

2018

# OREGON PUPIL TRANSPORTATION MANUAL



Revised Regulations and Responsibilities



OREGON  
DEPARTMENT OF  
EDUCATION

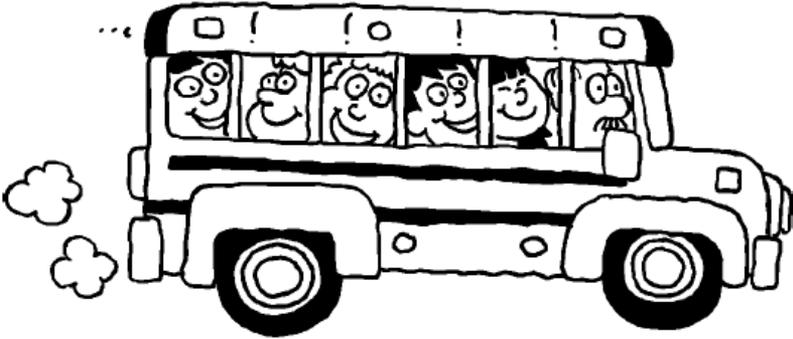
Oregon Department of Education

Salem, Oregon 97310

[www.ode.state.or.us](http://www.ode.state.or.us)



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255 Capitol Street NE • Salem, Oregon 97310

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## FOREWORD

Every day of the school year some 266,000 students are transported to and from school in 7,800 school buses. The drivers of these buses need to be capable of giving top-notch performance while on duty. Every minute a school bus is in operation, the safety and welfare of every student, the driver, the bus itself, and even the regulation of traffic, depends on the driver's skill, knowledge, judgment, and decisions.

The primary responsibility for pupil transportation rests with the local schools. However, the Oregon Department of Education is required by law to adopt and enforce standards of construction for safe and economical operation.

This manual has been prepared to provide school bus drivers and school officials with pertinent material relating to safe and efficient school transportation. It is **not** intended to take the place of the motor vehicle laws, school laws, or first aid manual. Rather, it is a reference source for answering the day-to-day questions that arise in connection with the school bus driver's job. Every driver should be thoroughly acquainted with the contents of this publication.

Oregon motor vehicle laws are passed by the Oregon legislature and are identified by an ORS (Oregon Revised Statute) number. Pupil transportation regulations are adopted by the State Board of Education and are identified by an OAR (Oregon Administrative Rule) number. In this manual, laws and regulations are printed *this font*. Advisory material is printed in standard type.



Candace Pelt, Assistant Superintendent of Student Services  
and Director of Pupil Transportation



Brock Dittus, Operations & Policy Analyst  
Pupil Transportation and Fingerprinting

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# Chapter I

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# LAWS GOVERNING PUPIL TRANSPORTATION

## PUPIL TRANSPORTATION REQUIRED

### **ORS 327.043 When district required to provide transportation; waiver.**

- (1) A school district is required to provide transportation for elementary students who reside more than one mile from school and for secondary school students who reside more than 1.5 miles from school. A district is also required to provide transportation for any student identified in a supplemental plan approved by the State Board of Education.
- (2) Notwithstanding subsection (1) of this section, the State Board of Education may waive the requirement to provide transportation for secondary school students who reside more than 1.5 miles from school. A district must present to the board a plan providing or identifying suitable and sufficient alternate modes of transporting secondary school students.

In addition to pupil transportation rules (Division 53), other implementation information and regulations are included in **OAR 581-023-0040**.

## DEFINITION OF A SCHOOL BUS

### **ORS 801.460 "School bus"**

"School bus" means a motor vehicle that is described by any of the following:

- (1) A vehicle that is marked with or displays the words "school bus."
- (2) A vehicle that is used to transport students to or from school and may be used to transport students to or from authorized school activities or functions and that is not a vehicle described by any of the following:
  - (a) A vehicle subject to regulation under ORS chapter 825.
  - (b) A vehicle regulated by a city under ORS 221.420.
  - (c) A vehicle, commonly known as a private passenger car or private passenger van, that is used by the owner of the vehicle or a relative of the owner of the vehicle for personal transportation of students to or from school or school activities and is not used for compensation except for the sharing of expenses in a ridesharing arrangement or reimbursement of mileage.
  - (d) A vehicle that is exempted from regulation as a school bus under ORS 820.150.

## **SCHOOL BUS MARKINGS**

### **ORS 820.160 Illegal display of school bus markings; penalty.**

- (1) A person commits the offense of illegal display of school bus markings if the person displays the words "School Bus" on any vehicle unless the vehicle:
  - (a) Is used in transporting school children to or from school or an authorized school activity or function; and
  - (b) Complies with the applicable requirements under standards and rules established under ORS 820.100 to 820.120.
- (2) The offense described in this section, illegal display of school bus markings, is a Class B traffic violation.

### **ORS 820.170 Improper school bus markings; penalty.**

- (1) A person commits the offense of improper school bus markings if the person displays the words "School Bus" on a vehicle without such words being marked in the front and in the rear in letters eight inches high or higher and of proportionate width.
- (2) The offense described in this section, improper school bus markings, is a Class D traffic infraction.

The effect of these laws is to make it illegal to have the words "School Bus" on any vehicle which does not meet *all* of the requirements in ORS 820.100 to 820.120 including construction standards established by the Oregon Department of Education. These standards are filed as Oregon Administrative Rules 581-053-0240 and are published as *Minimum Standards for Oregon School Buses*.

## **UNSAFE SCHOOL VEHICLE OPERATION**

### **ORS 820.180 Unsafe school vehicle operation; penalty.**

- (1) A person commits the offense of unsafe school vehicle operation if:
  - (a) The person operates or owns and causes or permits to be operated a school bus or school activity vehicle in a manner that is in violation of any standards and rules applicable to the vehicle that are adopted under ORS 820.100 to 820.120;
  - (b) The person owns or leases and causes or permits to be operated for school purposes a school bus or school activity vehicle containing more passengers than the vehicle is designed to transport; or
  - (c) The person operates or owns and causes or permits to be operated a school bus manufactured before April 1, 1977.
- (2) A person is not in violation of subsection (1) (b) of this section if a bus or vehicle contains more passengers than it is designed to transport due to unforeseen or unusual circumstances.

(3) The offense described in this section, unsafe school vehicle operation, is a Class B traffic violation.

## **ACTIVITY VEHICLES**

### **ORS 801.455 "School activity vehicle."**

"School activity vehicle" means a vehicle, other than a school bus, that is used to transport students to or from authorized school activities and that is not described by any of the following:

- (1) A vehicle, subject to ORS 825.100 or a vehicle under regulation of the United States Department of Transportation.
- (2) A vehicle, commonly known as a private passenger car or private passenger van, that is used by the owner of the vehicle or a relative of the owner of the vehicle for personal transportation of students to or from school activities and is not used for compensation except for the sharing of expenses in a ridesharing arrangement or reimbursement of mileage.
- (3) A vehicle that is exempted from regulation as a school activity vehicle under ORS 820.150.

The effect of this law is to have all school activity vehicles meet certain requirements for construction, inspection and operation unless specifically exempted. Any school activity vehicle with a seating capacity of more than 20 persons (NOT including the driver) must be driven by a certified school bus driver subject to school bus driver regulations.

**Requirements:** Refer to "Type 10 Activity Vehicle Driver Manual," "Type 20 Activity Vehicle Driver Manual," and OAR 581-053-0310 to 581-053-0445

**Exemptions:** ORS 801.455(1)&(2).

## **STOPPING, STANDING, PARKING PROHIBITED**

### **ORS 811.550 Places where stopping, standing and parking prohibited.**

This section establishes places where stopping, standing and parking a vehicle are prohibited for purposes of the penalties under ORS 811.555. Except as provided under an exemption in ORS 811.560, a person is in violation of ORS 811.555 if a person parks, stops or leaves standing a vehicle in any of the following places:

- (1) Upon a roadway outside a business district or residence district, whether attended or unattended, when it is practicable to stop, park or leave the vehicle standing off the roadway. Exemptions under ORS 811.560 (1), (7) and (9) are applicable to this subsection.
- (2) On a shoulder, whether attended or unattended, unless a clear and unobstructed width of the roadway opposite the standing

vehicle is left for the passage of other vehicles and the standing vehicle is visible from a distance of 200 feet in each direction upon the roadway or the person, at least 200 feet in each direction upon the roadway, warns approaching motorists of the standing vehicle by use of flaggers, flags, signs or other signals. Exemptions under ORS 811.560 (9) are applicable to this subsection.

- (3) On the roadway side of a vehicle stopped or parked at the edge or curb of a highway. Exemptions under ORS 811.560 (7) are applicable to this subsection.
- (4) On a sidewalk. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (5) Within an intersection. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (6) On a crosswalk. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (7) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs and markings. For purposes of this subsection the safety zone must be an area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (8) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (9) Upon a bridge or other elevated structure upon a highway. Exemptions under ORS 811.560 (4) to (8) are applicable to this subsection.
- (10) Within a highway tunnel. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (11) On any railroad tracks or rail fixed guideway system tracks or within seven and one-half feet of the nearest rail at a time when the parking of vehicles would conflict with operations or repair of the tracks. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (12) On a throughway. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (13) In the area between roadways of a divided highway, including crossovers. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

- (14) At any place where traffic control devices prohibit stopping. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.
- (15) In front of a public or private driveway. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.
- (16) Within 10 feet of a fire hydrant. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.
- (17) Within 20 feet of a crosswalk at an intersection. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.
- (18) Within 50 feet upon the approach to an official flashing signal, stop sign, yield sign or traffic control device located at the side of the roadway if the standing or parking of a vehicle will obstruct the view of any traffic control device located at the side of the roadway. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.
- (19) Within 15 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station, within 75 feet of the entrance. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.
- (20) At any place where traffic control devices prohibit standing. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.
- (21) Within 50 feet of the nearest rail of a railroad or rail fixed guideway public transportation system crossing. Exemptions under ORS 811.560 (3) to (7) are applicable to this subsection.
- (22) At any place where traffic control devices prohibit parking. Exemptions under ORS 811.560 (3) to (7) are applicable to this subsection.
- (23) On a bicycle lane. Exemptions under ORS 811.560 are applicable to this subsection.
- (24) On a bicycle path. Exemptions under ORS 811.560 are applicable to this subsection.

These provisions apply to school buses also, even if the red bus safety lights are flashing with the exception of subsection (1).

## **RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION**

### **ORS 820.100 Adoption of safety standards for construction and equipment of school vehicles; rules.**

- (1) The State Board of Education shall adopt and enforce such reasonable standards relating to school bus and school activity vehicle construction and school bus and school activity vehicle equipment as the department deems necessary for safe and economical operation, except that the board may not authorize the use of school buses manufactured before April 1, 1977.
- (2) The governing board of a public university listed in ORS 352.002 may adopt and enforce separate standards of the type described under this section for school buses and school activity vehicles that are under the governing board's jurisdiction, except that the governing board may not authorize the use of school buses manufactured before April 1, 1977
- (3) The State Board of Education shall adopt and enforce standards for school bus stop arms authorized by ORS 820.105.
- (4) Rules adopted under this section:
  - (a) Must be consistent with requirements established by statute or by rule adopted under statutory authority that relate to the same subject.
  - (b) Shall be consistent with minimum uniform national standards, if such standards exist.
  - (c) May include different requirements for different classes or types of school buses or school activity vehicles.
  - (d) May include any exemptions determined appropriate under ORS 820.150.

### **ORS 820.110 Rules for driver qualification and training and accident reports.**

- (1) The State Board of Education shall adopt and enforce rules to establish requirements of operation, qualifications or special training of drivers and special accident reports for school buses and school activity vehicles.
- (2) The governing board of a public university listed in ORS 352.002 may adopt and enforce separate standards of the type described under this section for school buses and school activity vehicles that are under its jurisdiction.
- (3) The rules adopted under this section:
  - (a) Are subject to ORS 820.190 and 820.200 and to any other statute or regulation relating to the operation of vehicles, qualifications of drivers and accident reports.

- (b) Must be consistent with requirements established by statute or by rule adopted under statutory authority that relate to the same subject.
  - (c) May include different requirements for different classes or types of school buses or school activity vehicles.
  - (d) May include any exemptions determined appropriate under ORS 820.150.
- (4) If the Department of Transportation suspends, cancels or revokes any driving privileges of a person who holds a school bus endorsement under ORS 807.035 (5), the Department of Transportation shall notify the Department of Education of the suspension, cancellation or revocation.

### **ORS 820.120 Rules for school vehicle inspection.**

- (1) The State Board of Education shall adopt and enforce rules to provide for the inspection of school buses and school activity vehicles to assure that the vehicles are in compliance with requirements under standards and rules established under ORS 820.100 and 820.110, as applicable, and that the vehicles are safe for operation. The rules may include intervals of inspections.
- (2) The governing board of a public university listed in ORS 352.002 may adopt and enforce separate standards of the type described under this section for school buses and school activity vehicles that are under its jurisdiction.
- (3) The rules adopted under this section:
  - (a) Are subject to any other statute or regulation relating to the safety of vehicles for operation and the inspection of vehicles.
  - (b) May include different requirements for different classes or types of school buses or school activity vehicles.
  - (c) May include any exemptions determined appropriate under ORS 820.150.

This law requires the State Board of Education to regulate pupil transportation in Oregon. It is the authority under which all regulations pertaining to pupil transportation have been adopted by the Oregon Department of Education.

## **SCHOOL BUS SAFETY LIGHTS**

### **ORS 816.260 Bus safety lights.**

Each of the following is a requirement for bus safety lights:

- (1) Bus safety lights shall include at least two of each color of light on the front of the vehicle and at least two of each color of light on the rear of the vehicle.
- (2) Bus safety lights shall include red and amber lights.

- (3) Each bus safety light shall alternately flash with the bus safety lights of the same color that are placed on the same end of the vehicle displaying the lights.

## **PROHIBITED LIGHTS**

### **ORS 816.350 Prohibitions on number and kind of lights for certain vehicles.**

This section establishes requirements for ORS 816.360. When specific types of lighting equipment are mentioned by this section, those types are types described under ORS 816.040 to 816.290. Except as allowed under this section or where an exemption under ORS 816.370 specifically provides otherwise, a vehicle that does not comply with this section is in violation of ORS 816.360:

- (8) Except as otherwise allowed under this section, only the following vehicles may be equipped with bus safety lights:
  - (a) School buses.
  - (b) Worker transport buses.
  - (c) Vehicles issued a permit under ORS 818.260.

## **SCHOOL BUS STOP LAW**

### **ORS 811.155 Failure to stop for bus safety lights; penalty.**

- (1) A driver commits the offense of failure to stop for bus safety lights if the driver meets or overtakes from either direction any vehicle that is stopped on a roadway and that is operating red bus safety lights described under ORS 816.260 and the driver does not:
  - (a) Stop before reaching the vehicle; and
  - (b) Remain standing until the bus safety lights are no longer operating.
- (2) The following apply to the offense described in this section:
  - (a) The offense described in this section does not apply if the vehicle operating the bus safety lights is not permitted under ORS 816.350 and 816.360 to operate red bus safety lights.
  - (b) A driver need not comply with this section if the vehicle operating red bus safety lights is stopped on a different roadway.
- (3) The offense described in this section, failure to stop for bus safety lights, is a Class A traffic violation.

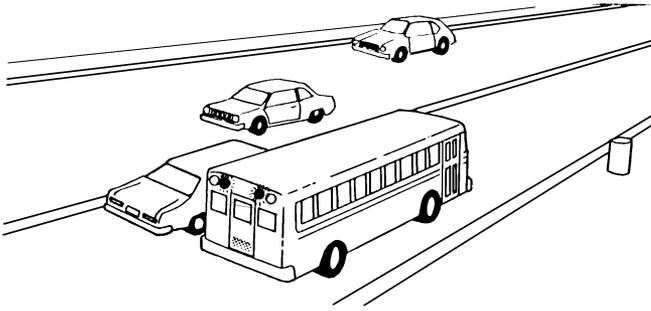
## **USE OF LIGHTS AND WARNINGS (Lights)**

### **ORS 811.515 When lights must be displayed; kind of light; number; direction; use on certain vehicles.**

This section establishes requirements for ORS 811.520. Except where an exemption under ORS 811.525 specifically provides otherwise, a vehicle that does not comply with this section is in violation of ORS 811.520. Where specific types of lighting equipment are mentioned in this section, those types are types described in ORS 816.040 to 816.290. The requirements under this section are as follows:

- (12) Bus safety lights shall only be operated in accordance with the following:
- (a) The lights may be operated when the vehicle is stopping or has stopped for the purpose of loading or unloading students who are going to or from any school or authorized school activity or function.
  - (b) The lights may be operated when the vehicle is stopping or has stopped for the purpose of loading or unloading workers from worker transport buses.
  - (c) The lights may be operated when the vehicle is stopping or has stopped for the purpose of loading or unloading children being transported to or from religious services or an activity or function authorized by a religious organization.
  - (d) The lights may be operated when the vehicle is stopping or has stopped in a place that obstructs other drivers' ability to see the bus safety lights on another vehicle.
  - (e) Notwithstanding any other paragraph of this subsection, the lights shall not be operated if the vehicle is stopping or has stopped at an intersection where traffic is controlled by electrical traffic control signals, other than flashing signals, or by a police officer.
  - (f) Notwithstanding any other paragraph of this subsection, the lights shall not be operated if the vehicle is stopping or has stopped at a loading or unloading area where the vehicle is completely off the roadway.

