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581-053-0003

Definitions

The following terms used in OAR chapter 581, division 53 shall be defined as follows:

- (1) "Accident" means an occurrence that results in any of the following:
 - (a) An injury requiring medical or dental treatment.
 - (b) Combined vehicle and property damage in excess of \$500. This includes:
 - (A) Damage to the school bus or school activity vehicle; and
 - (B) Damage to property other than the school bus or school activity vehicle, including damage to another school bus or school activity vehicle, or transportation entity property.
- (2) "Activity trip" means transportation between a school or location to another school or location, but not home-to-school.
- (3) "Actual knowledge" means direct and clear awareness of a circumstance or fact, resulting from either observation or investigation.
- (4) "Approved" means a motor carrier approved by ODE for transportation of school children for activity trips.
- (5) "Authorized official" means a person designated by the local employer.
- (6) "CDL" means a commercial driver license as defined in ORS 801.207.
- (7) "CFR" means code of federal regulations.
- (8) "CLP" means a commercial learners permit issued by this state or another jurisdiction to allow an individual to be trained on the operation of a commercial motor vehicle, including a school bus.
- (9) "Carrier or Motor carrier" means for-hire carrier or private carrier subject to ORS Chapter 825.
- (10) "Certificate of Carrier Approval" means a certificate from ODE authorizing a motor carrier to transport students for Oregon schools.
- (11) "Chaperone" means a person authorized by the school district.

(12) "Chargeable Accident" is an accident in which the driver is answerable as the primary cause of, or the result of, the accident.

(13) "Classroom instructor" means a person who holds one or more of the following certificates issued by ODE:

(a) Core Instructor Certificate;

(b) Core Refresher Instructor Certificate; or

(c) Transporting Students with Special Needs Instructor Certificate.

(14) "Contractor" means any company, organization or person that provides transportation services to a transportation entity and is not subject to ORS Chapter 825 while providing that service.

(15) "DMV" means the Oregon Department of Transportation, Driver and Motor Vehicle Services Division.

(16) "Diabetic person" means a person who takes insulin.

(17) "Driving instructor" means a person who holds one of the following certificates issued by ODE:

(a) Behind-the-Wheel Trainer Certificate;

(b) Behind-the-Wheel Probationary Trainer Certificate;

(c) Advanced Reference Point Trainer Certificate; or

(d) Assistant Trainer Certificate.

(18) "Electric vehicle" means a vehicle that derives all or part of its power from electricity supplied by the electric grid. Electric Vehicles are powered by one or more electric motors. They receive electricity by plugging into the grid and store it in batteries. They consume no petroleum-based fuel, produce no tailpipe emissions and do not have an internal combustion engine. They include battery electric vehicles and fuel cell electric vehicles. Electric vehicle does not include plug-in hybrid electric vehicles that use batteries to power an electric motor, plug into the electric grid to charge, and use a petroleum-based or alternative fuel to power the internal combustion engine.

~~(1819)~~ "FMCSA" means the Federal Motor Carrier Safety Administration.

~~(1920)~~ "Invalid" means a certificate or permit that has expired, has been made inactive, or is otherwise immediately disqualified by rule.

~~(2021)~~ "Medical certificate" is defined in OAR 735-063-0060.

~~(2122)~~ "Home to School" means transportation between the student's residence, babysitter, daycare or designated pick up or drop off spot and their educational facility.

~~(2223)~~ "Motor coach" means an over-the-road bus, having a gross vehicle weight rating (GVWR) of 26,000 lbs or more but does not include the following:

(a) Buses used in public transportation provided by a State or local government; and

(b) Vehicles owned or operated by a mass transport district created under ORS Chapter 267.

~~(2324)~~ "OAR" means Oregon Administrative Rule(s).

~~(2425)~~ "ODE" means the Oregon Department of Education.

~~(2526)~~ "ORS" means Oregon Revised Statute(s).

~~(2627)~~ "Provider of Motor coach services" means a motor carrier providing passenger transportation service with a motor coach for compensation, including per-trip compensation or chartered compensation.

~~(2728)~~ "Refused" means that ODE has determined that an applicant is unqualified for the certificate or permit being applied for.

~~(2829)~~ "Rejected" means that an application for certificate or permit is incomplete and no determination of qualification will be made.

~~(2930)~~ "Revoke" means the termination of one or more certificates or permits. Revoked certificates are not reinstated at the end of the revocation period. Individuals who have had a certificate revoked shall reenter the program in the same way as an individual entering the program for the first time.

~~(3031)~~ "School board" means the governing board or governing body of the transportation entity.

~~(3132)~~ "School activity vehicle" is defined in ORS 801.455 and includes all such vehicles that are owned, leased, or rented by a transportation entity.

~~(3233)~~ School Activity Vehicle Types:

(a) "Type 10 vehicle" means a vehicle that has a capacity of not more than ten persons, a gross vehicle weight rating of not more than 10,000 pounds and are used to transport students to and from school or authorized school activities.

(b) "Type 20 vehicle" means a vehicle that has a capacity of not more than 20 passengers, a gross vehicle weight rating of not more than 14,500 pounds, and are used to transport students to and from authorized school activities.

