

CHAPTER 3

**KENTUCKY LAWS AND REGULATIONS
GOVERNING SCHOOL BUS DRIVERS**

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LESSON TOPIC:

KENTUCKY LAWS AND REGULATIONS GOVERNING SCHOOL BUS DRIVERS

OBJECTIVES:

- o The current certified bus drivers and new driver applicants will have an understanding of state laws and regulations to legally operate a school bus.
- o The applicant will gain knowledge and understanding of the daily demands and responsibilities required of a school bus driver.
- o The applicant will be alerted of his/her responsibilities involving local transportation policies and regulations.

INSTRUCTOR GUIDELINES/NOTES**CONTENT**

It is not the purpose of this unit to cover all Kentucky laws, motor vehicle laws or administrative regulations. Time would not allow such an undertaking.

Although the laws contained in these publications are important, we will only discuss those that most directly pertain to a school bus driver.

Before we begin our discussion of specific laws and regulations, lets take a few minutes and talk about the difference between a law and a regulation.

A law is a rule of conduct that has been enacted in this case by our State Legislature. A law that has been enacted by a legislative body is called a statute; thus, the KENTUCKY REVISED STATUTES (KRS).

Once a law is passed, a government agency is given the responsibility of administering or enforcing the law and, if necessary, to aid in carrying out the intent of the law. In many cases, the law itself will direct an agency to write regulations governing specific areas of responsibility.

Before any state regulation becomes effective, it must be approved by the Legislature Research Commission (LRC) and the Legislative Oversight Review Committee (LORC). The LRC makes certain that the regulation is not in conflict with any law, and the LORC, consisting of legislators, makes sure the regulation carries out the intent of the law they enacted. The LORC meeting is open to the public and individuals or organizations are given the



opportunity to express their views about any regulation being reviewed. Once approved, the regulation becomes a part of the **Kentucky Administrative Regulations (KAR's)** and has the effect of law unless it is in conflict with another law.

Let's discuss some of the laws and regulations that are most important to you as a school bus driver. We will begin with the laws or statutes.

KRS 156.160 – Promulgation Of Administrative Regulations By The Kentucky Board Of Education.

“The Kentucky Board of Education shall promulgate administrative regulations establishing standards which schools districts shall meet in: (g) The transportation of children to and from school.”

This is an example of a law directing a state agency to adopt regulations relating to specific matters.

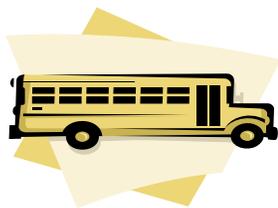
KRS 157.370 – Allotment Of Transportation Units

This law outlines the method by which state funds are allotted by way of an approved calculation formula, to each school district for transportation program costs.

702 KAR 5:020 – Program Cost Calculations

This regulation implements and interprets where necessary, those statutory provisions, in order to set out the method and steps for completion of the calculation of the district's pupil transportation program costs.





KRS 158.110 – Transportation of Pupils

“(1) Boards of education **may** provide transportation from their general funds, or otherwise, for any pupil of any grade to the nearest school to said pupil’s residence within the district if the pupil does not live within a reasonable walking distance to such nearest school of appropriate grade level.”

Section 2 of this law states that if space is not available at the nearest school, the board may provide transportation from their general funds to the nearest school where space is available.

Section 3 states that schools shall not change their present grade level structure without permission from the Kentucky Board of Education.

“(4) The boards of education shall adopt such rules and regulations as will insure the comfort, health and safety of the children who are transported, consistent with the rules and regulations of the Kentucky Board of Education, dealing with the transportation of pupils.

The word “may” of Section (1) means that it is permissive legislation and, in effect, a board is not required to provide transportation for pupils of any grade level. Since money is appropriated for transportation, the courts have, and probably would rule that it is mandatory for boards to provide transportation for pupils who do not live within a reasonable walking distance of the school attended.