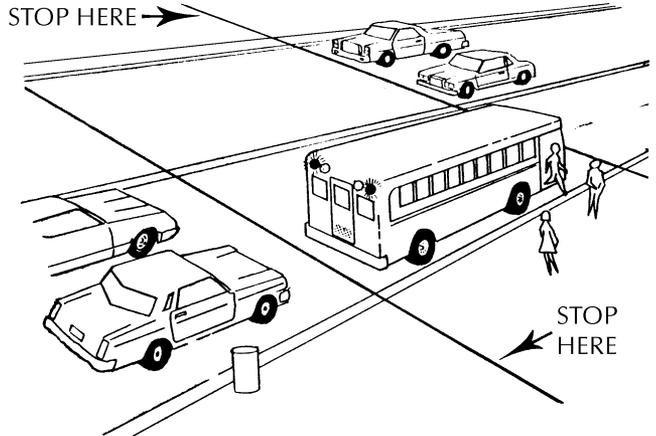
## AMBER LIGHTS



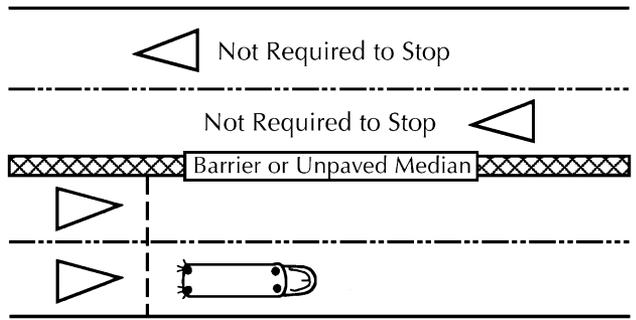
Bus is approaching stop on roadway, amber bus safety lights flashing. Traffic may proceed with caution.

## RED LIGHTS

Bus is stopped in right-hand traffic lane, red bus safety lights flashing. Children may be crossing highway, or the shoulder may be too narrow for bus to get completely off the main traveled portion of the highway. Cars must stop and remain stopped as long as red bus safety lights are flashing.



Bus is stopped in right-hand traffic lane, red bus safety lights flashing. There is a barrier or unpaved median, and the shoulder is too narrow to get completely off the main traveled portion of the highway. Cars overtaking bus must stop and remain stopped as long as red lights are



flashing. Approaching traffic may proceed. A painted median strip or a center lane used only for a left turn refuge does not create two separate roads. Bus is stopped completely off main traveled portion of the highway and no children are crossing highway. Use of flashing red bus safety lights is illegal, and traffic is not required to stop. (ORS 811.515 (12)(f))

### **OAR 581-053-0230**

(10) Use of Bus Safety Lights:

- (a) When pupils must cross the roadway to board, or after leaving the bus, the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right hand traffic lane. The red lights shall remain flashing until all pupils have safely crossed the roadway;
- (b) When pupils need not cross the roadway to board, or after leaving the bus, the driver shall:
  - (A) When practicable, stop completely off the main traveled portion of the roadway. The driver shall not actuate the bus safety lights;
  - (B) Where it is not practicable to stop completely off the main traveled portion of the roadway the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right-hand traffic lane. The red lights shall remain flashing until pupils have safely boarded or left the bus.

### **SCHOOL BUS STOP ARMS**

#### **ORS 820.105**

Notwithstanding any other provision of law, school buses may be equipped with an octagonal shaped mechanical stop arm that indicates when the bus is stopped to load or unload passengers on a roadway . . . .

## **OAR 581-053-0240**

(69) Stop Signal Arms: Buses shall be equipped with stop signal arms . . . <sup>1</sup>

### **Explanation of Stop Laws**

- (1) When the bus is stopped in the right-hand lane of traffic on an undivided highway, to load or unload pupils, all traffic must stop.
- (2) When the bus is stopped off the main traveled portion of the highway, traffic is not required to stop. It is illegal to use the bus safety lights when stopped off the main traveled portion of the highway. Bus must be either completely in or completely out of the traffic lane.
- (3) When the bus is stopped in the right-hand lane of traffic on a highway divided by a barrier or unpaved median strip, only traffic going the same direction as the bus must stop. Approaching traffic may proceed.

### **How to Make the School Bus Stop Law Effective**

The school bus driver must be alert and prepared for any emergency. The driver must anticipate conditions on the road ahead, as well as to the rear, to avoid accident-producing situations. The following suggestions will help the driver make the stop law effective.

- (1) When practicable, avoid loading and unloading pupils at intersections. It is suggested that stops be made at least 100 feet from an intersection. The driver should instruct pupils in how to cross the road safely if they must do so. If a traffic signal is in operation at the nearby intersection, the driver may instruct pupils to cross at the intersection and obey the traffic signal.
- (2) The school bus driver should load or unload students on their residence side of the highway whenever practicable.
- (3) The school bus driver must use ingenuity and good judgment to keep traffic moving and still protect the students. This can be accomplished:
  - (a) By stopping on the main traveled portion of the highway only when necessary.
  - (b) By turning off the bus safety lights only after students are safely across the highway or are safely loaded or unloaded, then driving slowly on the shoulder of the highway, if feasible, to permit following traffic to pass.
  - (c) By adhering strictly to the provisions of the law and regulations governing the use of the bus safety lights.

A warrant for the arrest of a violator may be obtained, provided the bus driver can make positive identification of the offending driver. However, this is seldom possible. Assistance of local police agencies should be requested for special trouble situations.

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<sup>1</sup> Stop arm specifications can be found in the Minimum Standards for Oregon School Buses

### **ORS 811.157 Report by driver of violation of ORS 811.155; contents.**

- (1) The driver of a school bus, worker transport bus or a bus issued a permit under ORS 818.260 may report a violation of ORS 811.155 to the local law enforcement agency having jurisdiction over the area where the violation is alleged to have occurred.
- (2) A report under subsection (1) of this section shall be made within 72 hours of the alleged violation and shall contain:
  - (a) The date and time of day of the alleged violation;
  - (b) The name of the street on which the bus was traveling at the time of the alleged violation and either the approximate address or the name of the closest intersecting street;
  - (c) The direction in which the bus was traveling and the direction in which the vehicle alleged to have committed the violation was traveling;
  - (d) The weather conditions, including visibility, at the time of the alleged violation; and
  - (e) The following information about the vehicle alleged to have committed the violation:
    - (A) Number and state of issuance of the registration plate; and
    - (B) Whether the vehicle is a sedan, station wagon, van, truck, bus, motorcycle or other type of vehicle.
- (3) In addition to the information required by subsection (2) of this section, the report may contain any other identifying information, including but not limited to color of the vehicle, that the reporting bus driver has about the vehicle or driver of the vehicle alleged to have committed the violation.

### **ORS 811.159 Law enforcement agency response to report of violation of ORS 811.155.**

Upon receipt of a report containing the information required by ORS 811.157 (2), the law enforcement agency shall determine the name and address of the registered owner of the vehicle and shall send the registered owner a letter informing the owner that the vehicle was observed violating ORS 811.155. The letter shall include, at a minimum, information from the report filed under ORS 811.157 specifying the time and place of the alleged violation.

## **IMPEDING TRAFFIC**

### **ORS 811.130 Impeding traffic; penalty.**

- (1) A person commits the offense of impeding traffic if the person drives a motor vehicle or a combination of motor vehicles in a manner that impedes or blocks the normal and reasonable movement of traffic.

- (2) A person is not in violation of the offense described under this section if the person is proceeding in a manner needed for safe operation.
- (3) Proceeding in a manner needed for safe operation includes but is not necessarily limited to:
  - (a) Momentarily stopping to allow oncoming traffic to pass before making a right-hand or left-hand turn.
  - (b) Momentarily stopping in preparation of, or moving at an extremely slow pace while, negotiating an exit from the road.
- (4) A person is not in violation of the offense described under this section if the person is proceeding as part of a funeral procession under the direction of a funeral escort vehicle or a funeral lead vehicle.
- (5) The offense described in this section, impeding traffic, is a Class D traffic violation.

Bus drivers should stop the bus out of the traffic lane when safe and practical to do so to allow vehicles accumulated behind the bus to pass. Drivers should determine safe turnouts on the bus route. Use of the same turnouts each day is an advantage to the bus driver and other motorists.

## **RAILROAD CROSSINGS**

### **ORS 811.460 Failure to follow rail crossing procedures for high-risk vehicles; application; penalty.**

- (1) A person commits the offense of failure to follow rail crossing procedures for high-risk vehicles if the person takes any vehicle described in this section across any railroad or rail fixed guideway system tracks at grade without doing all of the following:
  - (a) Stopping the vehicle at a clearly marked stop line or, if there is not a clearly marked stop line, not less than 15 feet nor more than 50 feet from the nearest rail of the railroad or rail fixed guideway public transportation system.
  - (b) While so stopped, listening and looking in both directions along the tracks for approaching trains, other on-track equipment or rail fixed guideway public transportation system vehicles and for signals indicating approaching trains, other on-track equipment or rail fixed guideway public transportation system vehicles.
  - (c) Proceeding across the tracks after stopping only when such movement can be performed safely in the gear of the motor vehicle that does not require manually changing gears while proceeding.

- (d) Proceeding across the tracks without manually changing gears.
- (2) This section applies to the following vehicles when moved across railroad or rail fixed guideway system tracks:
- (a) A school bus.
  - (b) A school activity vehicle with a loaded weight of 10,000 pounds or more.
  - (c) A worker transport bus.
  - (d) Any bus operated for transporting children to and from church or an activity or function authorized by a church.
  - (e) Any vehicle used in the transportation of persons for hire by a nonprofit entity as provided under ORS 825.017 (9).
  - (f) A commercial bus.
  - (g) A motor vehicle carrying as a cargo or part of a cargo any explosive substance, inflammable liquids, corrosives or similar substances or any cargo that the Department of Transportation determines to be hazardous. For purposes of this paragraph, the department may only determine a substance to be hazardous by rule. Any rules adopted by the department to determine hazardous substances must be consistent with substances classified as hazardous by the United States Secretary of Transportation.
  - (h) A tank vehicle, whether loaded or empty, used for the transportation of any hazardous material.
- (3) Exemptions to this section are provided under ORS 811.465.
- (4) The offense described in this section, failure to follow rail crossing procedures for high-risk vehicles, is a Class B traffic violation.

**ORS 811.465 Exemptions from high-risk vehicle rail crossing procedures.**

This section establishes exemptions from the special crossing procedures established for high-risk vehicles under ORS 811.460. The exemptions are partial or complete as described in the following:

- (1) The vehicles are not required to comply with the procedures at a crossing of a street or highway and rail fixed guideway public transportation system tracks if:
  - (a) The rail fixed guideway public transportation system vehicles operate within and parallel to the right of way of a street or highway; and
  - (b) All vehicle movements are controlled by traffic control devices.
- (2) The vehicles are not required to comply with the procedures when crossing any railway tracks upon which operation has been

abandoned and for which the Department of Transportation has plainly marked that no stop need be made.

- (3) The vehicles are not required to comply with the procedures when crossing industry track crossings across which train operations are required by law to be conducted under flag protection.
- (4) The vehicles are not required to comply with the procedures when crossing industry track crossings within business districts.
- (5) Vehicles are not required to comply with the procedures when crossing any crossing where an officer directs traffic to proceed or where an operating traffic control signal indicates that other traffic may proceed.
- (6) Vehicles are not required to comply with the procedures when crossing any crossing protected by crossing gates. The exemption under this subsection does not apply to:
  - (a) School buses or school activity vehicles that are required to stop at crossings with crossing gates under ORS 811.460;
  - (b) Tank vehicles, whether loaded or empty, used to transport hazardous materials;
  - (c) Vehicles transporting any hazardous material requiring the vehicle to be placarded; or
  - (d) High-risk vehicles described in ORS 811.460 that are not otherwise described in this subsection, when operating in interstate commerce.
- (7) Except when a train, other on-track equipment or rail fixed guideway public transportation system vehicle is approaching, the driver of a commercial bus is not required to stop at crossings where the Department of Transportation has determined and plainly marked that no stop need be made.

**NOTE:** Any school bus, as well as school activity vehicles with a loaded weight of 10,000 pounds or more, must stop at a crossing protected by a gate even though a traffic light in conjunction with the gate indicates traffic may proceed.

**OAR 581-053-0230**

- (6) After stopping at a railway crossing as required by law, the driver shall turn off any noise producing device with the exception of two-way radio communication. The driver shall then open the bus entrance door and driver window, look and listen for an approaching train, then close the door before proceeding across the track.

If visibility is poor, the driver may have to rely even more on hearing. The driver must open the window as well as the door and control the noise level by turning off noise producing devices and instructing the students to be quiet.

The bus should be stopped near the right-hand edge of the right traffic lane. If conditions permit, the driver may pull off the traveled portion of the road to permit following traffic to pass. The use of hazard warning lights is suggested at railroad stops. The use of the bus safety lights is illegal.

## **SPEED LAWS**

### **Speed (Basic Rule)**

#### **ORS 811.100 Violation of basic speed rule; penalty.**

- (1) A person commits the offense of violating the basic speed rule if the person drives a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to all of the following:
  - (a) The traffic.
  - (b) The surface and width of the highway.
  - (c) The hazard at intersections.
  - (d) Weather.
  - (e) Visibility.
  - (f) Any other conditions then existing.
- (2) The following apply to the offense described in this section:
  - (a) The offense is as applicable on an alley as on any other highway.
  - (b) Speeds that are prima facie evidence of violation of this section are established by ORS 811.105.
  - (c) This section and ORS 811.105 establish limitation on speeds that are in addition to speed limits established in ORS 811.111:
- (3) Except as provided in subsection (4) of this section, violation of the basic speed rule by exceeding a designated speed posted under ORS 810.180 is punishable as provided in ORS 811.109.
- (4) The offense described in this section, violating the basic speed rule, is a Class B traffic violation if the person drives a vehicle upon a highway at a speed that is not reasonable and prudent under the circumstances described in subsection (1) of this section even though the speed is lower than the appropriate speed specified in ORS 811.105 as prima facie evidence of violation of the basic speed rule.

A person must always drive at a speed that will permit the driver to maintain proper control of the vehicle under all conditions.

#### **ORS 811.111 Violating a speed limit; penalty**

- (1) A person commits the offense of violating a speed limit if the

person:

- (a) Drives a vehicle on an interstate highway, except for the portions of interstate highway described in subsection (2) of this section, at a speed greater than 65 miles per hour or, if a different speed is posted under ORS 810.180, at a speed greater than the posted speed.
- (b) Notwithstanding paragraph (a) of this subsection, drives any of the following vehicles at a speed greater than 55 miles per hour on any highway, except for the portions of highway described in subsections (2) to (12) of this section, or, if a different speed is posted under ORS 810.180, at a speed greater than the posted speed:
  - (A) A motor truck with a gross vehicle weight rating of more than 10,000 pounds or a truck tractor with a gross vehicle weight rating of more than 8,000 pounds.
  - (B) A school bus.
  - (C) A school activity vehicle.
  - (D) A worker transport bus.
  - (E) A bus operated for transporting children to and from church or an activity or function authorized by a church.
  - (F) Any vehicle used in the transportation of persons for hire by a nonprofit entity.
- (c) Drives a vehicle or conveyance on any part of the ocean shore in this state at a speed greater than any of the following
  - (A) Any designated speed for ocean shores that is established and posted under ORS 810.180.
  - (B) If no designated speed is posted under ORS 810.180, 25 miles per hour.
- (d) Drives a vehicle upon a highway in any city at a speed greater than a speed posted by authority granted under ORS 810.180 or, if no designated speed is posted, the following:
  - (A) Fifteen miles per hour when driving on an alley or a narrow residential roadway.
  - (B) Twenty miles per hour in a business district.
  - (C) Twenty-five miles per hour in a public park.
  - (D) Twenty-five miles per hour on a highway in a residence district if the highway is not an arterial highway.
  - (E) Sixty-five miles per hour on an interstate highway.

- (F) Fifty-five miles per hour in locations not otherwise described in this paragraph.
- (e) Drives a vehicle in a school zone at a speed greater than 20 miles per hour if the school zone is:
  - (A) A segment of highway described in ORS 801.462 (1) (a) and:
    - (i) The school zone has a flashing light used as a traffic control device and operated as provided under ORS 810.243; or
    - (ii) If the school zone does not have a flashing light used as a traffic control device, the person drives in the school zone between 7 a.m. and 5 p.m. on a day when school is in session.
  - (B) A crosswalk described in ORS 801.462 (1) (b) and:
    - (i) A flashing light is used as a traffic control device and operated as provided under ORS 810.243; or
    - (ii) Children are present, as described in ORS 811.124.
- (2) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of Interstate 84 beginning at the eastern city limit of The Dalles and ending at the Idaho state line at a speed greater than:
  - (a) Sixty-five miles per hour for vehicles described in subsection (1) (b) of this section; or
  - (b) Seventy miles per hour for all other vehicles.
- (3) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 95 beginning at the Idaho state line and ending at the Nevada state line at a speed greater than:
  - (a) Sixty-five miles per hour for vehicles described in subsection (1) (b) of this section; or
  - (b) Seventy miles per hour for all other vehicles.
- (4) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 20 beginning in Bend and ending in Ontario at a speed greater than:
  - (a) Sixty miles per hour for vehicles described in subsection (1) (b) of this section; or
  - (b) Sixty-five miles per hour for all other vehicles.
- (5) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 197 beginning in The Dalles and ending at its intersection with

State Highway 97 and the portion of State Highway 97 beginning at its intersection with State Highway 197 and ending at the California state line at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(6) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 31 beginning in Valley Falls and ending in La Pine at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(7) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 78 beginning in Burns Junction and ending in Burns at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(8) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 395 beginning in Burns and ending in John Day at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(9) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 395 beginning in Riley and ending at the California state line at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(10) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of Oregon Route 205 beginning in Burns and ending in Frenchglen at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(11) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of State Highway 26 beginning in John Day and ending in Vale at a speed greater than:

(a) Sixty miles per hour for vehicles described in subsection (1) (b) of this section; or

(b) Sixty-five miles per hour for all other vehicles.

(12) A person commits the offense of violating a speed limit if the person drives a vehicle on the portion of Interstate 82 beginning at the Washington state line and ending at its intersection with Interstate 84 at a speed greater than:

(a) Sixty-five miles per hour for vehicles described in subsection (1) (b) of this section; or

(b) Seventy miles per hour for all other vehicles.

(13) The speed limits described in subsections (3) to (5) of this section do not apply to portions of highways inside of a city in this state.