(c) "Type 21 vehicle" means a vehicle that has a capacity of more than 20 passengers or a gross vehicle weight rating of more than 14,500 pounds, and is used to transport students to and from authorized school activities.

(d) "School pupil activity bus (SPAB)" means a motor coach with a gross vehicle weight rating of more than 26,000 pounds and operated by a motor carrier, used under a contractual agreement between a transportation entity and a carrier to transport school pupils on activity trips.

(~~3334~~) "School bus" is defined in ORS 801.460 and includes all such vehicles that are owned, leased, or rented by a transportation entity.

(~~3435~~) School Bus Types:

(a) "Type A-1" means a school bus with a gross weight rating of 14,500 pounds or less.

(b) "Type A-2" means a school bus with a gross weight rating between 14,500 and 19,500 pounds, and a passenger capacity not to exceed 36.

(c) "Type B" means a school bus with a gross weight rating between 10,000 pounds and 19,500 pounds. Most of the engine is beneath and/or behind the windshield and beside the driver's seat. The entrance door is behind the front wheels.

(d) "Type C" means a school bus with all or part of the engine in front of the windshield and the entrance door behind the front wheels.

(e) "Type D" means a school bus with the engine mounted in the front behind the windshield, midship, or rear. The entrance door is ahead of the front wheels.

(~~3536~~) "Skills test" means the test given to a school bus or school activity vehicle driver prior to certification or approval to drive that type of vehicle. The skills test is composed of the following tests:

(a) Vehicle Inspection Test

(b) Basic Control Skills Test (only applicable to a school bus or type 21 test)

(c) On-Road Driving Test

~~(3637)~~ "Submit" means that a document has been received by ODE

~~(3738)~~ "Supervisor":

(a) Prior to July 1, 2015 means a person authorized by the transportation entity or contractor.

(b) On or after July 1, 2015 means a person designated by the transportation entity or contractor who holds ODE Supervisor Certification.

~~(3839)~~ "Suspend" means the temporary withdrawal of one or more certificates or permits for a period not to exceed one year. Suspended certificates are reinstated at the end of the suspension period provided that all other certificate requirements are met.

~~(3940)~~ "Trained in first aid" means a person who possesses a valid first aid card verifying completion of a hands-on first aid class that meets the requirements of the American Red Cross first aid program or an equivalent course that is consistent with the Best Practices Guide: Fundamentals of a Workplace First-Aid Program (OSHA 3317-2006) published by the Occupational Safety Health Administration, U.S. Department of Labor. The training program shall include instructor observation of acquired skills and shall include, but not be limited to, the following training:

(a) Curriculum based on a consensus of scientific evidence;

(b) Treating airway obstruction in a conscious victim;

(c) Recognizing the signs and symptoms of shock and providing first aid for shock due to illness or injury;

(d) Controlling bleeding with direct pressure;

(e) Poisoning;

(f) Wounds;

(g) Burns;

(h) Temperature Extremes;

(i) Musculoskeletal Injuries;

(j) Eye Injuries;

(k) Mouth and Teeth Injuries; and

(l) Bites and Stings.

~~(4041)~~ “Transportation entity” means any school district, individual school, educational service district or head start agency to which the rules of this division apply.

~~(4142)~~ “Transportation service” means home to school or school to home transportation provided to a qualifying student, regardless of how that transportation is provided.

~~(4243)~~ “Valid” means an unexpired, active certificate or permit with no automatic disqualifiers listed in the rule for that certificate or permit.

Statutory/Other Authority: ORS 327.013 & 820.100 - 820.120

Statutes/Other Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

581-053-0650

Minimum Standards for All-Electric School Buses

An electric vehicle school buses shall meet all minimum standards for the applicable type of school bus as listed in OAR 581-053-0240 and all retrofit standards as listed in 581-053-0250 with the following modifications:

(1) Electric vehicle school busses must meet FMVSS 305, Electric-Powered Vehicles: Electrolyte spillage and electrical shock protection;

(2) Electric vehicle school busses must meet the requirements of FMVSS 105 or 121;

(3) Electric vehicle school busses must meet minimum sound requirements when tested to FMVSS 141;

(4) Electric vehicle school busses are exempt from the following standards:

(a) Air Cleaner;

(b) Generator/alternator

(c) Exhaust system

(d) Fuel system

(e) Governor

(f) Gauges for Fuel, oil pressure, water temperature, and tachometer;

(g) Oil filter;

(h) Throttle; and

(i) Transmission.

(5) Electrical System shall not be required to have a cold cranking capacity, nor conform to a uniform voltage with the chassis for non-propulsive electrical components. Non-propulsive electrical systems shall be isolated from propulsive electrical systems.

(6) Chassis wiring shall conform to manufacturer's color coding standards.

(7) An equivalent display for electric propulsion power shall be required in place of a fuel gauge.

(8) Heaters need not be hot water type, but shall have the same output as a hot water type heater.

(9) Electric vehicle school busses must be equipped with an interlock device to prevent vehicle motion when connected to charging infrastructure.

(10) All paint, lettering, trim, and any other markings must conform to existing minimum standards in place at the time of construction. Accepted colors shall be national school bus yellow or black for all markings. Lettering specifying electric drive may be used in place of fuel type decals, and shall meet the same requirements as fuel type decals.