KRS 160.310 – Board to Provide Insurance For School Buses

“Each board of education may set aside funds to provide for liability and indemnity insurance against the negligence of the drivers or operators of school buses....”

This law goes on to state that contractors must carry indemnity or liability insurance in such amount as the board designates. Also, the policy must be issued by a company authorized to transact business in the state.

KRS 161.185 – Teacher or Staff Member to Accompany Students on School-Sponsored or Endorsed Trips – Exceptions.

1. Except as provided in subsection (2), boards of education shall require a member of the school faculty or a member of the administrative staff to accompany students on all school-sponsored or school-endorsed trips.
2. Boards of education may permit a nonfaculty coach or nonfaculty assistant, as defined by administrative regulation promulgated by the Kentucky Board of Education under KRS 156.070(2), to accompany students on all school-sponsored or school-endorsed athletic trips. A nonfaculty coach or nonfaculty



assistant shall be at least twenty-one (21) years of age, shall not be a violent offender or convicted of a sex crime as defined by KRS 17.165 which is classified as a felony, and shall submit to a criminal record check under KRS 160.380.

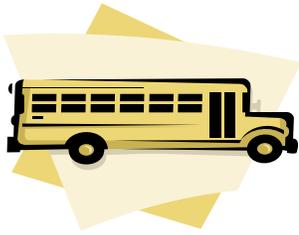
- 3. Prior to assuming his or her duties, a nonfaculty coach or nonfaculty assistant shall successfully complete training provided by the local school district. The training shall include, but not be limited to, information on the physical and emotional development of students of the age with whom the nonfaculty coach and nonfaculty assistant will be working, the district’s and school’s discipline policies, procedures for dealing with discipline programs and safety and first aid training. Follow-up training shall be provided annually. (Repealed and reenact. Acts 1990, ch.476, PT. V, § 482, effective July 13, 1990, 1998, ch. 178, § 1, effective July 1998.)

KRS 178.290 – Construction of Sidewalks Along Public Roads; School Bus Turn-Around Areas

“.....(2) The fiscal court may where needed, build and maintain suitable areas for the safe turning around of school buses.”



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	<p>This law gives the fiscal court permission to spend money for this purpose.</p> <p><u>KRS 189.370 – Passing Stopped School or Church Bus Prohibited: Application to Properly Marked Vehicles; Rebuttable Presumption As To Identity of Violator</u></p> <p>“(1) If any school bus or church bus used in the transportation of children is stopped upon a highway for the purpose of receiving or discharging passengers, with the stop arm and signal lights activated, the operator of a vehicle approaching from any direction shall bring his/her vehicle to a stop and shall not proceed until the bus has completed receiving or discharging passengers and has been put into motion. The stop requirement provided for in this section shall not apply to vehicles approaching a stopped bus from the opposite direction upon a highway of four (4) or more lanes.</p> <p>(2) Subsection (1) of this section shall be applicable only when the bus displays the marking and equipment required by Kentucky Minimum Specifications for School Buses.</p> <p>(3) If any vehicle is witnessed to be in violation of Subsection (1) of this section and identify of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name the vehicle is registered or leased was the operator of the vehicle at the time of the alleged violation and is subject to the penalties as provided for in KRS 189.990(5).”</p>



KRS 189.375 – School Bus Stop Signaling Device; Use; Stopping Regulation

No school bus shall be licensed or operated for the transportation of school children unless it is equipped with a stop arm folding sign on the driver's side with letters at least six inches (6") in height displaying the word "STOP" on both sides. Once the bus comes to a complete stop, and before receiving or discharging passengers, the driver shall open out the sign so that it will be plainly visible to traffic approaching from both directions. No driver shall stop a school bus for receiving or discharging passengers in a no passing zone which does not afford reasonable visibility to approaching motor vehicles from both directions. No driver shall stop a school bus for the purpose of receiving passengers from or discharging passengers to the opposite side of the road on a highway of four (4) or more lanes; provided that this provision does not prohibit the discharging or passengers at a marked pedestrian crossing.