(14) The offense described in this section, violating a speed limit, is punishable as provided in ORS 811.109.

### **ORS 811.109 Penalties for speed limit violations.**

(1) Violation of a specific speed limit imposed under law or of a posted speed limit is punishable as follows:

(a) One to 10 miles per hour in excess of the speed limit is a Class D traffic violation.

(b) 11 to 20 miles per hour in excess of the speed limit is a Class C traffic violation.

(c) 21 to 30 miles per hour in excess of the speed limit is a Class B Traffic violation.

(d) Over 30 miles per hour in excess of the speed limit is a Class A traffic violation.

(2) Notwithstanding subsection (1) of this section, if the speed limit is 65 miles per hour or greater and:

(a) The person is exceeding the speed limit by 10 miles per hour or less, the offense is a Class C traffic violation.

(b) The person is exceeding the speed limit by more than 10 miles per hour but not more than 20 miles per hour, the offense is a Class B traffic violation.

(c) The person is exceeding the speed limit by more than 20 miles per hour, the offense is a Class A traffic violation.

- (3) Violation of the basic speed rule by exceeding a designated speed posted under ORS 810.180 is punishable as follows:
  - (a) One to 10 miles per hour in excess of the designated speed is a Class D traffic violation.
  - (b) 11 to 20 miles per hour in excess of the designated speed is a Class C traffic violation.
  - (c) 21 to 30 miles per hour in excess of the designated speed is a Class B traffic violation.
  - (d) Over 30 miles per hour in excess of the designated speed is a Class A traffic violation.
- (4) In addition to a fine imposed under subsection (1), (2) or (3) of this section, a court may order a suspension of driving privileges for up to 30 days if a person exceeds a speed limit or designated speed by more than 30 miles per hour and the person has received at least one prior conviction under ORS 811.100 or 811.111 within 12 months of the date of the current offense.
- (5) Notwithstanding subsections (1) to (3) of this section, if a person drives 100 miles per hour or greater when the person commits a violation described in this section, the person commits a specific fine traffic violation. The presumptive fine for a violation under this subsection is \$1,150, and upon conviction the court shall order a suspension of driving privileges for not less than 30 days nor more than 90 days.
- (6) When a court orders a suspension under subsection (4) or (5) of this section, the court shall prepare and send to the Department of Transportation an order of suspension of driving privileges of the person. Upon receipt of an order under this subsection, the department shall take action as directed under ORS 809.280.

**ORS 811.105 Speeds that are evidence of basic rule violation.**

- (1) Any speed in excess of a designated speed posted by authority granted under ORS 810.180 is prima facie evidence of violation of the basic speed rule under ORS 811.100.
- (2) If no designated speed is posted by authority granted under ORS 810.180, any speed in excess of one of the following speeds is prima facie evidence of violation of the basic speed rule:
  - (a) Fifteen miles per hour when driving on an alley or narrow residential roadway.
  - (b) Twenty miles per hour in a business district.

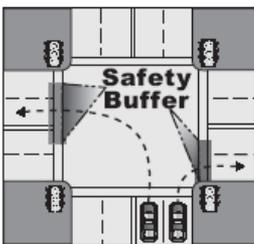
- (c) Twenty-five miles per hour in any public park.
- (d) Twenty-five miles per hour on a highway in a residence district if:
  - (A) The residence district is not located within a city; and
  - (B) The highway is neither an arterial nor a collector highway.
- (e) Fifty-five miles per hour in locations not otherwise described in this section.

**ORS 811.124 Meaning of “children are present” in ORS 811.111.**

For purposes of ORS 811.111, children are present at anytime and on any day when:

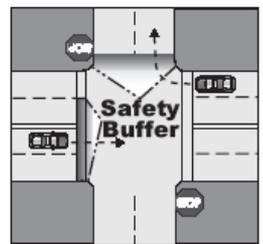
- (1) Children are:
  - (a) Occupying or walking within a crosswalk described in ORS 801.462 (1) (b); or
  - (b) Waiting on the curb or shoulder of the highway at a crosswalk described in ORS 801.462 (1) (b); or
- (2) A traffic patrol member provided under ORS 336.650 to 339.655 is present to assist children at a crosswalk described in ORS 801.462 (1) (b)

**CROSSWALKS**



← Before turning at a crosswalk with a signal, it's 1 + 6. Your lane plus six feet. Stop for the pedestrian, who must clear the lane into which the vehicle is turning PLUS 6 feet beyond that lane, before you proceed.

At any other crosswalk, it's 1 + 1. Your lane plus the next lane. Stop for the pedestrian, who must clear the lane in which the vehicle is traveling or turning PLUS the next lane, before you proceed. →



Fine = \$242; \$355 in School Zones

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737-3449 (01-08)

**LANE USAGE**

**ORS 811.325 Failure to keep camper, trailer or truck in right lane; exceptions; penalty.**

- (1) A person commits the offense of failure to keep a camper, trailer or truck in the right lane if the person is operating any of the vehicles described in this subsection and the person does not drive in the right lane of all roadways having two or more lanes for traffic proceeding in a single direction. This subsection applies to all of the following vehicles:

- (a) Any camper.
  - (b) Any vehicle with a trailer.
  - (c) Any vehicle with a registration weight of 10,000 pounds or more.
- (2) This section does not require the described vehicles to be driven in the right lane under any of the following circumstances:
- (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing this movement in ORS 811.410 to 811.425 when such movement can be made without interfering with the passage of other vehicles.
  - (b) When preparing to turn left.
  - (c) When reasonably necessary in response to emergency conditions.
  - (d) To avoid actual or potential traffic moving onto the right lane from an acceleration or merging lane.
  - (e) When necessary to follow traffic control devices that direct use of a lane other than the right lane.
- (3) The offense described in this section, failure to keep camper, trailer or truck in the right lane, is a Class B traffic violation.

Since most school buses weigh over 10,000 pounds, they must use only the right lane of any multi-lane road except for passing, preparing to turn left or in response to an emergency.

## **VEHICLES ON SCHOOL PROPERTY**

### **ORS 332.445 Regulation of vehicles on school property.**

- (1) As used in this section, "vehicles" means and includes all motor vehicles as defined in ORS 801.360 and every other mechanical device in or on which a person or thing is or may be carried and which is intended for such use except road rollers, farm tractors, traction engines, police ambulances, devices moved exclusively on stationary tracks, devices operated by electric energy transmitted through trolley poles from trolley wires and devices powered exclusively by human power.
- (2) A district school board by resolution may adopt, modify or abolish rules prohibiting, restricting or regulating the operation and parking of vehicles, or particular classes or kinds of vehicles, upon property controlled by the district, as the board considers convenient or necessary for the policing of such property. The district school board may require that before a quarterly or yearly parking privilege for any vehicle is granted to any full-time or part-time

student to use district property, the student must show that the vehicle is operated by a student holding a valid driver's license, that the vehicle is currently registered and that the student driving the vehicle is insured under a motor vehicle liability insurance policy that meets the requirements described under ORS 806.080 or that the student or owner of the vehicle has provided the Department of Transportation with other satisfactory proof of compliance with the financial responsibility requirements of this state.

- (3) The rules adopted under subsection (2) of this section shall become effective when appropriate signs giving notice thereof are erected upon property controlled by the district.
- (4) Every peace officer may enforce the rules adopted under subsection (2) of this section.
- (5) The district and any municipal corporation or any department, agency or political subdivision of this state may enter into agreements or contracts with each other for the purpose of providing a uniform system of enforcement of the rules adopted under subsection (2) of this section.

Every School district is authorized to regulate traffic on school property. When such rules are properly adopted and signs posted these rules are enforceable by police officers.

## **LICENSE PLATES**

### **ORS 820.130 School bus registration.**

The Department of Transportation shall issue registration for a school bus when notified that the vehicle conforms to applicable rules under ORS 820.100 to 820.120 and that the vehicle is safe for operation on the highways. Notification required by this section shall be from:

- (1) The State Board of Education or its authorized representative regarding vehicles under its regulatory authority.
- (2) The governing board of a public university listed in ORS 352.002 or the authorized representative of the governing board regarding vehicles under the governing board's jurisdiction.

### **ORS 820.140 Revocation of registration.**

The Department of Transportation may revoke the registration of any school bus if the department determines that the vehicle:

- (1) Is not maintained and operated in accordance with rules applicable to the vehicle under ORS 820.100 to 820.120; or
- (2) Is not safe for operation over or is not safely operated over the public highways.

## **ORS 805.050 School buses and school activity vehicles; exceptions.**

- (1) The Department of Transportation shall provide for registration of vehicles that qualify under this section in a manner that is consistent with this section. A vehicle qualifies for registration under this section if the vehicle meets the following qualifications and is not a vehicle that is described under subsection (2) of this section:
  - (a) The vehicle must be a motor vehicle.
  - (b) Except as provided under ORS 803.600, the vehicle must be used exclusively in transporting students to or from any school or authorized school activity or function, including extracurricular activities, and to or from points designated by a school.
  - (c) The vehicle must meet the requirements for school buses under ORS 820.100 to 820.120, or activity vehicles under ORS 820.110 and 820.120.
  - (d) The vehicle may be owned, operated or leased by the state, a city or county or any other political subdivision or otherwise provided to such government body for purposes described in this subsection or may be privately or otherwise owned and leased by or provided to a school for purposes described in this subsection.
- (2) The following vehicles may not be registered under this section:
  - (a) A vehicle subject to regulation under ORS chapter 825.
  - (b) A vehicle regulated by a city under ORS 221.420.
- (3) Except as otherwise provided by this section, vehicles registered under this section are subject to the same requirements and provisions for registration as are other vehicles. The following requirements and provisions are different from those otherwise provided for registration:
  - (a) The registration period for vehicles subject to this section shall be an ownership registration period as described under ORS 803.400, except that the registration continues valid if the ownership of the vehicle is transferred to another who continues to use the vehicle for purposes allowed under the registration.
  - (b) The fee for registration of the vehicles shall be the fee for registration of school buses established under ORS 803.420, and no other registration fee shall be required.
  - (c) Any vehicle registered under this section and not exempted under ORS 815.300 shall meet the requirements for certification of compliance with pollution control under ORS 815.310.

(4) The department shall suspend or revoke registration under this section if the department determines that:

- (a) A vehicle registered under this section is being used for purposes other than those required for qualification for registration under this section, and a trip permit as provided under ORS 803.600 has not been obtained.
- (b) The vehicle does not comply with requirements under ORS 820.100 to 820.120.

Under these laws the Department of Education approves school buses and school activity vehicles before license plates are issued by the Motor Vehicles Division. Failure to maintain a school bus or school activity vehicles in accordance with regulations can result in the revocation of the registration.

# Chapter II

## ADMINISTRATION OF PUPIL TRANSPORTATION

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# ADMINISTRATION OF PUPIL TRANSPORTATION

## OREGON DEPARTMENT OF EDUCATION – ADMINISTRATIVE RULES DIVISION 53 SCHOOL BUS DRIVER TRAINING, LICENSING, AND SCHOOL BUS STANDARDS

### PURPOSE AND APPLICABILITY

#### OAR 581-053-0002

- (1) The purpose of the rules set forth in this division is to ensure the safety of students while being transported to or from school or authorized school activities by establishing standards for vehicle construction, driver qualifications, vehicle and record inspections, and administrative provisions of pupil transportation;
- (2) The rules in this division apply to all school districts and individual schools, including public, private, parochial, public charter, and alternative schools, and education service districts and head start agencies which provide transportation services to students from home to school or to authorized school activities, either through internal or contracted services.

The State Board of Education is mandated in Oregon Revised Statutes (ORS) Chapter 820.100 through 820.120 to adopt and enforce standards relating to school buses and school activity vehicles. The State Board has adopted the Oregon Administrative Rules (OAR) presented in this manual as part of the Department of Education's legal mandate. These rules apply to all schools who transport students that are in the 12<sup>th</sup> grade or lower.

Throughout the rules, descriptions of practices that are considered mandatory use the verb "shall." Statements of recommended practice use the verb "should". Statements of optional practice use the verb "may."

### DEFINITIONS

#### OAR 581-053-0003

The following terms used in OAR Chapter 581, Division 053 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) "FMCSA" means the Federal Motor Carrier Safety Administration.
- (19) "Invalid" means a certificate or permit that has expired, has been made inactive, or is otherwise immediately disqualified by rule.
- (20) "Medical certificate" is defined in OAR 735-063-0060.
- (21) "Home to School" means transportation between the student's residence, babysitter, daycare or designated pick up or drop off spot and their educational facility.
- (22) "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.
- (23) "OAR" means Oregon Administrative Rule(s).
- (24) "ODE" means the Oregon Department of Education.

- (25) "ORS" means Oregon Revised Statute(s).
- (26) "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.
- (27) "Refused" means that ODE has determined that an applicant is unqualified for the certificate or permit being applied for.
- (28) "Rejected" means that an application for certificate or permit is incomplete and no determination of qualification will be made.
- (29) "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.
- (30) "School board" means the governing board or governing body of the transportation entity.
- (31) "School activity vehicle" is defined in ORS 801.455 and includes all such vehicles that are owned, leased, or rented by a transportation entity.
- (32) 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 operated by a motor carrier, used under a contractual agreement between a transportation entity and a carrier to transport school pupils on activity trips.
- (33) "School bus" is defined in ORS 801.460 and includes all such vehicles that are owned, leased, or rented by a transportation entity.

(34) 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.

(35) "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

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

(37) "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.

(38) "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.

- (39) "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.
- (40) "Transportation entity" means any school district, individual school, educational service district or head start agency to which the rules of this division apply.
- (41) "Transportation service" means home to school or school to home transportation provided to a qualifying student, regardless of how that transportation is provided.
- (42) "Valid" means an unexpired, active certificate or permit with no automatic disqualifiers listed in the rule for that certificate or permit.

## **SERVICE REQUIREMENTS**

### **OAR 581-053-0004**

- (1) Transportation entities shall provide transportation in compliance with all applicable laws and administrative rules.

- (2) Transportation entities that contract out all or part of their pupil transportation services are required to ensure that their contractor complies with all applicable laws and administrative rules.

## **ILLEGAL OPERATION PROHIBITED**

### **OAR 581-053-0004**

- (3) Transportation entities or other employers shall not require or knowingly permit any person to operate a school bus or other pupil transporting vehicle in violation of any applicable rules of the Oregon Department of Education or Oregon laws.
- (4) Transportation entities or contractors shall notify ODE within 30 days if they have actual knowledge that:
  - (a) A school bus or school activity vehicle driver has violated an ORS or OAR; and
  - (b) Student or public safety was jeopardized by the violation.
- (5) Transportation entities or contractors shall notify ODE within 30 days anytime a school bus or school activity vehicle driver leaves their employment or is hired while already possessing an otherwise valid certificate or permit:

## **TRANSPORTATION POLICY REQUIRED**

### **OAR 581-053-0004**

- (6) Each school board shall adopt and implement written policies that:
  - (a) Direct schools governed by the board to notify the transportation service provider's designee if students receiving transportation services have special medical or behavioral protocols identified in their student records; and
  - (b) Ensure drivers receive appropriate and documented training related to specified protocols, including but not limited to satisfying confidentiality requirements.

### **OAR 581-053-0210**

- (1) Each school board shall adopt and implement a written transportation policy regarding student conduct and discipline that conforms to ORS 339.250 Duty of student to comply with rules; discipline, suspension, expulsion, removal and counseling; written information on alternative programs required, ORS 343.533 Transportation service to preschool children with disabilities, OAR 581-021-0065 Suspension, OAR 581-021-0070 Expulsion, 581-015-2400 through 581-015-2445 Special Education: Discipline, and the Individuals with Disabilities Education Act, 20 USC 1400 et seq.

## **DRIVER TRAINING**

### **OAR 581-053-0004**

- (9) Transportation entities and contractors shall provide for the required training, examination and testing of their school bus and school activity vehicle drivers to comply with rules promulgated by the State Board of Education. Appropriate specialized training designed for special needs transportation shall be provided prior to allowing drivers to transport students with disabilities. Records to document training and testing shall be maintained by transportation entities. Such records shall be made part of each driver's driver-training record file. Records shall be made available to ODE personnel or the driver upon request.
- (10) Transportation entities and contractors that use aides, either assigned to specific bus routes or to specific students, shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.
- (11) Transportation entities or contractors employing school bus drivers or school activity vehicle drivers shall immediately notify ODE if they have reason to believe any change has occurred in an employed driver's criminal or driving record that could affect the driver's qualifications under the provisions of OAR 581-053-0050.

## **PUPIL INSTRUCTION**

### **OAR 581-053-0210**

- (2) Safety instruction:
- (a) All regularly transported pupils shall receive the following instruction at least once within the first six weeks of the first half of each school year and once within the first six weeks of the second half of each school year:
- (A) Safe school bus riding procedures, including but not limited to loading, unloading and crossing;
  - (B) Use of emergency exits; and
  - (C) Planned and orderly evacuation of the school bus in case of emergency, including participation in actual evacuation drills.
- (b) All pupils who are not regularly transported shall receive the following instruction at least once in the first half of each school year:
- (A) Safe school bus riding procedures, including but not limited to loading, unloading and crossing; and

(B) Use of emergency exits.

(c) Records listing safety instruction course content and dates of training shall be maintained locally.

Regularly transported students must receive instruction including evacuation drills at least twice in each school year. Other students must receive instruction at least once. See advisory section for training tips.

## **SCHOOL BUS AND SCHOOL ACTIVITY VEHICLE ACQUISITION OAR 581-053-0070**

- (1) Upon entry into Oregon, all school buses and school activity vehicles shall conform to the Oregon minimum standards currently in force as they apply to each vehicle and to the Federal Motor Vehicle Safety Standards in place at time of manufacture, prior to transporting students.
- (2) Transportation entities shall not transport students in any school bus or school activity vehicle until:
  - (a) The school bus or school activity vehicle license approval form has been received by ODE certifying that the vehicle meets all applicable minimum standards; and
  - (b) The transportation entity has received approval from ODE.
- (3) Any additions of vehicle equipment or alterations in the vehicle construction that are not provided for in the applicable minimum standards for Oregon school buses or school activity vehicles are prohibited without first receiving prior approval from ODE.

