

Executive Numbered Memo 67-2002-03

Type 10 Vehicles

Note: this memo has been updated to reflect current contact information for department staff.

TO: Superintendents, Business Managers, Athletic Directors and Transportation Supervisors
FROM: Nancy Heiligman, Deputy Superintendent of Public Instruction
DATE: October 11, 2002
RE: Type 10 Vehicles

The National Highway Traffic Safety Administration (NHTSA) has expressed concern about the use of large vans for transporting students from home to school or to school related activities. At the Oregon Department of Education, we receive many questions regarding the use of vans. On the Department of Education Pupil Transportation web page (<http://www.ode.state.or.us/pupiltrans/>) is a copy of "Questions and Answers" from NHTSA which speaks to many of the issues often raised. You will also find a copy of a letter, from NHTSA, addressed to the Department of Education regarding van usage.

Students may be transported in two types of vehicles: (1) a school bus, which meets Federal Motor Vehicle Safety Standards (FMVSS); and (2) a vehicle with a seating capacity of 10 or less including the driver. Passenger vans designed by the manufacturer to seat more than 10 (such as a 12 or 15 passenger van) would not meet either one of these conditions. Compliance cannot be achieved by simply removing seats or seat belts. The key point is, the capacity the vehicle was designed or manufactured to carry!

Federal law prohibits dealers from selling or leasing new vehicles that are not certified as meeting all applicable Federal Motor Vehicle Safety standards.

Please review this information and assure that any student transportation takes place in a school bus or vehicles manufactured to transport fewer than 10 students.

For further information or questions please feel free to contact [Brock Dittus](#) at 503-947-5724.