traffic.

209.01 (c) The bus shall be stopped within 50 feet but not less than 15 feet from the nearest rail.

209.01 (d) A prearranged signal shall be used to alert students to be quiet aboard the bus when approaching and stopped at railroad tracks. Turn off all noise making equipment (fans, heaters, radio, etc).

209.01 (e) After quietness aboard the stopped bus has been achieved, open the service door and operator window, listen and look in both directions along the track(s) for any approaching train(s) and for signals indicating the approach of a train.

209.01 (f) If the tracks are clear, the service door shall be closed prior to placing the bus in motion, the bus may then proceed in a gear low enough to permit crossing the tracks without having to shift gears. Hazard lamps shall be turned off after the bus has cleared the tracks.

209.01 (g) When two or more tracks are to be crossed, do not stop a second time unless the bus is completely clear of the first crossing and has at least fifteen (15) feet clearance in front and at least fifteen (15) feet clearance to the rear.

209.01 (h) Before crossing the tracks, ensure there is adequate clearance on the other side of the tracks and train right-of-way for the entire length of the bus plus 15 feet in case the bus must stop.

209.02 Buses are not required to stop at crossings controlled by an "exempt crossing" sign or at crossings controlled by a red, amber, green traffic control signal when it is in the green position, or when crossing is controlled by police officer or human flag person.

4204-R-210.00 Accident/Breakdown Procedures

- 210.01 The following procedures shall be observed in the case of an accident involving a school transportation vehicle.
- 210.01 (a) Stop the vehicle immediately.
 - 210.01 (b) Remain at the scene of the accident. If the accident occurred on the traveled portion, median or ramp of a divided highway and each vehicle can be safely moved, move the vehicles to a nearby safe location. [42-4-1602(2), C.R.S.]
 - 210.01 (c) Make certain all students are in a safe place. If it is determined that it is unsafe to keep students inside the school transportation vehicle, evacuate the students to a safe place, away from traffic.
 - 210.01 (d) Render any person injured in the accident reasonable assistance.
 - 210.01 (e) When a school transportation vehicle is involved in a traffic accident, three emergency reflectors shall be set to warn traffic to the distances as specified in 42-4-230, C.R.S.
 - 210.01 (f) Notify the proper law enforcement authority and school administrator/service provider immediately. Request emergency medical assistance as necessary. On accident alert days, follow the reporting procedures prescribed by the local law enforcement agency.
 - 210.01 (g) Information such as names, license numbers, registration numbers, location, time, and road and weather conditions should be obtained and accurately written down.
 - 210.01 (h) Provisions shall be made for transporting students to their homes or school.
 - 210.01 (i) If the accident results in injury requiring treatment away from the scene; death; or the total property damage for the accident equals or exceeds \$2,500, the STU-5 form shall be completed and sent to the CDE within 20 business days.
- 210.02 When a school transportation vehicle operator approaches the scene of an accident in which the school transportation vehicle is not involved, the operator should determine the necessity of being of assistance, provide reasonable assistance, and thereafter immediately continue on the routine schedule.
- 210.03 The following procedures shall be observed, in the case of a school transportation vehicle breakdown:
- 210.03 (a) Make certain all students are in a safe place. If it is determined that it is unsafe to keep students inside the school transportation vehicle, then evacuate the students to a safe place, away from traffic.
 - 210.03 (b) When a school transportation vehicle is broken down, three emergency reflectors shall be set to warn traffic to the distances as specified in 42-4-230, C.R.S.
 - 210.03 (c) Notify the school district administrator/service provider (give location, type of breakdown, etc.).
 - 210.03 (d) Provisions shall be made for transporting students to their homes or school.

4204-R-211.00 Speed Limits

211.01 The maximum school transportation vehicle speed limit shall be as posted and in compliance with the laws and ordinances of the jurisdiction in which the school transportation vehicle is being operated; however, speed should be governed by reasonable judgment and existing operating conditions.

4204-R-212.00 Convoy Distance

212.01 A school transportation vehicle shall not follow another convoy vehicle within 300 feet when traveling outside the corporate limit of a town or city. This is not intended to prevent a school transportation vehicle from passing another motor vehicle.

4204-R-213.00 Substitute Assignment

213.01 A school transportation vehicle operator shall not have the authority to assign a substitute operator without the prior approval of the district/service provider.

4204-R-214.00 Pre-trip Vehicle Inspection

214.01 Each school transportation vehicle shall have a daily pre-trip inspection performed and documented by the school transportation vehicle operator, or a district/service provider authorized transportation employee, prior to the vehicle being placed in service. The pre-trip inspection requirements shall include as a minimum: lights (inside and outside), mirrors, emergency equipment, wheels, tires, wipers, horn, exhaust system, student seating secured and in safe condition, and brake system checks:

- Hydraulic - pump and hold check
- Park brake and service brake on both air and hydraulic systems

Additional inspection items may be determined by the district/service provider.

4204-R-215.00 Repairs and Maintenance

215.01 The district/service provider shall have a system to document defects reported and necessary repairs completed.

215.02 All repairs and regular maintenance shall be documented utilizing a district/service provider designed system within a separate file for each vehicle.

4204-R-216.00 Emergency Evacuation Drills

216.01 (Does not pertain to Activity Trip Small Vehicle operator)

216.02 Students on activity trips shall receive emergency evacuation instruction prior to departure.

216.03 Records shall be maintained documenting that the required evacuation drills were conducted or evacuation instruction was given.