Nonstandard items may not be added to a bus. Required items may not be removed from a bus.

## **SPECIAL VEHICLES OAR 581-053-0070**

- (4) School buses and school activity vehicles used for transportation of students with disabilities or for specific educational purposes that do not meet all current Oregon Minimum Standards for School Buses must be approved by ODE.
- (5) Appeal for Variance:
  - (a) A transportation entity or contractor desiring to purchase a pupil transporting vehicle that cannot meet all required minimum construction standards for school buses or school activity vehicles as applicable in Oregon must forward an "Appeal for Variance" request to the State Superintendent of Public Instruction. This appeal must be made by the

highest ranking official with the local operation and contain at least the following information:

- (A) The need for such a vehicle;
  - (B) Why a standard school bus or school activity vehicle will not suffice;
  - (C) List of items which will not meet applicable standards; and
  - (D) Passenger capacity of vehicle.
- (b) This variance provision is designed for unique changes or alterations necessary to accommodate special equipment or conditions.

## **MAINTENANCE AND INSPECTION**

### **OAR 581-053-0070**

- (6) School buses and school activity vehicles shall be maintained in safe operating condition and shall meet or exceed the minimum standards in effect at the time of purchase, as well as any subsequently adopted standards that are applicable to the vehicle.

Maintaining buses in condition to conform to applicable minimum standards is required.

- (7) The transportation entity shall keep vehicle maintenance records for each vehicle used to transport students. These records shall be available to ODE upon request. Records shall be kept for every service, adjustment or repair of the following items and shall include date and mileage:
- (a) Chassis lubrications;
  - (b) Engine oil and filter changes;
  - (c) Major engine tune-ups and repairs;
  - (d) All adjustment, service and repair of brake system;
  - (e) All adjustment, service and repair of steering mechanism and other related parts;
  - (f) Tires; and
  - (g) Drive train components.

**Suggested forms for these records are available from the Oregon Department of Education, Pupil Transportation Services.**

- (8) Notwithstanding OAR 581-053-0120, under the direction of a certified inspector, repair items listed below may be done by uncertified personnel:
- (a) Belts and hoses;
  - (b) Body and paint repair;
  - (c) Camera systems;
  - (d) Electrical systems;
  - (e) Exhaust systems;
  - (f) Fluid changes;
  - (g) Glass repair;
  - (h) Lights;
  - (i) Seat repairs;
  - (j) Tires;
  - (k) Tune-ups.

**Suggested forms for these records are available from the Oregon Department of Education, Pupil Transportation Services.**

- (9) Transportation entities or contractors planning to rebuild a school bus or school activity vehicle that has been totaled shall first secure written approval from ODE. (This does not apply to repair of damage.) All rebuilt school buses must meet current Oregon Minimum Standards for School Buses and applicable U.S. Department of Transportation regulations in effect at the time of approval.
- (10) The transportation entity shall ensure the following is inspected daily:
- (a) Windshield and wipers;
  - (b) All lights;
  - (c) Service door;

- (d) Tires and wheel lug nuts;
- (e) Battery, belts, oil and coolant level;
- (f) Horns;
- (g) Brakes;
- (h) Steering;
- (i) Exhaust system;
- (j) See that lights, windshield, mirrors, and warning sign is clean;
- (k) Emergency equipment;
- (l) Emergency exits and audible warning devices;
- (m) Suspension;
- (n) Seats; and
- (o) Gauges

- (11)Transporting entities shall have all vehicles used in transporting pupils inspected annually by inspectors holding current school bus inspection certification, and certify to ODE that all deficiencies have been corrected before September 1 each year. ODE shall furnish forms for the inspection and for the certification reports.
- (12)ODE personnel may inspect school buses and school activity vehicles at any time or upon request of transportation entities. ODE may investigate accidents and examine school buses and school activity vehicles involved in accidents as ODE considers necessary.
- (13)Upon inspection of school buses or school activity vehicles by ODE personnel, the vehicle owner shall be notified in writing of deficiencies. Such deficiencies shall be corrected within 30 days. If the vehicle owner is unable to correct the deficiency within 30 days, the transportation entity may submit a written request for an extension of time to ODE. Such request may be granted, provided the deficiency does not affect the safety of students or public, and is not contrary to Oregon Motor Vehicle Laws.
- (14)ODE personnel may issue a written order that a vehicle is unsafe and shall not be used to transport students when there is reason to believe that a deficiency is such that continued

operation of the vehicle may jeopardize the safety of students or public.

- (15) The transportation entity or vehicle owner shall notify ODE in writing that the deficiency is corrected before transporting students in a vehicle that has been declared unsafe in section (14) of this rule.

## **SEATING**

### **OAR 581-053-0004**

- (8) A seat that fully supports the passenger shall be provided for every passenger on all school buses and school activity vehicles. Seating is not permitted on any portion of the vehicle not designed for that purpose. Passengers shall not be permitted to stand while the vehicle is in motion.

## **USED BUSES**

### **OAR 581-053-0210**

- (3) Transportation entities or contractors selling a used school bus shall be responsible for removing all markings that would identify it as a school bus, including the bus safety lights and school bus stop arm. If the school bus is sold for the purpose of:
- (a) Transporting school children to and from a school, the school bus identifying markings, bus safety lights, and school bus stop arm need not be removed; or
  - (b) Transporting workers, the bus safety lights need not be removed.

## **RELOCATION OF SCHOOL BUSES**

### **OAR 581-053-0004**

- (7) Relocation of school buses and school activity vehicles:
- (a) Written notification must be sent to ODE when a school bus or school activity vehicle is moved to another transportation entity for a period exceeding 10 days.
  - (b) Written notification must be sent to ODE when a school bus or school activity vehicle is received from another transportation entity for a period exceeding 10 days.
  - (c) School buses with a manufacture date prior to September 1, 1998 may not be relocated.
  - (d) Type 20 and Type 21 school activity vehicles with a manufacture date prior to September 1, 1994 may not be relocated.

## REQUIRED REPORTING

### OAR 581-053-0004

- (11) Transportation entities or contractors employing school bus drivers or school activity vehicle drivers shall immediately notify ODE if they have reason to believe any change has occurred in an employed driver's criminal or driving record that could affect the driver's qualifications under the provisions of OAR 581-053-0050.
- (12) When a school bus driver requires a physical exam as required by OAR 581-053-0040 or a school activity driver requires a physical exam as required by 49 CFR 391.41-381.49, the transportation entity or contractor shall verify that the driver was certified by a medical examiner listed on the National Registry of Certified Medical Examiners as of the date of issuance of the medical examiner's certificate.
- (13) A transportation entity or contractor shall notify ODE in writing within 30 days of when they receive notification that a school bus driver employed by the entity or contractor:
- (a) No longer meets the physical requirements for school bus drivers specified in OAR 581-053-0040;
  - (b) Fails to comply with the testing or screening requirements established by the Federal Motor Carrier Safety Administration for commercial drivers at title 49 CFR part 382.
- (14) Transportation entities shall submit accident reports to ODE, signed by a supervisor or designee, within 72 hours of the crash. In the case of an accident involving serious injury or death, ODE shall be notified immediately.
- (15) Transportation entities shall report to ODE statistics related to pupil transportation.

See Chapter III for regulations governing all accident reporting.

# Chapter III

## REGULATIONS GOVERNING PUPIL TRANSPORTATION OPERATION

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# REGULATIONS GOVERNING PUPIL TRANSPORTATION OPERATION

## SCHOOL BUS DRIVER TRAINING AND CERTIFICATION

### Certificate or Permit Required OAR 581-053-0220

- (1) No person shall transport pupils in a school bus or a vehicle that has a capacity of more than 20 passengers and not subject to regulations promulgated by the Oregon Department of Transportation or U.S. Department of Transportation, unless such person has a valid School Bus Driver's Permit or Certificate or is a temporary driver, approved by ODE. No person shall transport pupils in a school bus of any size or type without first receiving documented instruction in its safe operation.

### School Bus Driver's Permits OAR 581-053-0220

- (2) ODE shall issue a School Bus Driver's Permit to an applicant who:
  - (a) Possess a valid CDL with proper endorsements for the vehicle being driven;
  - (b) Passes a physical examination as required in OAR 581-053-0040 Physical Examinations within six months prior to application;
  - (c) Passes a behind-the-wheel test administered by an ODE certified behind-the-wheel trainer within one year prior to application;
  - (d) Is not disqualified based on driving or criminal record as required in OAR 581-053-0050 Driving and Criminal Records;
  - (e) Submits an application for School Bus Driver's Permit or Certificate signed by the local supervisor certifying:
    - (A) The employer will:
      - (i) Immediately notify ODE if the employer learns of any changes to the applicant's driving and criminal records that could disqualify them from driving under OAR 581-053-0050 Driving and Criminal Records;

- (ii) Be in compliance with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing; and
  - (iii) Ensure the driver complies with all applicable OARs.
- (B) The applicant demonstrates the knowledge and ability to perform the duties of a school bus driver.
- (f) Completes approved behind-the-wheel training.
- (A) Training shall be for a minimum of 15 hours in actual operation of the vehicle(s) that the applicant will be expected to drive, except training may be to a minimum of four hours if:
    - (i) The applicant has regularly driven a school bus for a period of six months within the last three years;
    - (ii) The school bus was of a size and type similar to that which the applicant will be expected to drive; and
    - (iii) The employer has documentation from the applicant's previous employer regarding previous experience.
  - (B) Hours counted in paragraph (A) of this subsection shall be spent with a certified Behind-the-Wheel Trainer, or a certified Assistant Trainer working under the direction of a Behind-the-Wheel Trainer, as outlined in OAR 581-053-0130 Assistant Trainer Certificate.
- (g) Reads and speak the English language sufficiently to converse with the general public, understand highway signs and traffic signals in the English language and respond to official inquires and make entries on reports and records; and
- (h) Complies with 49 CFR Part 382, FMCSA Controlled Substances and Alcohol Use and Testing.
- (i) Has not held a valid School Bus Driver's Permit or Certificate within the last year.

**Behind-the-wheel testing shall be performed by certified behind-the-wheel trainers.**

**School Bus Driver's Certificate**  
**OAR 581-053-0220**

- (3) ODE shall issue an original School Bus Driver's Certificate to applicants who:
- (a) Possess a valid CDL with proper endorsements for the vehicle being driven;
  - (b) Pass a physical examination as required in OAR 581-053-0040 within six months prior to application;
  - (c) Pass a behind-the-wheel test administered by an ODE certified behind-the-wheel trainer within one year prior to application;
  - (d) Are not disqualified based on driving or criminal record as required in OAR 581-053-0050;
  - (e) Submit an application for School Bus Driver's Permit or Certificate signed by the local supervisor certifying that:
    - (A) The employer will:
      - (i) Immediately notify ODE if the employer learns of any changes to the applicant's driving and criminal records that could disqualify them from driving under OAR 581-053-0050;
      - (ii) Be in compliance with FMCSA Controlled Substances and Alcohol Use and Testing regulations at 49 CFR 382; and
      - (iii) Ensure that the driver complies with all applicable OARs.
    - (B) The applicant:
      - (i) Demonstrates the knowledge and ability to perform the duties of a school bus driver;
      - (ii) Has completed the Core Course for school bus drivers taught by a certified Core instructor within the last four years; and
      - (iii) Is trained in first aid;
  - (f) Complete approved behind-the-wheel training.

- (A) Training shall be for a minimum of 15 hours in actual operation of the vehicle(s) that the applicant will be expected to drive, except the training shall be for a minimum of four hours if:
  - (i) The applicant has regularly driven a school bus for a period of six months within the last three years;
  - (ii) The school bus was of a size and type similar to that which the applicant will be expected to driver; and
  - (iii) The employer has documentation from the applicant's previous employer regarding previous experience.
- (B) Hours counted in paragraph (A) of this subsection shall be spent with a certified Behind-the-Wheel Trainer, or a certified Assistant Trainer working under the direction of a Behind-the-Wheel Trainer, as outlined in OAR 581-053-0130 Assistant Trainer Certificate;
- (g) Read and speak the English language sufficiently to converse with the general public, understand highway signs and traffic signals in the English language, and respond to official inquiries and make entries on reports and records; and
- (h) Comply with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing regulations.
- (i) Notwithstanding any other provision of this section, ODE shall issue a School Bus Driver's Certificate to an applicant who holds a valid School Bus Driver's Permit issued under section (2) of this rule, and who submits a School Bus Driver's Permit Conversion Card signed by a local supervisor certifying that the applicant has:
  - (A) Completed the Core Course for school bus drivers taught by a certified Core Instructor within the last four years; and
  - (B) Is trained in first aid.

## **Certificate Renewal OAR 581-053-0220**

- (4) ODE shall renew a School Bus Driver's Certificate for an applicant who:

- (a) Possesses or has possessed within the last 12 month period a valid School Bus Driver's Certificate;
- (b) Possesses a valid CDL with proper endorsements for the type of vehicle being driven;
- (c) Passes a physical examination as required in OAR 581-053-0040 Physical Examinations within six months prior to application;
- (d) Is not disqualified based on driving or criminal record as required in OAR 581-053-0050 Driving and Criminal Records;
- (e) Submits an application for School Bus Driver's Permit or Certificate signed by a local supervisor certifying:

(A) The employer will:

- (i) Immediately notify ODE if the employer learns of any changes to the applicant's driving and criminal records that could disqualify them from driving under OAR 581-053-0050;
- (ii) Be in compliance with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing; and
- (iii) Ensure that the driver complies with all applicable OARs.

(B) The applicant:

- (i) Demonstrates the knowledge and ability to perform the duties of a school bus driver;
- (ii) Has completed a Core or Core Refresher Course for school bus drivers, taught by a Core or Core Refresher instructor within the last four years;
- (iii) Is trained in first aid; and
- (iv) Has completed training averaging at least eight hours annually, while certified as a school bus driver during the preceding four-year period. Training must meet the requirements in OAR 581-053-0225 Approved Training for School Bus Drivers and be received by ODE to qualify.
- (v) Complies with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing.

- (f) Additional tests may be required by ODE if reasonable doubt of driver competency exists or as required by rule.

## **Temporary Drivers**

### **OAR 581-053-0220**

- (5) ODE may approve a person who does not currently possess a valid School Bus Driver's Certificate or Permit as a temporary driver. If approved, a driver shall not drive more than 10 days as a temporary driver during the approval period. ODE shall only approve a temporary driver if the driver:
  - (a) Submits a Request for Approval of a Temporary Driver form, signed by a supervisor;
  - (b) Is judged competent by the local supervisor;
  - (c) Possesses a valid CDL with proper endorsements for the vehicle being driven;
  - (d) Possesses a valid medical certificate;
  - (e) Has passed a driving and criminal records check as required in OAR 581-053-0050 Driving and Criminal Records; and
  - (f) Meets all other requirements listed on the Request for Approval of a Temporary Driver form.

## **Expiration**

### **OAR 581-053-0220**

- (6) Expiration:
  - (a) School Bus Driver's permits expire 120 days after issuance, or on the date of medical certificate expiration, whichever occurs first. Permits may not be renewed. The holder of a valid permit may apply for a School Bus Driver's Certificate, provided that all requirements have been met for such certificate.
  - (b) School Bus Drivers' Certificates shall expire two years from the date of the physical examination required in OAR 581-053-0040, except:
    - (A) Certificates for applicants 55 years of age and older shall expire one year from the date of physical examination required in OAR 581-053-0040;

- (B) Certificates for applicants who are diabetic shall expire one year from the date of the physical examination required in OAR 581-053-0040; and
  - (C) Certificates for applicants who have had a physical examination as required in OAR 581-053-0040 and have been issued a medical certificate with an expiration date that is prior to the expiration dates outlined in this subsection shall expire on the date the medical certificate expires.
- (c) An approval of a temporary driver expires on July 1, following approval.

**Age Restrictions**  
**OAR 581-053-0220**

- (7) Age Restrictions: To obtain an original School Bus Driver's Certificate or Permit, or to renew a School Bus Driver's Certificate following a person's 70th birthday, an applicant must comply with all certification requirements and successfully complete an ODE behind-the-wheel test no more than 30 days before the date of application. The test must be administered by a behind-the-wheel trainer. A copy of the test shall be attached to the application form.

**Change of Name, Address or Employer**  
**OAR 581-053-0220**

- (8) A driver shall notify ODE, in writing, of any change in the driver's name, address or employer within 30 days of the change. A duplicate certificate will be issued if necessary.

**Invalid and Valid Permit or Certificate**  
**OAR 581-053-0220**

- (9) A School Bus Driver's Permit or Certificate shall be invalid anytime that:
- (a) A transportation entity or contractor notifies ODE that the driver is no longer active;
  - (b) The driver is no longer trained in first aid (School Bus Certificate Only);
  - (c) The driver no longer meets the physical requirements outlined in OAR 581-053-0040; or
  - (d) The driver does not maintain or falsifies records required of a diabetic driver outlined in OAR 581-053-0040.

(10) A School Bus Driver's Permit or Certificate shall be valid again if:

- (a) The permit or certificate was invalid under subsection (9) (a) of this rule when a transportation entity or contractor notifies ODE that they are ensuring the driver's compliance with these OARs.
- (b) The certificate was invalid under subsection (9) (b) of this rule when the driver is trained in first aid.
- (c) The permit or certificate was invalid under subsection (9) (c) of this rule when the driver meets the physical requirements outlined in OAR 581-053-0040.
- (d) The permit or certificate was invalid under subsection (9) (d) of this rule when the driver is able to produce two weeks of medical records demonstrating compliance with the physical requirements for diabetic drivers outlined in 581-053-0040.

### **Physical Examinations OAR 581-053-0040**

- (1) An applicant for a school bus driver's permit or certificate, or renewal of a school bus driver's certificate must have passed a physical examination approved by the Oregon Department of Education and administered within six months prior to the date of application by an individual certified by FMCSA and listed on the National Registry of Certified Medical Examiners.
- (2) Physicians completing the required ODE forms for diabetic persons must be a:
  - (a) Board certified endocrinologist;
  - (b) Board certified diabetologist;
  - (c) Board certified family practitioner; or
  - (d) Board certified internist.
- (3) A cardiac stress test shall be required with medical examination given any evidence of myocardial infarction within the past three months or unstable angina pectoris. The examining physician may require a resting electrocardiogram (ECG) or other testing as determined appropriate related to coronary insufficiency, thrombosis or any other cardiovascular

disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive heart failure.

- (4) Physical examination and certificate application forms adopted by the ODE shall be utilized by applicants for a school bus driver's certificate or permit.
- (5) An applicant is physically qualified to drive a school bus if the applicant:
  - (a) Has no impairment in the use of the driver's foot, leg, finger, hand or arm or other structural defect or limitation likely to interfere with the driver's ability to perform tasks associated with operating a school bus. Drivers may be required to demonstrate their ability to:
    - (A) Utilize a manually operated bus entrance door control with a force of at least 30 pounds;
    - (B) Ascend and descend steps with a maximum step height of 17 1/2 inches;
    - (C) Operate two hand controls simultaneously and quickly;
    - (D) Have a reaction time of 3/4 of a second or less from the throttle to the brake control;
    - (E) Carry or drag a 125 pound person 30 feet in 30 seconds or less;
    - (F) Depress a brake pedal with the foot to a pressure of at least 90 pounds;
    - (G) Depress a clutch pedal with the foot to a pressure of at least 40 pounds unless operating an automatic transmission; and
    - (H) Exit from an emergency door opening of 24 x 48 inches at least 42 inches from the ground in ten seconds or less.
  - (b) Is physically able to open all emergency exits installed in any school bus they drive; and
  - (c) Has no mental, nervous, organic or functional disease or disability likely to interfere with safe driving or other responsibilities of a school bus driver.
  - (d) Has visual acuity of at least 20/40 (Snellen) in each eye either with or without corrective lenses and a binocular

acuity of at least 20/40 (Snellen) in both eyes either with or without corrective lenses. Form field of vision shall not be less than a total of 140 degrees and the ability to distinguish colors red, green and yellow. Drivers requiring corrective lenses shall wear properly prescribed lenses at all times while driving.

- (e) Perceives a forced whispered voice in the better ear not less than five feet with or without the use of a hearing aid, or if tested by the use of an audiometric device, the applicant shall not have average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard Z24.5-1951. Drivers requiring a hearing aid shall wear a properly operating hearing aid at all times while driving.
- (f) Controlled substances:
  - (A) Does not use any controlled substance identified in 21 CFR 1308.11 Schedule 1, an amphetamine, a narcotic, or other habit-forming drug.
  - (B) Does not use any non-Schedule I controlled substance except when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a school bus.
- (g) Has no current clinical diagnosis of alcoholism.
- (h) Has not had a loss of consciousness or loss of control (cognitive function) due to a diabetic event within the preceding one year period, provided there has not been a recurrent hypoglycemic reaction requiring assistance of another person within the previous five years. A period of one year of demonstrated stability is required following the first episode of hypoglycemia.
- (i) Does not have a diabetic condition; Applicants with a diabetic condition may be physically qualified provided they comply with all of the following requirements. Drivers shall:
  - (A) Self-monitor their blood glucose and demonstrate a blood glucose level of more than 100mg/dl and less than 300 mg/dl, using a device approved by the Food and Drug Administration, U.S. Department of Health and Human Services, within one hour before driving pupil

transporting vehicles and approximately every four hours while on duty;

- (B) Report immediately to their employer, any failure to comply with specific glucose level requirements as listed in paragraphs (i) (A) and (E) of this subsection, or loss of consciousness or control;
- (C) Maintain a daily log of all blood glucose test results for the previous six month period and provide copies to their employer, the examining physician and the Oregon Department of Education, upon request;
- (D) Carry a source of readily absorbable, fast-acting glucose while on duty;
- (E) Undergo and submit physician-signed results of a glycated hemoglobin (HbA1c) test indicating glucose levels of more than 5.9 percent and less than 9.6 percent to their employer for transmission to the Oregon Department of Education every six months;
- (F) Undergo and submit the results of an annual examination to detect any peripheral neuropathy, unstable diabetic retinopathy or clinically significant eye disease that prevents the individual from meeting current vision standards included in this rule, or circulatory insufficiency;
- (G) Provide a signed statement by the examining physician indicating that within the past three years the driver has completed instruction to address diabetes management and driving safety, to identify signs and symptoms of hypoglycemia and hyperglycemia, and what procedures must be followed if complications from diabetes arise;
- (H) Submit all required Oregon Department of Education forms signed by the appropriate medical professionals within the prescribed timelines;
- (j) Does not have severe hypertension (grade 3 retinopathy);  
or
- (k) Does not have an established medical history or clinical diagnosis of epilepsy or any other condition likely to cause loss of consciousness or any loss of ability to control a motor vehicle.

- (6) A driver is no longer physically qualified to operate a school bus and shall be immediately removed from duty for the following:
- (a) Diabetic person:
    - (A) Results of an HbA1c test indicating values less than 6.0 or greater than 9.5 unless accompanied by the required medical opinion that the event was incidental and not an indication of failure to control glucose levels;
    - (B) Results of self-monitoring indicate glucose levels less than 100 mg/dl or greater than 300 mg/dl, until self-monitoring indicates compliance with specifications; proofread
    - (C) Experiencing a loss of consciousness or control relating to a diabetic condition; or
    - (D) Failing to maintain or falsifying the required medical records.
  - (b) A new diagnosis of diabetes requiring insulin until all requirements under subsection (5) (i) have been met;
  - (c) Notwithstanding subsections (a) and (b) of this section, if the driver has a serious illness, injury, or change in physical or mental condition and no longer meets the physical requirements outlined in this rule, then re-examination and medical approval are required before the driver may resume driving a school bus.
- (7) Notwithstanding any other section of this rule, Type 20 CDL drivers and SPAB drivers shall meet the FMCSA physical requirements found in 49 CFR part 391 and shall carry a medical certificate to indicate compliance

## **Driving and Criminal Records**

### **OAR 581-053-0050**

- (1) The Oregon Department of Education shall review the driving record of each applicant for certification or approval as a school bus or school activity driver. Applicants who have held a driver license in a state other than Oregon anytime during the preceding three-year period may be required to furnish a copy of the driving record from each state in which the applicant has held a driver license to ODE. If the driver currently holds a driver license from another state, the driving record shall be printed no more than 30 days prior to the date received by ODE.

- (2) ODE shall review the criminal record of each applicant for certification or approval as a school bus or school activity driver.
- (3) An applicant does not qualify as a school bus or school activity driver if the applicant:
  - (a) Has ever been convicted of a crime listed in ORS 342.143. (Forever Crime)
  - (b) Has ever been convicted of a crime involving violence, threat of violence or theft. This shall not apply if the applicant or driver has been free from custody, probation and parole for the preceding three-year period from date of application.
  - (c) Has ever been convicted of a crime involving activity in drugs or alcoholic beverages. This shall not apply if the applicant or driver has been free from custody, probation, and parole for the preceding three-year period from date of application.
  - (d) Has had his or her driving privileges suspended by any state, within the preceding three-year period, for a cause involving the unsafe operation of a motor vehicle or because of driving record.
  - (e) Has been convicted within the preceding three-year period of:
    - (A) Driving under the influence of intoxicants, as defined in ORS 813.010;
    - (B) Reckless driving, as defined in ORS 811.140;
    - (C) Fleeing or attempting to elude a police officer, as defined in under ORS 811.540;
    - (D) Failure to perform the duties of a driver involved in an accident or collision which results in injury or death of any person, as described in ORS 811.705; or
    - (E) An equivalent out of state conviction for any of the above.
  - (f) Has had his or her driving privileges revoked or suspended as a habitual offender under ORS 809.600. This shall not apply if applicant or driver has had his or her driving privileges restored under ORS 809.660 for the preceding three years;

(g) Has a driving record for the preceding three-year period that has an accumulation of 31 or more points based upon the following point system:

- (A) Each chargeable accident shall have a value of 10 points. Applicable traffic code and preventability guidelines published by the National Safety Council and the Pupil Transportation Safety Institute may be used to determine if an accident is chargeable; and
- (B) Each of the traffic violations on Table 1<sup>2</sup> shall have a value of 10 points.
- (C) One point shall be subtracted from the total number of points for each full month, since the last chargeable accident or conviction, to the time of driving record check; however, all subtracted points will be reinstated if any additional qualifying convictions or chargeable accidents occur within the three-year calculation period.

## **Refusals, Suspensions, Revocations and Invalid Certificates**

### **OAR 851-053-0060**

- (1) The Oregon Department of Education shall refuse to issue a certificate or permit to an applicant who does not meet the qualifications for the certificate or permit being sought. Incomplete applications shall be rejected.
- (2) ODE may suspend or revoke a certificate or permit based on the violations and sanctions listed on table 1<sup>3</sup>. If the certificate holder has been suspended within the prior three-year period, the current offense may be considered a second or subsequent offense.
- (3) If the conditions of reinstatement are not met for a suspended certificate or permit at the end of the suspension period, the certificate or permit shall be immediately revoked.
- (4) A certificate or permit holder shall surrender any suspended or revoked certificate or permit to ODE.
- (5) A certificate or permit holder whose certificate or permit was suspended or revoked, or application for a certificate or permit was refused, may request a hearing. Hearings conducted under this section on appeal for refusal, suspension or revocation of a certificate or permit shall be conducted pursuant to ORS chapter 183.

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<sup>2</sup> See Appendix A for OAR 851-053-0050 Table 1

<sup>3</sup> See Appendix B for OAR 851-053-0060 Table 1

- (6) ODE may only reinstate a certificate or permit if all conditions of the suspension or revocation have been met, and the person otherwise qualifies for the certificate or permit being reinstated.
- (7) Notwithstanding section (5) of this rule, no hearing will be held when a certificate or permit becomes invalid because of the provisions of the rule that govern the certificate or permit.

## **Application Procedure**

To apply for a School Bus Driver's Certificate, a driver should:

1. Obtain "School Bus Driver's Certificate or Permit Application packet" from the employer. This packet will contain the application, instruction sheet, and physical examination form.
2. Section 1: Applicant should complete all lines. Driver's signature and date are required.
3. Section 2: Must be completed by an ODE certified BTW trainer for a permit or original certificate.
4. Section 3: Must be completed by a certified BTW trainer for a permit, original certificate or for a renewing driver 70+ years of age. Please send a copy of both sides of the SkillsTest with the application.
5. Section 4: Applies to original certificate or renewal only; the signature cannot be same as applicant.
6. Section 5: Must be signed on all applications; the signature cannot be same as applicant.
7. Section 6: Medical examiner issues a MCSA-5876 certificate. Be sure that all appropriate information is filled before leaving the examiner's office. Attach this card to the space provided in section 6 or as a separate page (if medical card is a full page).
8. Send applications to ODE via email [buslicense@ode.state.or.us](mailto:buslicense@ode.state.or.us) or fax 503-378-5156.

If the driver has held a driver's license in another state within the past 3 years, please include a copy of an out-of-state DMV report. Exception: If a new driver transfers a CDL from another state, the out-of state history is on the Oregon driving record.

**INCOMPLETE APPLICATIONS WILL BE RETURNED.**

**If you have any questions about this process, contact ODE.**

## **PUPIL TRANSPORTING VEHICLE INSPECTION**

### **Annual**

**OAR 581-053-0070**

(11) Transporting entities shall have all vehicles used in transporting pupils inspected annually by inspectors holding current school bus inspection certification, and certify to ODE that all deficiencies have been corrected before September 1 each year. ODE shall furnish forms for the inspection and for the certification reports.

### **State**

**OAR 581-053-0070**

(12) ODE personnel may inspect school buses and school activity vehicles at any time or upon request of transportation entities. ODE may investigate accidents and examine school buses and school activity vehicles involved in accidents as ODE considers necessary.

(13) Upon inspection of school buses or school activity vehicles by ODE personnel, the vehicle owner shall be notified in writing of deficiencies. Such deficiencies shall be corrected within 30 days. If the vehicle owner is unable to correct the deficiency within 30 days, the transportation entity may submit a written request for an extension of time to ODE. Such request may be granted, provided the deficiency does not affect the safety of students or public, and is not contrary to Oregon Motor Vehicle Laws.

(14) ODE personnel may issue a written order that a vehicle is unsafe and shall not be used to transport students when there is reason to believe that a deficiency is such that continued operation of the vehicle may jeopardize the safety of students or public.

(15) The transportation entity or vehicle owner shall notify ODE in writing that the deficiency is corrected before transporting students in a vehicle that has been declared unsafe in section (14) of this rule.

### **Driver**

**OAR 581-053-0070**

(10) The transportation entity shall ensure the following is inspected daily:

(a) Windshield and wipers;

- (b) All lights;
- (c) Service door;
- (d) Tires and wheel lug nuts;
- (e) Battery, belts, oil and coolant level;
- (f) Horns;
- (g) Brakes;
- (h) Steering;
- (i) Exhaust system;
- (j) See that lights, windshield, mirrors, and warning sign is clean;
- (k) Emergency equipment;
- (l) Emergency exits and audible warning devices;
- (m) Suspension;
- (n) Seats; and
- (o) Gauges

## **RULES GOVERNING SCHOOL BUS DRIVERS**

### **Observing Laws and Regulations**

#### **OAR 581-053-0230**

- (1) The driver shall report as soon as possible to the proper official any deficiency or malfunction of any equipment or component of the vehicle.
- (2) The driver shall not transport students unless the vehicle is safe to operate.
- (3) School bus drivers shall observe all local and state traffic laws and ordinances.
- (4) Drivers shall enforce local school board and Oregon Department of Education rules governing pupils riding school buses.

- (5) Drivers shall observe local school board and Oregon Department of Education rules pertaining to school bus drivers.

## **Railroad Crossings**

### **OAR 581-053-0230**

- (6) After stopping at a railway crossing as required by law, the driver shall turn off any noise-producing device with the exception of two-way radio communication. The driver shall then open the bus entrance door and driver window, look and listen for an approaching train, then close the door before proceeding across the tracks.

(See Railroad Crossings in Chapter 1.)

## **Miscellaneous Regulations**

### **OAR 581-053-0230**

- (7) The driver shall assist in conducting student instruction and evacuation drills as directed by the transportation entity.
- (8) Drivers shall report to their employer(s) within 15 days:
  - (a) Any conviction for driving or criminal offenses specified in OAR 581-053-0050.
  - (b) Any involvement in an accident.
  - (c) If their CDL is no longer valid.
- (9) A school bus driver shall:
  - (a) Never drive backwards on the school grounds prior to looking behind the bus, sounding the horn, and placing a responsible person to guard the rear;
  - (b) Not leave the bus when pupils are in it until the motor is shut off, the brakes set, a manual transmission put in gear and the key removed from the ignition;
  - (c) Not disengage the clutch or have transmission in neutral to allow the bus to coast;
  - (d) Stop to load or unload pupils only at designated places;
  - (e) See that all doors on the bus are kept closed while the bus is in motion;

- (f) Bring the bus to a complete stop before taking on or letting off pupils. Whenever possible the driver shall stop at a place where the road may be clearly seen for several hundred feet in either direction;
- (g) Not permit anyone to hang on or hitch onto the outside of the bus;
- (h) Not use a school bus for any purpose other than transporting pupils to and from schools or authorized school activities;
- (i) Not permit anyone else to operate the bus or controls, except with the permission of transportation entity or contractor;
- (j) Not permit animals on the bus except guide dogs and assistance animals from recognized programs that will be accepted when accompanying blind, deaf, or physically impaired persons as identified on an IEP. Guide/assistance animals or animals in training as defined in ORS 346.680 are also accepted when they comply with all the following:
  - (A) Are enrolled and identified in an assistance animal training program registered with and regulated by an appropriate county extension service or designated state agency;
  - (B) Have a comprehensive immunization record on file with the district;
  - (C) Are always clearly and distinctively identified as an assistance animal in training;
  - (D) Are accompanied by the trainer identified in district records;
  - (E) Continue to demonstrate their ability to ride safely with students, posing no hazards or distractions; and
  - (F) Comply with any additional requirements and safeguards specified by the transportation entity.
- (k) Not permit firearms or other weapons to be carried in the bus;
- (l) Not operate the bus with a trailer attached;
- (m) Not fill the fuel tank while pupils are in the bus or while the motor is running;

- (n) Not transport any person who is not a pupil, a teacher, or an official of the school while traveling the regular route, unless authorized to do so by a authorized school official. School officials may authorize other persons to ride in the school buses on special occasions having to do with school affairs;
  - (o) Make certain that all aisles and passageways are kept clear;
  - (p) Not permit signs of any kind to be attached to the bus, except those specifically permitted by law or regulation;
  - (q) Report to school officials immediately when buses are overloaded as described in OAR 581-053-0002 and ORS 820.180(1)(b);
  - (r) Stop the bus if any difficulty arises or if disorder prevails in the bus making it unsafe to continue and not proceed until the situation is remedied. Misconduct of pupils shall be reported to the proper official;
  - (s) Not use tobacco on the school bus and shall not permit passengers to use tobacco on the bus;
  - (t) Not be under the influence of any alcoholic beverage or any drug likely to affect the person's ability to operate the vehicle safely while on duty; shall not consume an alcoholic beverage, regardless of its alcoholic content or any drug likely to affect the person's ability to operate the vehicle safely while on duty or within eight hours before going on duty to operate a pupil transporting vehicle;
  - (u) Not allow pupils to leave the bus except at their designated stop without the authorization of school officials;
  - (v) Ensure students are seated before putting the bus in motion;
  - (w) Complete any training required by the Oregon Department of Education, transportation entity or contractor
- (cc) Not eat or drink while driving the bus**

**Accident Reports**  
**OAR 581-053-0230 (9)**

- (x) Make written reports of accidents involving the pupil-transporting vehicle to the Oregon Department of Education. Reports shall be submitted within 72 hours of the accident. Drivers shall use forms provided by ODE.
- (y) Make other reports as required by the transportation entity, the Oregon Department of Education and the Motor Vehicles Division:

**Securement**  
**OAR 581-053-0230 (9)**

- (z) Use all securement straps and attachments for students with adaptive/assistive devices in a manner consistent with their design;
- (aa) Not transport pupils seated on three-wheeled mobile seating devices.