4204-R-217.00 Strobe Lamps

217.01 217.01 When a school transportation vehicle is equipped with a roof mounted strobe lamp, the use of the strobe lamp is permitted only when the vehicle presents a hazard to other motorists such as loading or unloading students in inclement weather or to enhance visibility of the vehicle when barriers inhibit such visibility.

217.02 A school transportation vehicle operator may use the strobe, in addition to the hazard lamps, to warn other motorists that the vehicle is not in motion or is being operated at a speed of twenty-five miles per hour or less.

4204-R-218.00 Use of Tobacco Products, Controlled Substances, or Alcohol

218.01 Use of tobacco products, controlled substances, or alcohol aboard any school transportation vehicle shall be prohibited at all times.

4204-R-219.00 Food or Drink

219.01 The school transportation vehicle operator shall not consume food or drink unless the vehicle is stopped at a safe location with the park/emergency brake set.

4204-R-220.00 Backing

220.01 The school transportation vehicle operator shall use extreme caution when backing. Before backing on roadway or school grounds, the horn or audible warning device shall be sounded and hazard lamps actuated.

4204-R-221.00 Towing

221.01 School transportation vehicles shall not be operated with a trailer or other vehicle attached while students are being transported.

221.01 (a) Exemption: district Vo-Ag program small vehicles meeting the current CDE towing criteria may tow trailers to the extent that trailering is a necessary component of their Vo-Ag program.

4204-R-222.00 Authorized Passengers

222.01 No one except school personnel and students regularly assigned to a school transportation vehicle for a particular route and schedule may ride in such vehicle, unless he or she has received prior authorization from the appropriate district/service provider administrator or designee.

4204-R-223.00 Transportation of Unsafe Items

223.01 School transportation vehicles shall not transport any items, materials, or equipment which in any way would endanger the lives, health, or safety of the students and school transportation vehicle operator. In addition, any item or items, which could break or produce injury if tossed about inside of the school transportation vehicle shall be properly stored or secured to reduce the danger to a minimum. In addition, the school transportation vehicle operator shall make a reasonable and prudent determination that all carry on items are properly handled in order to minimize the danger to all others.

223.02 All aisles and exits shall be clear of luggage and/or equipment when transporting students.

4204-R-224.00 Route Planning

224.01 (Does not pertain to Activity Trip Small Vehicle operator)

4204-R-225.00 Standees

225.01 Students shall not be permitted to stand in any school transportation vehicle while the vehicle is in motion. This does not preclude authorized persons (such as paraprofessionals) from completing their duties as required.

4204-R-226.00 Vehicle Capacity

226.01 The number of passengers transported on any school transportation vehicle shall not exceed the vehicle passenger seating capacity. Small vehicle capacity shall not exceed the number of safety belts as designed by the vehicle manufacturer.

4204-R-227.00 Safety Belts

227.01 A school transportation vehicle operator shall have the safety belt fastened, worn correctly, and properly adjusted whenever the school transportation vehicle is in motion.

227.02 Students in a small vehicle shall have their safety belts fastened, worn correctly, and properly adjusted prior to the small vehicle being put in motion.

4204-R-228.00 Fueling

228.01 School transportation vehicles shall not be fueled while students are on board, except in instances when unloading the students would present a greater hazard or peril to their safety.

4204-R-229.00 Hours of Service for School Transportation Vehicle Operators

229.01 The school transportation vehicle operator, including small vehicle operators, shall not drive nor shall the school district/service provider permit or require an operator to drive:

229.01 (a) In excess of 10 hours or after being on-duty 14 hours until completing 10 hours off duty. This would include on-duty time for all employers. Ten hours off duty may be consecutive or accumulated in two or more periods of off duty time with one period having a minimum of 6 consecutive hours off duty.

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

229.02 A school district/service provider may comply with part 395 of the Federal Motor Carrier Safety Regulations (FMCSR) in place of this section.

229.03 Definitions:

229.03 (a) Adverse driving conditions - In case of emergency, an operator may complete the trip without being in violation if such trip reasonably could have been completed absent the emergency.

229.03 (b) Day - Means any 24-consecutive hour period beginning at the time designated by the school district/service provider.

229.03 (c) On-duty time - Includes all time worked for any and all employers, including all driving and non-driving duties.

229.03 (d) Off-duty time - School transportation vehicle operators may consider waiting time at special events, meal stops, or activity trips as off-duty if the following criteria is met: (compensated waiting time does not necessitate on-duty time)

- (1) The operator shall be relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and students, and
- (2) The operator shall be at liberty to pursue activities of his/her choice including leaving the premises on which the bus is located.

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

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

229.05 The school transportation vehicle operator shall not transport students, nor shall the school district/service provider require the operator to transport students, while the operator's ability or alertness is so impaired, through fatigue, illness or any other cause, as to make it unsafe for the operator to transport students.

4204-R-230.00 School Buses Operated on Mountainous Terrain

230.01 (Does not pertain to Activity Trip Small Vehicle operator)

4204-R-231.00 Substance Abuse Testing

231.01 (Does not pertain to Activity Trip Small Vehicle operator)

4204-R-232.00 Cell Phones/Two-Way Radios

232.01 School districts/service providers shall have a procedure to govern the use of cell phones and two-way radios by school transportation vehicle operators. This procedure shall include limiting the use of these devices while the vehicle is in motion and restricting the use of personal cell phones.

4204-R-233.00 Service Door

233.01 (Does not pertain to Activity Trip Small Vehicle operator)

4204-R-234.00 Headlight Operation

234.01 The school transportation vehicle's headlights or daytime running headlights shall be activated while the vehicle is in motion.

4204-R-235.00 School District Rules

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