**Transportation of Oxygen**  
**OAR 581-053-0230 (9)**

- (ee) Not transport compressed oxygen unless:
  - (A) The capacity is less than or equal to 22 cubic feet;
  - (B) The tank is certified and labeled as approved by the Department of Transportation;
  - (C) The tank valve and regulator are protected from breakage; and
  - (D) The tank is securely attached to avoid being a hazard for students and away from intense heat.
- (ff) Not transport liquid oxygen unless:
  - (A) The capacity is less than or equal to 23 cubic feet;
  - (B) The tank is certified and labeled as approved by the Department of Transportation; and
  - (C) The tank is securely attached to avoid being a hazard for students and away from intense heat.

**Cell Phone Usage**  
**OAR 581-053-0230 (9)**

(bb) Not use a cell phone, with or without a hands free device, while driving a school bus unless summoning medical or other emergency help if no other person in the vehicle is capable of summoning help.

**Use of Bus Safety Lights**  
**OAR 581-053-0230**

(10) Use of Bus Safety Lights:

- (a) When pupils must cross the roadway to board, or after leaving the bus, the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right hand traffic lane. The red lights shall remain flashing until all pupils have safely crossed the roadway;
- (b) When pupils need not cross the roadway to board, or after leaving the bus, the driver shall:
  - (A) When practicable, stop completely off the main traveled portion of the roadway. The driver shall not actuate the bus safety lights;
  - (B) Where it is not practicable to stop completely off the main traveled portion of the roadway the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right-hand traffic lane. The red lights shall remain flashing until pupils have safely boarded or left the bus.

(See School Bus Stop Law in Chapter 1.)

**Driving Hours**  
**OAR 581-053-0031**

- (1) A driver of a school bus or school activity vehicle shall comply with one of the following driving hour regulations:
  - (a) Following eight hours free from driving a school bus or school activity vehicle, a driver may drive a school bus or school activity vehicle for ten hours in a 15 hour period; or
  - (b) Following eight hours free from driving a school bus or school activity vehicle, a driver may:

- (A) Drive a morning route transporting students from home to school;
  - (B) Be free from driving a school bus or school activity vehicle for a minimum of four consecutive hours; and
  - (C) Drive a school bus or school activity vehicle for eight hours:
    - (i) In a ten hour period; or
    - (ii) Until midnight.
- (2) A driver shall not drive more than three hours continuously without taking at least a 15-minute break from driving duties;
- (3) Notwithstanding section (1) of this rule, in the event of an emergency or unforeseen circumstance a driver may complete the trip without being in violation of the provisions of this rule if such trip could have reasonably been completed as originally scheduled without violation of this rule.
- (4) Notwithstanding all other sections of this rule, SPAB drivers shall follow FMCSA Hours of Service for Drivers regulations found at 49 CFR 395.

## **RULES GOVERNING PUPILS RIDING SCHOOL BUSES**

### **OAR 581-053-0010**

- (1) Pupils being transported are under authority of the bus driver.
- (2) Fighting, wrestling, or boisterous activity is prohibited on the bus.
- (3) Pupils shall use the emergency exit only in case of emergency.
- (4) Pupils shall be on time for the bus both morning and evening.
- (5) Pupils shall not bring firearms, weapons, or other potentially hazardous material on the bus.
- (6) Pupils shall not bring animals, except approved assistance guide animals on the bus.
- (7) Pupils shall remain seated while bus is in motion.
- (8) Pupils may be assigned seats by the bus driver.

- (9) When necessary to cross the road, pupils shall cross in front of the bus or as instructed by the bus driver.
- (10) Pupils shall not extend their hands, arms, or body parts through bus windows.
- (11) Pupils shall have written permission to leave the bus other than at home or school.
- (12) Pupils shall converse in normal tones; loud or vulgar language is prohibited.
- (13) Pupils shall not open or close windows without permission of driver.
- (14) Pupils shall keep the bus clean, and must refrain from damaging it.
- (15) Pupils shall be courteous to the driver, to fellow pupils, and passersby.
- (16) Pupils who refuse to obey promptly the directions of the driver or refuse to obey regulations may forfeit their privilege to ride buses.
- (17) Rules Governing Pupils Riding School Buses and School Activity Vehicles must be kept posted in a conspicuous place in all school buses, type 20, and type 21 activity vehicles.

# Chapter IV

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# ADVISORY MATERIAL

## OTHER REGULATIONS

### **Minimum School Bus Standards**

OAR 581-053-0240 through 581-053-0250 are the minimum standards established by the Department of Education for school bus construction. These standards are available in a booklet titled *Minimum Standards for Oregon School Buses*.

### **Minimum Standards for Type 10, Type 20, Type 21 Nonschool Bus Pupil Transporting Vehicles**

OAR 581-053-0240 through 581-053-0250 are the standards established by the Department of Education for the construction and operation for Type 10, 20 and 21 nonschool bus pupil transporting vehicles. These standards are available upon request from the Department of Education.

### **Transportation Reimbursement**

OAR 581-023-0040 is the formula under which school districts are reimbursed for a portion of their transportation expenses. This regulation is available upon request from the Department of Education.

### **Driver Seat Belts**

The Worker's Compensation Board under the Oregon Safe Employment Act has adopted numerous regulations covering employee safety. Division 56 of the Oregon Occupational Safety and Health Code requires vehicles be equipped with safety belts for the driver and Division 50 deals with the required use of personal protective equipment.

### **Liability**

Many inquiries have been made about the liability of the school bus driver in event of an accident causing death or bodily injury. A review of numerous court cases reveals that each case must necessarily be decided on its own merits. Court decisions have been made on the basis of whether the school bus driver had observed the utmost caution that is characteristic of a careful, prudent person or whether the driver had exercised extraordinary vigilance or had been negligent.

Drivers could be judged negligent if they do not reasonably protect their riders from dangerous activities or conditions. Drivers should always use extreme care, exercise good judgment and follow the laws and rules governing student transportation.

ORS 30.800 is the "Good Samaritan" law. It protects the holder of a current approved first aid card and certain employers from charges of negligence resulting from rendering emergency medical assistance that does not violate the standards of reasonable care under the circumstances.

## **Defensive Driving**

A defensive driver is defined as one who is careful to commit no driving errors, who makes allowance for the lack of skill or improper attitude on the part of the other driver, and who does not allow hazards of weather and road conditions or the actions of pedestrians and other drivers to involve him/her in a collision.

Drivers should be continually on the alert, recognize an accident-producing situation far enough in advance to apply the necessary preventive action and concede the right-of-way when necessary to prevent an accident.

It is suggested that school bus drivers complete a Defensive Driving Course periodically.

## **Examples of Defensive Driving At Intersections**

Collisions at intersections can be prevented if drivers use common courtesy and obey traffic regulations. Drivers must approach, enter, and cross intersections slowly and cautiously, keep vehicles under control, be alert to accident-producing situations, and be prepared to avoid violators.

Drivers must respect the right-of-way of others and be ready and willing to yield when it will prevent an accident. Expert drivers do not depend solely on lights, signals, or other regulations to protect them at intersections, but are prepared to protect themselves and avoid collision-producing situations.

An expert driver realizes that a vehicle making a turn at an intersection very often creates a temporary traffic block. The driver is considerate of other drivers making turns and uses extreme care in making turns. The driver can prevent such collisions by properly positioning the vehicle ahead of the turn, but only when this can be done safely.

## **When Backing**

Any vehicle being moved in reverse must yield the right-of-way. Vehicles can be backed safely if the driver will take the necessary precautions such as getting out to look at the situation behind the vehicle, using the rearview mirrors, and having someone direct the driver. A good driver backs slowly and cautiously and watches traffic conditions behind the vehicle at all times. Backing should be avoided when possible.

## **To Avoid Rear-end Collisions**

Rear-end collisions are almost always preventable. It is a driver's duty to follow at a safe distance and have the vehicle under control. If the vehicle ahead makes an emergency stop, the driver must be prepared to stop before making contact with the vehicle ahead. Good drivers signal their intention and stop gradually. Most rear-end collisions can be avoided by foresight in controlling speed and allowing sufficient following distance. Traffic ahead of the vehicle, in front of the bus, should be watched so that any need to stop may be anticipated.

## **At Railroad Crossings**

Trains always have the right-of-way. If a driver is involved in a collision with a train, the collision is considered preventable. (See Railroad Crossings Chapters 1

and III.) Expert drivers depend on their eyes and ears and not only an automatic signaling device. They do not rush past the end of a passing train until they are sure there is not another train coming on another track.

### **To Avoid Stationary Objects**

Collisions such as scraping or striking curbs, mailboxes, fence posts, buildings, signs, trees, bridges, parked vehicles, and various other obstructions are generally of minor severity, but serious because of their frequency. Such collisions must be considered preventable.

The more severe collisions resulting in overturning, running off the roadway, and colliding with stationary objects, sometimes are caused by taking emergency action to avoid another collision. However, the circumstances usually reveal that the driver was not driving defensively prior to the collision. A defensive driver would not be placed in a situation where emergency action became necessary. Expert drivers don't depend on their skill to get them out of tight spots. They depend on their judgment to avoid emergency situations.

### **In Traffic**

Collisions resulting from passing, weaving, squeeze plays, shutouts, or entering a line of moving traffic, have no place on the record of school bus drivers. Such collisions are caused by trespassing on the rights of others to move in a straight line without interference. Weaving, either from lane to lane or within one lane, is discourteous and can be disastrous. Expert drivers stay on the right side of the road except when passing.

The first requirement for passing is sufficient clearance, which is regulated by oncoming traffic and following traffic. An expert driver signals the intention to pass before passing and waits until the driver ahead is aware of this intention. The driver makes sure that no driver at the rear is about to pass, and is ready to drop back if a passing vehicle cuts in front of the bus too soon.

### **To Prevent Mechanical Failure**

It is the driver's responsibility to know the mechanical condition of the bus. This can be done by frequent and thorough inspections. The driver must operate the bus within its mechanical ability at all times. Any collision blamed on mechanical failure which by reasonable and prudent attention should be foreseen but was not reported for repair—should be considered preventable. Any collision blamed on mechanical failure as a result of a driver operating the vehicle in excess of its mechanical ability, or any accident blamed on mechanical failure that resulted from a driver's rough or abusive handling, should be considered preventable.

### **During Adverse Weather Conditions**

Rain, snow, sleet, fog or icy pavement seldom causes a collision. These conditions add more hazards to driving and make the normal hazards worse. Collisions are caused by drivers who do not adjust their driving to meet these conditions. Collisions blamed on skidding or bad weather conditions are classed as preventable. Expert drivers can drive safely on extremely slippery surfaces by reducing speed, installing chains, and using sand when necessary.

## **To Protect Pedestrians**

Preventing pedestrian collisions requires the courtesy of allowing pedestrians to complete their crossing without interference. An expert driver should refrain from confusing or startling a pedestrian with loud horn blasts or putting the vehicle in motion before the pedestrian has completed the crossing. Drivers should be prepared for jaywalkers, persons stepping out from behind parked vehicles, and children darting into the road or street.

## **When Emotionally Upset**

A person should not drive a school bus when emotionally upset to the point it may impair their ability to operate the vehicle safely. If the driver has a quarrel with a patron, a student, or a member of his/her own family, sufficient time should be taken to become calm before driving the bus. The driver who becomes emotionally upset while enroute should park the bus at the first opportunity that it can be parked safely and allow sufficient time to regain composure. An expert driver should try to keep an even temper and be careful about what is said and how it is said.

## **When on Rural Roads**

Driving on rural roads is dangerous only if the driver does not adjust the speed to meet road conditions. The driver is faced with such hazards as narrow roads, sharp turns, narrow bridges, rough roads, and road dust. Such hazards can be overcome by adjusting speed and being alert for drivers who violate both the law and driving courtesy. Be prepared to yield the right-of-way to such drivers at all times.

- (1) Reduce the speed of the bus before entering a turn or curve.
- (2) Slow down, because the force of turning will tend to pull the bus sideways, resulting in loss of control.
- (3) Remember that the amount of side-slope, sharpness of the curve, road surface, and other factors determine the speed at which the bus can be driven safely.

## **During Night Driving**

Drivers can help prevent accidents if they realize how easy it is to be deceived by what they see at night and if they observe the following cautions:

- (1) Reduce speed at night. Don't "overdrive your lights." The driver should always be able to stop within the distance that can be seen. (See brake performance table, 56.)
- (2) Turn on lights. The most dangerous driving period is during the twilight hours.
- (3) Lower beams for approaching vehicles. By blinding oncoming drivers with high beams, a driver multiplies the chances of a collision. Be sure that all lights are working and are properly adjusted. When meeting a vehicle with bright lights, a driver should focus his/her eyes on the right shoulder of the road.

- (4) Watch for pedestrians at night.
- (5) Stop and rest when possible on long trips.
- (6) Never wear sun glasses at night.
- (7) Keep bus windows and windshield clean for good vision.

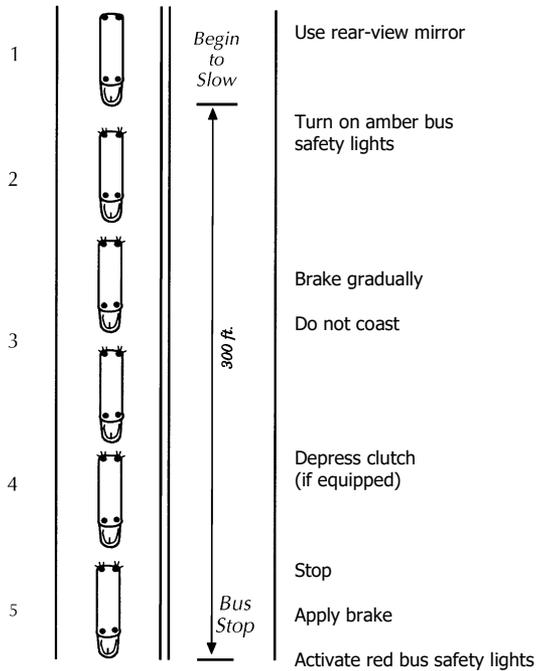
Limitations on driving hours for school bus drivers are described in OAR 581-053-0015 (9).

## OPERATING TECHNIQUES

### Safe Stop for Loading and Unloading

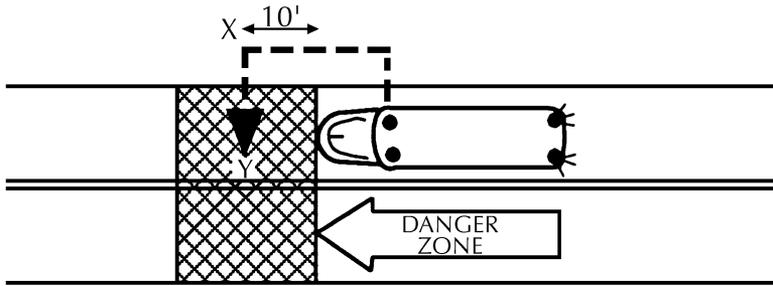
Follow these rules for smooth stopping, loading, and unloading on the highway:

- (1) Use rearview mirror
- (2) Activate amber bus safety lights
- (3) Brake gradually—do not coast
- (4) Depress clutch (if equipped)
- (5) At stop, apply Park brake, or transmission in Park
- (6) Activate red bus safety lights with due regard to approaching traffic
- (7) Be sure traffic is stopped before opening the door at unloading points.



Safe Stop for Loading and Unloading on Highway

## Unloading on the Route



When stopping the bus on the highway, the driver should instruct students to go to point "X" and wait if they are going to cross. After determining that the way is clear, the driver may instruct students to cross.

Students should also be instructed to stop at point "Y" and look before crossing further into the danger zone. The driver should not proceed until students are seen to be out of danger.

(See School Bus Stop Law, on page 13.)

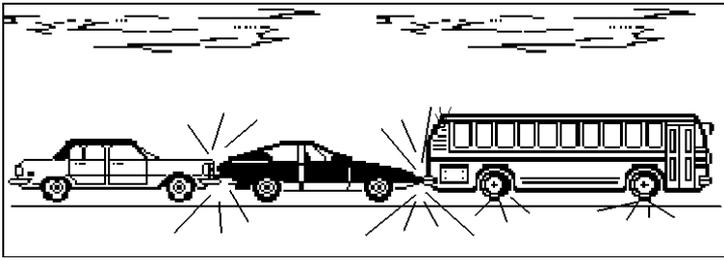
## Delayed Braking and Sudden Stops

A skillful bus driver applies brakes in such a way as to make smooth, gentle stops. When following another vehicle, the driver controls the speed, leaves plenty of space between the bus and the vehicle ahead, and is prepared for a smooth stop at all times.

A good school bus driver knows each stop for loading and unloading. The driver slows down well in advance of scheduled stops and slowly applies brakes. Smooth stopping is a sign of skillful driving.

The driver who slams on the brakes at the last possible moment lacks skill. This may cause the passengers to suffer broken bones, head injuries, broken teeth, bruises, and other injuries. The sudden-stop driver invites the following types of collisions:

- (1) A front-end collision with a vehicle ahead (probably stopped), because of misjudging the stopping distance required.
- (2) A passenger accident, resulting in students being thrown out of their seats, when the driver misjudges stopping distance required and suddenly applies brakes.
- (3) A rear-end collision. This collision may be avoided if the driver watches the rearview mirror for following traffic and anticipates the need for an emergency stop.



The brake performance for school buses is given in the following table:

**Brake Performance for School Buses**

(1) Speed in Miles Per Hour	(2) Speed in Feet Per Second	(3) ¾ Second Average Reaction Distance	(4) Braking Distance in Feet	(5) Total Stopping Distance in Feet
20	29.3	22	22	44
30	44	33	49.25	82.25
40	58.6	44	88	132
55	80.5	60.5	170	230

Column (3) shows the distance a bus will travel while a driver takes his foot off the accelerator pedal and puts on the brakes. This is an average distance based on three-fourths of a second reaction time.

With brakes operating up to minimum standards the driver should be able to stop an empty bus, after brakes are applied, within the distance shown in column (4). Notice that this distance increases four times when the speed is doubled.

Column (5) is the sum of columns (3) and (4).

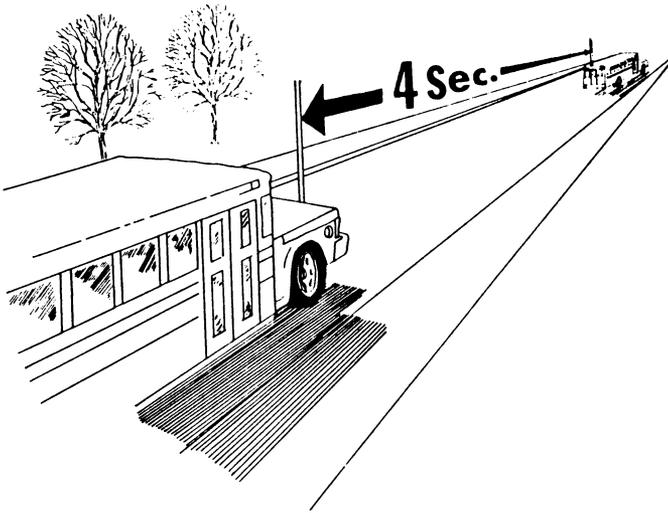
**The above figures are for panic stops with an unloaded bus under ideal conditions. The braking distance will be increased by loading, wet or slippery roads, downhill grades, and poorly maintained equipment.**

**Following Another Bus or Vehicle**

When following another bus or vehicle, a school bus driver should:

- (1) Keep an interval of at least four seconds between the bus and the vehicle ahead.
- (2) When leaving the school grounds, or other parking places, allow enough distance between vehicles to stop safely if the vehicle ahead stops suddenly.

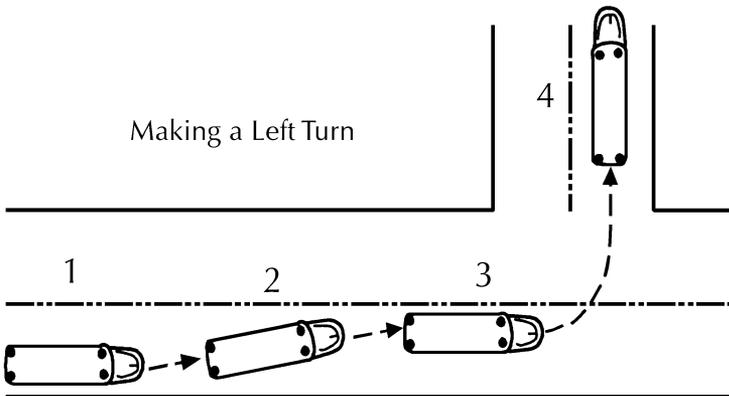
- (3) Keep a close watch for the “stop” or “turn” signals of all vehicles in front.



### Making a Left Turn

In making left turns, the school bus driver should:

- (1) Slow down and give directional signal at least 100 feet in advance.
- (2) Pull gradually to left center lane, with directional signal light showing.
- (3) Check mirrors to be sure no car is attempting to pass from behind. Look to the front to see if another vehicle is approaching.



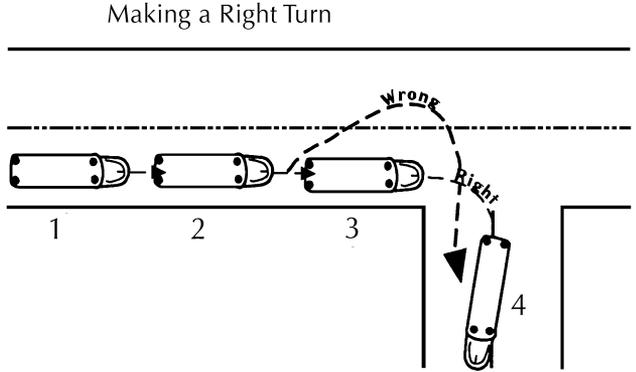
- (4) Turn slowly left when the way is clear with turn signal showing, and enter the other roadway as close to the right of the center as possible.

- (5) Remember that a turn signal does not give the driver the right to turn; it indicates the wish to turn and is asking permission to turn.
- (6) Be sure turn signal is cancelled after completing turn.

### Making a Right Turn

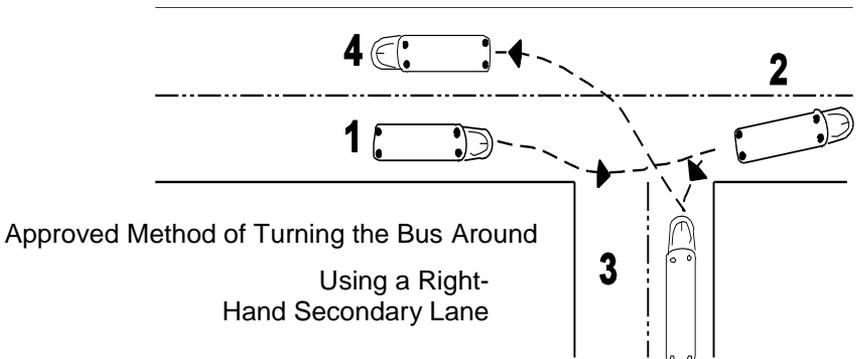
In making right turns, the school bus driver should:

- (1) Approach the turn in the right-hand lane.
- (2) Slow down and given directional turn signal at least 100 feet in advance.
- (3) Keep close to the right and turn sharply with signal showing. Don't swing to the left. Watch for vehicles passing on the right.
- (4) Turn wide after entering the side road, if the turn is difficult or sharp, and gradually drive into the right-hand lane.
- (5) Stop, if necessary, before entering a road or street on a wide right turn. Remember, the bus will be out of its proper lane.
- (6) Be sure turn signal is cancelled after completing turn.



### Turning the Bus Around

The approved method of turning a bus is to back into the secondary road or lane so that clear vision is possible as the bus pulls out head-first into the main highway.



## HANDLING OF COLLISIONS

Regardless of how small or how serious a collision may be, the driver should be familiar with proper accident procedures. Keep calm, size up the situation, and decide what is to be done first.

Drivers should study and have in the bus *Emergency Procedures for School Bus Drivers*, a booklet published by the Department of Education. The back cover provides a place to write down the important information about a collision that the driver will later need to fill out an accident report form.

- (1) No matter how insignificant the collision appears to be, always stop immediately and turn off the ignition. Be sure to set parking brake and put bus in gear.
- (2) If gasoline has been spilled, make sure there is no smoking by anyone present. Move students to a safe distance away from collision and traffic.
- (3) Determine if there are any injured persons. Ask each student about possible injuries.
- (4) Examine the injured, giving attention first to the most serious. Do not move injured persons unless absolutely necessary.
- (5) Make all students as safe and comfortable as possible.
- (6) If necessary, send a dependable person(s) to notify the school authorities, giving information as to location of the accident, the name of the driver, the bus number, and the school from which the bus operates. (See *Emergency Procedures for School Bus Drivers*, p.1.)
- (7) If necessary, send a responsible person(s) to telephone for a doctor, ambulance or police and give the location of accident or injured person, nature and extent of injuries.
- (8) Do not allow bus passengers to leave the scene of an accident without knowing where they are going and with whom.
- (9) Take necessary steps to prevent further collisions at the scene of the trouble.
  - (a) Place triangle reflectors at least 100 feet, but not more than 300 feet, to front and rear of the bus, and a third alongside the bus when a prolonged stop has to be made. On divided highways, place two reflectors to the rear and one alongside the vehicle.
  - (b) If, in the driver's judgment, the bus is endangered by fire or dangerously exposed to traffic, the passengers should be evacuated.

- (c) If possible, remove wreckage from highway.
- (10) Collect information necessary to fill out the accident report form.
- (a) Get the name(s) and address(es) of the owner(s) of the other vehicle(s) or damaged property, and witness(es) to the collision.
  - (b) Be courteous to the other driver and keep calm.
  - (c) Do not place the blame for the collision or make an admission of liability. The report will reveal the facts of the collision and the cause.
  - (d) The driver should report immediately to the school administrator any accident in which the bus and/or any of the students riding in it are involved.
  - (e) Fill out all accident report forms. Be sure the reports are complete and give a clear description of exactly what happened. Note and record the positions of the vehicles, the road condition, the weather condition, the amount of damage, and all other facts pertaining to the accident.
  - (f) The driver shall submit a state accident report (obtained from city or state police, sheriff or Motor Vehicles Division) to the Department of Motor Vehicles or police authorities within 72 hours on the standard form if required by law when involved in an accident on a public roadway.
  - (g) A School Bus Accident Report form shall be submitted within 72 hours after the accident to the Oregon Department of Education, Pupil Transportation Services, Salem, Oregon 97310-0203. This report must be filed regardless of fault, or the location of the accident. School Bus Accident Report forms may be obtained from the Oregon Department of Education. See accident reporting requirements in OAR 581-053-0015 (y).
  - (h) Forms required by the insurance company should be completed as soon as possible after an accident.
  - (i) If a serious injury or death results from a bus accident or a student crossing the highway before boarding or after leaving a bus, Pupil Transportation, Oregon Department of Education, Salem, Oregon, should be notified immediately by telephone.

## **FIRST AID**

In spite of all precautions, accidents will happen. The driver should be trained so that when an accident occurs, he/she knows what to do. This knowledge will give

confidence in the ability to meet the emergency, and therefore, create a feeling of confidence in the students.

All school buses are equipped with first aid kits and drivers must have a valid first aid card<sup>4</sup>. Knowing what not to do is as important as knowing what to do. Competent advice in establishing a first aid program may be obtained from any of the following:

NOTE: Any first aid program used must meet the requirements listed in ORS 30.800, the "Good Samaritan Law."

- (1) American Red Cross
- (2) Local health officer
- (3) Local medical association
- (4) Local rescue squads
- (5) Accident Prevention Division of Department of Insurance and Finance

It is very important for the bus driver to be calm. The driver has to give instructions, and his/her own actions should set the pattern for calm behavior on the part of the students.

The principle topics usually considered in a study of first aid are:

- (1) Shock - Recognition and treatment
- (2) Bleeding
  - (a) Location of pressure points
  - (b) Use of direct pressure
- (3) Burns - Types and treatment
- (4) Epilepsy and seizure - Steps to prevent patient from injuring self
- (5) Treatment of fainting
- (6) Treatment of head injuries
- (7) Treatment of eye injuries
- (8) Broken bones

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<sup>4</sup> Drivers with permits are allowed up to 120 days to obtain a first aid card

## **Moving the Injured or Sick**

It is usually best to get help before moving a seriously injured, or sick person. Improper methods or transportation often make the injury worse, and haste is usually unnecessary and often harmful.

However, in a traffic collision an injured person oftentimes lies in a dangerous location, such as in a heavily traveled highway or in a burning wrecked automobile or bus.

Adults are usually nearby, and the bus driver should quickly summon help.

It may be injurious to move a fracture victim un-splinted from a wrecked car or a highway, but this is sometimes necessary. The bus driver, with the assistance of adults, should move the injured carefully to the nearest place of safety, and splints should be applied as soon as possible.

The driver may save a life by quickly securing help and by warning oncoming traffic. At the same time the driver must see that other passengers are not in the roadway and that no one is crossing or standing in the highway in a position to be struck by an oncoming car.

## **TIPS ON STUDENT MANAGEMENT**

- (1) Know and follow state regulations and district policy. A child should not be put off along the route for breach of discipline.
- (2) Do not attempt to handle a serious problem while the bus is in motion.
- (3) Be sure students know and understand the rules.
- (4) Drivers should know the principles of pupil psychology.
- (5) Never give an order you do not mean to enforce.
- (6) Give a child time for reaction.
- (7) Have a reason for what you ask a child to do, and when possible take time to give the reason.
- (8) Be fair. Do not show favoritism.
- (9) Be friendly. Show an interest in what they are doing.
- (10) Commend good qualities and actions.
- (11) Try to be constructive, not repressive, in all dealings with children.
- (12) Remember that a sense of humor is extremely valuable.

- (13) Never strike a child.
- (14) Do not take your personal feelings and prejudices out on the children.
- (15) Maintain poise at all times. Do not lose your temper. Do not nag, bluff, or be officious.
- (16) Know what is important. Sometimes it is wiser to overlook some things.
- (17) Listen for suggestions and complaints from the children.
- (18) Never hold a child up to public ridicule.
- (19) Set a good example yourself.
- (20) A clean bus usually has fewer discipline problems.

### **TIPS ON SAFETY INSTRUCTION FOR PUPILS**

Safety instruction should be developed cooperatively with the school administration and transportation personnel.

Bus riders should be provided with certain information, such as the points described below. Explain that rules are for the protection of everyone.

- (1) The 16 "Regulations Governing Pupils Riding School Buses," which are posted in each Oregon school bus, should be thoroughly explained.
- (2) Pupils who must cross the roadway before boarding or after leaving the bus should be told of the hazards and how to cross the road safely. Explain the school bus stop law and the dangers of vehicles which violate the bus safety lights. If pupils cross the road after leaving the bus they should walk at least ten feet beyond the front bumper (demonstrate) so the driver can see them clearly even if they stoop to pick up a dropped article. After they start across they should also stop and look when the roadway can be seen in both directions to be certain that all traffic has stopped. When it is safe, they should cross quickly.

**TO THE DRIVER:** If possible, stop the bus at least ten feet short of where the pupils normally cross. The number of pupils should also be counted as they leave the bus and after they have crossed the road. Know where they are!

- (3) Pupils should be told how to walk to the bus stop and how and where to wait for the bus.
- (4) Discuss how and why handrails should be used when boarding or leaving the bus.

- (5) Discuss the importance of being seated quickly, and how to properly exit the bus.
- (6) Emphasize the dangers of loud noises in the bus, especially at railroad crossings.
- (7) Pupils should also be aware of any local rules.
- (8) If the above points are discussed at a time other than when emergency evacuation is practiced, the location and proper use of emergency exits should be made clear to bus riders.

Always emphasize safety!

## **EMERGENCY DRILLS**

Emergency evacuation drills are an important part of providing the students with the required instruction in safe bus riding practices.

Drivers should conduct such drills only in the manner, and at the place and time, directed by the school administration.

Some tips on conducting emergency evacuation drills:

- (1) Select and train student helpers in advance. These students should have parental permission to act in this capacity.
- (2) Front door drills are the safest for participating students.
- (3) Rear door drills require special safety precautions.
- (4) Emergency windows both sides and rear, side door(s) and roof hatches should be explained but not used for actual drills.

All exits should be opened by students during evacuation drills to ensure their ability to operate such devices.

The following procedures may be useful in conducting emergency drills.

### **For a front door drill:**

- (1) Stop the bus, set parking brake, put manual transmission in gear, turn off the engine and remove the key. Unfasten the seat belt.
- (2) Stand, open the door, face the children, and get their attention.
- (3) Give the command: "Emergency drill, stay seated, leave all your things in the bus, front evacuation."

- (4) Tell one student leader to stand outside the front door to count the passengers and assist them as they leave the bus. (Offer a hand; don't pull anyone.)
- (5) Tell the other student leader to take the children to a place which you name. (It should be a least 100 feet from the bus.)
- (6) Explain to the pupils that you are going to direct them through the drill. They should exit in the same order without your direction in a real emergency.
  - (a) Step just behind the first occupied seats, and turn facing the front of the bus. As you go past the seats, motion or tell the children to stand up.
  - (b) Starting with the right-hand seat, tap the shoulder of the student nearest the aisle to signal those passengers to move out. Say, "Walk, don't run, use the handrail."
  - (c) Hold your left arm out, to keep the children from leaving the left-hand seat.
- (7) When the pupils from the right-hand seat have moved forward far enough to clear the aisle, tap the shoulder of the student nearest the left-hand seat and dismiss these children.
- (8) Continue this moving back procedure until the bus is empty.
- (9) Check to see that everyone is out.
- (10) Go to the students and tell them what improvements they should make or compliment them for a good job.

Bring the children back to the loading station. Take those who attend the school into the bus to get their belongings, and when you have dismissed them, reload the bus and continue your route.

### **Rear Door**

The children should understand that rear door evacuation works the same way as for the front door. You should have one student leader directing the passengers and one standing outside to help them.

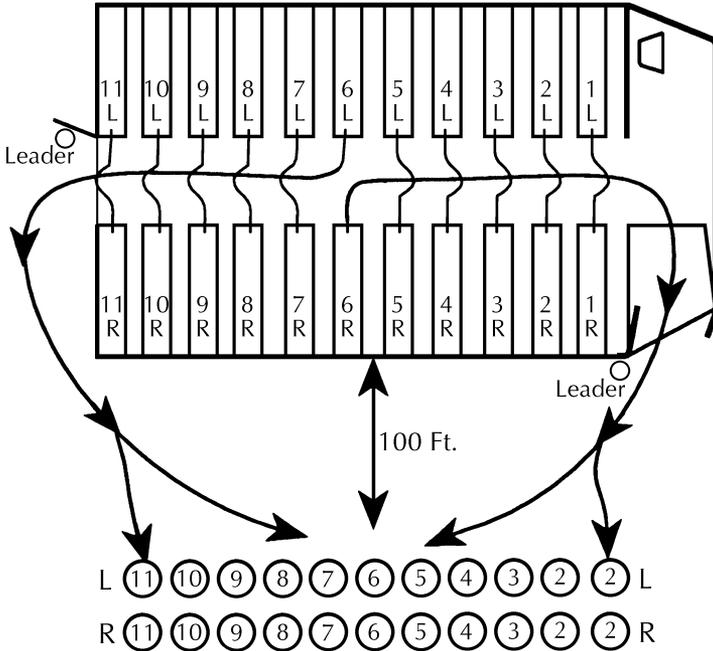
### **Front and Rear Doors**

The following chart shows the pattern for unloading through both the front and the rear doors. In two-door evacuations you will have to depend on your student leaders, one stationed outside each door. Teach them and the other children how to do an orderly exit.

## Front and Rear Door Evacuation

### 66 PASSENGER BUS

(3 persons to a seat)



66 passenger bus — 11 rows of seats on each side

60 passenger bus — 10 rows of seats on each side

54 passenger bus — 9 rows of seats on each side

48 passenger bus — 8 rows of seats on each side

### Side Door

Each school district should have a procedure for when a side exit door is to be used. Students need to be instructed in proper use and operation of side exit doors.

### Emergency Exits and Windows

Never attempt an emergency window evacuation drill. Demonstrate how to open and close them.

Students should be informed of the location and operation of all emergency exits that their vehicle has available.

You may never have to use the emergency exits, but everyone needs to know how, just in case!

## **TRANSPORTING INDIVIDUALS WITH DISABILITIES**

The driver must take into account a complicated combination of factors to handle children with disabilities effectively.

Discipline on a bus must be a collective effort on the part of the driver, the students, and the appropriate school personnel. Self-discipline is the goal, but some students need the help and guidance of an adult to attain it. The bus driver is important as one of the “team,” educating and guiding students as they become responsible for their behavior and learn travel to and from school without interfering with the comfort and safety of others.

This topic is covered more fully in the manual *Transporting Students with Special Needs* (available from the Oregon Department of Education). The program “*Transporting Individuals With Disabilities*” covers in depth information regarding this subject.

## **GENERAL INFORMATION FOR THE SCHOOL ADMINISTRATION**

The school administration should:

- (1) Cooperate with ESD superintendent, school boards, state agencies, and drivers in planning school transportation.
- (2) Cooperate with all agencies in promoting traffic safety.
- (3) Keep parents and students informed concerning the time schedules and their responsibilities in the transporting program.
- (4) Plan routes and designate bus stops that will provide maximum safety for those served.
- (5) Plan and organize an instructional program for pupils regarding the various facets of school transportation.
- (6) Plan for bus evacuation drills in methods of escape and other emergency procedures and see that these drills are carried out. (See OAR 581-053-0210.)
- (7) Secure first-hand information regarding operation by riding bus routes periodically.
- (8) Assist and advise the drivers in maintaining proper student behavior.
- (9) Provide for supervision of students when loading or unloading on school premises.
- (10) Assign a responsible person to accompany the bus driver on trips other than transporting pupils to and from school.

- (11) Forward to Pupil Transportation, Oregon Department of Education, Salem, Oregon 97310-0203, a copy of all accident reports submitted to the school administrators within 72 hours after an accident occurs. (Form 2250) (See OAR 581-053-0230 (8)(b) and OAR 581-053-0230 (9)(x)).
- (12) Certify that all pupil transporting vehicles in the district are inspected and repaired according to procedures approved by the Oregon Department of Education. (See OAR 581-053-0070).
- (13) See that vehicles are maintained in safe operating condition.
- (14) See that a route and time schedule is available for every driver.
- (15) See that drivers are properly trained and certified. (See OAR 581-053-0220).
- (16) Be responsible for all phases of school transportation subject to rules and regulations of the local school board, state laws, and regulations lawfully adopted by the State Board of Education.
- (17) Be responsible for promptly notifying Pupil Transportation, Oregon Department of Education, Salem, Oregon 97310-0203, of any illness, injury or change in the condition of a bus driver that might disqualify the driver from driving a school bus. (See OAR 581-053-0040(6)(c)).
- (18) Be responsible for promptly notifying Pupil Transportation, Oregon Department of Education, Salem, Oregon of driving or criminal offenses reported by the driver that might disqualify the driver from driving a pupil transporting vehicle. (See OAR 581-053-0220 (2)(e)(A)(i), OAR 581-053-0320(5)(a), and OAR 581-053-0420(2)(f)(A)).
- (19) See that adequate insurance protection is carried.
- (20) Develop and maintain a current, board-approved transportation policy (see OAR 581-053-0210(1)).

## **GENERAL INFORMATION FOR PARENTS**

The purpose of school bus transportation is to provide safe, comfortable and economical transportation for those students living beyond walking distance established in ORS 327.043. Parents should not expect buses to operate over roads that are not properly constructed and maintained, on private lanes leading from the residence to the highway, or on roads where adequate turnarounds are not provided.

Buses may not transport any persons other than children enrolled in school, teachers, and school officials. Any exception must be authorized by a responsible school official.

Students normally will be transported from the school to their regularly designated stops, but in case of emergency, the school authorities may arrange for the driver to pick up or drop the students at another designated spot.

Parents should have students at the bus stops on time and provide written authorization to school officials whenever students are to get off the bus other than their home stop or school.

In cases where parents wish to take students home from school, arrangements should be made before the bus leaves the school. In no case should parents stop the bus along the highway for the purpose of removing their children.

Parents should instruct their children in safe walking practices and proper behavior on the bus for the safety of all students.

The cooperation of parents and their children with school officials is essential to promote safe and efficient school bus transportation.

# APPENDIX A

OAR 581-053-0050 TABLE 1

## Chargeable Traffic Violations

OREGON OFFENSE	OREGON STATUTE
CRIMINAL DRIVING WHILE SUSPENDED	811.182, 161.405
CARELESS DRIVING	811.135
CARRYING MINOR ON EXTERNAL PART OF VEHICLE	811.205
CROSSING CENTER LINE ON TWO-WAY, FOUR-LANE ROAD	811.310
DANGEROUS LEFT TURN	811.350
DANGEROUS MOVEMENT OF STOPPED, STANDING OR PARKED VEHICLE	811.565
DEPRIVING MOTORCYCLE OR MOPED OF FULL LANE	811.385
DRIVING ON HIGHWAY DIVIDER	811.430
DRIVING ON LEFT ON CURVE OR GRADE OR AT INTERSECTION OR RAIL CROSSING	811.305
DRIVING THROUGH SAFETY ZONE	811.030
DWR CRIMINAL DRIVING WHILE REVOKED – VIOLATION	811.182
DWS CRIMINAL DRIVING WHILE SUSPENDED – VIOLATION	811.182
DRIVING WRONG WAY AROUND TRAFFIC ISLAND	811.330
DISRUPTING A FUNERAL PROCESSION	811.810
ENDANGERING A MOTOR ASSISTED SCOOTER OPERATOR	814.536
FAILING TO OBEY POLICE OFFICER	811.535
FAILURE TO PROPERLY USE CHILD PASSENGER SAFETY SYSTEM, SAFETY BELTS, OR SAFETY HARNESS	811.210 <sup>a</sup>
FAILURE OF DRIVER ENTERING ROADWAY TO YIELD RIGHT OF WAY	811.280

FAILURE OF MERGING DRIVER TO YIELD RIGHT OF WAY	811.285
FAILURE OF OPERATOR OF CMV TO SLOW/CHECK THAT TRACKS CLEAR OF APPROACHING TRAIN	811.462
FAILURE OF OPERATOR TO PROPERLY USE SAFETY BELTS	811.210 <sup>a</sup>
FAILURE OF SLOW DRIVER TO DRIVE ON RIGHT	811.315
FAILURE OF SLOWER DRIVER TO YIELD TO OVERTAKING VEHICLE	811.425
FAILURE TO DRIVE ON RIGHT	811.295
FAILURE TO DRIVE ON RIGHT OF APPROACHING VEHICLE	811.300
FAILURE TO DRIVE TO RIGHT ON DIVIDED HIGHWAY	811.320
FAILURE TO DRIVE WITHIN LANE	811.370
FAILURE TO FOLLOW RAIL CROSSING PROCEDURES FOR HIGHRISK VEHICLES	811.460
FAILURE TO KEEP CAMPER, TRAILER OR TRUCK IN RIGHTLANE	811.325
FAILURE TO MAINTAIN A SAFE DISTANCE FROM AN EMERGENCY VEHICLE OR AMBULANCE	811.147
FAILURE TO OBEY ONE-WAY DESIGNATION	811.270
FAILURE TO OBEY TRAFFIC CONTROL DEVICE	811.265
FAILURE TO OBEY TRAFFIC CONTROL DEVICE; USE HIGH OCCUPANCY VEHICLE LANE	810.140
FAILURE TO OBEY TRAFFIC PATROL MEMBER	811.015
FAILURE TO SIGNAL WITH LIGHTS WHEN REQUIRED	811.405
FAILURE TO STOP FOR BUS SAFETY LIGHTS	811.155
FAILURE TO STOP FOR PASSENGER LOADING OF PUBLIC TRANSIT VEHICLE	811.165

FAILURE TO STOP FOR RAILROAD SIGNAL	811.455
FAILURE TO STOP WHEN EMERGING FROM ALLEY, DRIVEWAY OR BUILDING	811.505
FAILURE TO USE APPROPRIATE SIGNAL FOR TURN, LANE CHANGE, STOP OR EXIT FROM A ROUNDABOUT	811.400
FAILURE TO USE SPECIAL LEFT TURN LANE	811.345
FAILURE TO USE VEHICLE TRACTION TIRES OR TRACTION DEVICES	815.140
FAILURE TO YIELD RIGHT OF WAY AT UNCONTROLLED INTERSECTION	811.275
FAILURE TO YIELD RIGHT OF WAY AT AN UNCONTROLLED INTERSECTION	811.277
FAILURE TO YIELD RIGHT OF WAY TO BICYCLIST ON A SIDEWALK	811.055
FAILURE TO YIELD THE RIGHT OF WAY TO A FUNERAL PROCESSION	811.802
FAILURE TO YIELD THE RIGHT OF WAY TO A HIGHWAY WORKER	811.233
FAILURE TO YIELD THE RIGHT OF WAY TO A TRANSIT BUS	811.167
FAILURE TO YIELD RIGHT OF WAY WITHIN A ROUNDABOUT	811.292
FAILURE TO YIELD TO A TRAFFIC PATROL MEMBER	811.017
FAILURE TO STOP AND REMAIN STOPPED FOR A PEDESTRIAN	811.028
FAILURE TO STOP AND REMAIN STOPPED FOR BLIND PEDESTRIAN	811.035
FAILURE TO YIELD TO EMERGENCY VEHICLE OR AMBULANCE	811.145
FAILURE TO YIELD TO PEDESTRIAN ON SIDEWALK	811.025

FAILURE TO YIELD TO RIDER ON BICYCLE LANE	811.050
FOLLOWING TOO CLOSELY	811.485
ILLEGAL BACKING	811.480
ILLEGAL OPERATION OF EMERGENCY VEHICLE OR AMBULANCE	820.320
ILLEGAL U-TURN	811.365
IMPEDING TRAFFIC	811.130
IMPROPER TURN AT STOP LIGHT	811.360
IMPROPER USE OF CENTER LANE ON THREE-LANE ROAD	811.380
IMPROPERLY EXECUTED LEFT TURN	811.340
IMPROPERLY EXECUTED RIGHT TURN	811.355
INTERFERENCE WITH EMERGENCY VEHICLE OR AMBULANCE	811.150
INTERFERENCE WITH RAIL FIXED GUIDEWAY SYSTEM OPERATION	811.160
MISUSE OF A SPECIAL LEFT TURN LANE	811.346
OBSTRUCTING CROSS TRAFFIC	811.290
OBSTRUCTING RAIL CROSSING – DRIVING ONTO CROSSING WHEN SPACE ON OTHER SIDE	811.475(1)(a)
OBSTRUCTING RAIL CROSSING – FAILURE OF CMV TO NEGOTIATE BECAUSE OF INSUFFICIENT UNDERCARRIAGE CLEARANCE	811.475(1)(b)
OPERATING A MOTOR VEHICLE WHILE USING A MOBILE COMMUNICATION DEVICE	811.507
PASSING IN NO PASSING ZONE	811.420
PASSING STOPPED VEHICLE AT CROSSWALK	811.020

RECKLESS ENDANGERMENT OF HIGHWAY WORKERS	811.231
REFUSING TO OBEY FLAGGER	811.232
SPEED RACING ON HIGHWAY	811.125
UNLAWFUL COASTING ON DOWNGRADE	811.495
UNLAWFUL OR UNSIGNALLED CHANGE OF LANE	811.375
UNLAWFUL OR UNSIGNALLED TURN	811.335
UNLAWFUL STOP OR DECELERATION	811.500
UNLAWFUL USE OF LIGHTS TO SIGNAL FOR PASSING	811.390
UNLAWFUL USE OF OR FAILURE TO USE LIGHTS	811.520
UNSAFE PASSING OF A PERSON OPERATING A BICYCLE	811.065
UNSAFE PASSING ON LEFT	811.410
UNSAFE PASSING ON RIGHT	811.415
UNSAFE SCHOOL VEHICLE OPERATION	820.180
VIOLATING A SPEED LIMIT – DESIGNATED OR POSTED	811.111
VIOLATION OF BASIC SPEED RULE	811.100
VIOLATION OF DRIVING WHILE REVOKED OR IN VIOLATION	811.75
VIOLATION OF DRIVING WHILE SUSPENDED OR IN	811.175
VIOLATION OF SPEED LIMIT IN SCHOOL ZONE	811.111(1)(e)

NOTES:

<sup>a</sup> Only convictions after March 17, 2011 will count 10 points

# APPENDIX B

OAR 581-053-0060      TABLE 2

Certificate/ Permit Type	Violation	First Offense	Second Offense	Third Offense
School Bus Driver SPAB Type 20 (If CDL Required)	Positive drug or alcohol test.	Suspend until driver meets the requirements of 49 CFR part 40, subpart O <i>Substance Abuse Professionals and the Return-to-Duty Process</i> , or 90 days, whichever is first.	Revoke until driver meets the requirements of 49 CFR part 40, subpart O <i>Substance Abuse Professionals and the Return-to-Duty Process</i> , or three years, whichever is longer.	
All ODE issued certificates	Providing false information on application forms or otherwise falsifying records.	6 month suspension	3 year revocation	
School Bus (Diabetic Drivers)	Failing to follow guidelines for diabetic drivers outline in the physical requirements.	Warning letter	Suspend until blood sugar records and HbA1c results from prior 30 days are submitted to ODE.	1 year revocation
School Bus	Loss of consciousness or loss of control due to a diabetic event (new diagnosis).	Suspend until driver meets all requirements for diabetic drivers listed in OAR 581-053-0040.		
All certificates relating to driving	Conviction of a crime listed in ORS 342.143. (Forever Crimes)	Permanent revocation		

<b>Certificate/ Permit Type</b>	<b>Violation</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
All certificates relating to driving	Driving privileges suspended or revoked (driver license or CDL) for unsafe operation of a motor vehicle or driving record	Revoke until three years after driver license or CDL reinstatement		
All certificates relating to driving	Convicted of a crime involving activity in drugs or alcoholic beverages.	Revoke until three years after custody, probation and parole has ended.		
All certificates relating to driving	Conviction for driving under the influence (813.010)	Revoke until three years after custody, probation and parole has ended.		
All certificates relating to driving	Conviction of reckless driving (811.140)	Revoke until three years after custody, probation and parole has ended.		
All certificates relating to driving	Conviction of fleeing or attempting to elude a police officer (811.540)	Revoke until three years after custody, probation and parole has ended.		
All certificates relating to driving	Conviction of failure to perform the duties of a driver involved in an accident or collision which results in injury or death of any person (811.705)	Revoke until three years after custody, probation and parole has ended.		

<b>Certificate/ Permit Type</b>	<b>Violation</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
All certificates relating to driving	Driving privileges suspended or revoked (driver's license or CDL) as a habitual offender (809.600).	Revoke until three years after reinstatement of driving privileges under ORS 809.660.		
All certificates relating to driving	Accumulation of 31 or more points against driving record	Suspend for 30 days or until point total is lower than 31, whichever is later.	Revoke for 30 days or until point total is lower than 31, whichever is later.	
All certificates relating to driving	Failure to report to ODE an accident in a school bus or school activity vehicle.	30 day suspension	90 day suspension	1 year revocation
Assistant Trainer	Training beyond the scope allowed by rule.	30 day suspension	90 day suspension	1 year revocation
Assistant Trainer / Behind-the-Wheel Trainer	Training with an invalid assistant trainer or behind-the-wheel trainer certificate.	30 day suspension	90 day suspension	1 year revocation
Assistant Trainer / Behind-the-Wheel Trainer	Training or testing an unqualified individual, including but not limited to: no medical certificate or no CLP.	30 day suspension	90 day suspension	1 year revocation
Behind-the-Wheel Trainer	Training beyond the scope allowed by rule while certified as an assistant trainer.	30 day suspension	90 day suspension	1 year revocation

<b>Certificate/ Permit Type</b>	<b>Violation</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Behind-the-Wheel Trainer	Failure to train all material from the Behind-the-Wheel training manual.	30 day suspension	90 day suspension	1 year revocation
Behind-the-Wheel Trainer	Failure to conduct the School Bus Skills test as required in the Behind-the-Wheel testing manual or by rule.	30 day suspension	90 day suspension	1 year revocation
Behind-the-Wheel Trainer	Failure to train for the proper amount of time as required by rule.	30 day suspension	90 day suspension	1 year revocation
Classroom instructor certificates	Failure to teach all of the material or for the proper amount of time, of any course developed or approved by ODE, as required by instructor manual or rule.	30 day suspension	90 day suspension	1 year revocation
Classroom instructor certificates	Posting an unapproved class for credit (First offense)	30 day suspension	90 day suspension	1 year revocation
Classroom instructor certificates	Teach classroom curriculum without a valid certificate. (First offense)	30 day suspension	90 day suspension	1 year revocation

<b>Certificate/ Permit Type</b>	<b>Violation</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
All ODE issued certificates related to violation.	Violations of administrative rules not otherwise specified. (First offense)	30 day suspension	90 day suspension	1 year revocation