KRS 189.540 – Regulation For School Buses; Operator Required To Have Commercial Driver's License

“(1) The Kentucky Board of Education shall adopt administrative regulations to govern the design and operation of all Kentucky school buses. The Board shall, with the advice and aid of the Kentucky State Police and the Transportation Cabinet, enforce the administrative

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regulations governing the operation of all school buses whether owned by a school district or privately contracted. The regulations covering the operation shall, by reference, be made a part of any contract with a school district. Every school district and private contractor referred to under this subsection shall be subject to those regulations.

(2) Any employee of any school district who violates any of the administrative regulations in any contract executed on behalf of a school district shall be subject to removal from office. Any person operating a school bus under contract with a school district who fails to comply with any of the administrative regulations shall be guilty of breach of contract and the contract shall be cancelled after proper notice. A hearing will take place by the responsible officers of such school districts.

(3) Any person who operates a school bus shall be required to possess a commercial driver’s license issued pursuant to KRS 281A.170.”

702 KAR 5:060 – Buses, Specifications And Purchases

The purpose of this regulation is to set forth methods and procedures for cooperative, centralized purchasing of school buses by local boards of education through contracts established through the Department of Education and the Finance Cabinet.





KRS 189.550 – Vehicles Used For Transporting Children To Stop At Railroad Crossings

“Operators of all buses and motor vehicles used for transporting children shall stop their vehicles before crossing any railroad when tracks are at the same level as the roadway. The stop shall be made not less than fifteen feet (15’) nor more than fifty feet (50’) from the nearest track over which the highway crosses, except where the crossing is protected by gates or a flagman employed by the railroad. After making the stop, the operator shall open the service door and carefully look in each direction and listen for approaching trains or maintenance vehicles before proceeding.”

Now let’s discuss the administrative regulations governing a school bus driver or other transportation personnel jobs. We will not mention all of the regulations (KAR’s), but will only discuss a few of those that most directly pertain to school bus drivers.

702 KAR 5:010 – Pupil Transportation Technical Assistance and Monitoring

This regulation establishes guidelines and procedures whereby the Department of Education, may offer direct assistance to the school districts in these areas: service to the pupils, school bus safety and economy of operation.

702 KAR 5:020 – Program Cost Calculation**702 KAR 5:030 – Pupil Transportation**

Section 1.

A school district superintendent shall be responsible for the safe operation and general supervision of the district's pupil transportation program. The superintendent may designate another employee or other employees of the board to assist in carrying out this responsibility.

Section 2.

The superintendent shall require that a safety inspection be made on each school bus owned and operated by the board or contracted to the board at least once each month that the district's schools are in session. This inspection shall be made by a state approved inspector. If, upon inspection, a school bus is found to be in unsafe operating condition, the superintendent shall withhold the bus from operation until the required repairs are made. The superintendent shall keep the records of the bus safety inspection on file.

Section 3.

The superintendent shall make reports annually to the Department of Education on all school bus incidents that occurred during the year. Incidents involving serious student injury or fatality or failure of safety equipment shall be reported to the

INSTRUCTOR GUIDELINES/NOTES**CONTENT**

Kentucky Department of Education immediately.

Section 4.

The superintendent shall provide the required school bus driver training before a school bus driver shall begin the duties of transporting pupils to and from school or events related to schools. This training shall at least include the school bus driver course prescribed by the Kentucky Board of Education, in accordance with 702 KAR 5:080, Sections 7 and 8 and shall be conducted by a state approved driver training instructor. Evidence that the driver has received this training shall be submitted to the Pupil Transportation Branch and a copy shall be retained by the district.

Section 5.

The superintendent shall be responsible for providing the required in-service school bus driver training which each school bus driver shall complete annually for approval renewal, in accordance with 702 KAR 5:080, Section 8. The in-service training shall include at least eight (8) hours of required instruction relevant to the core curriculum conducted by an approved instructor. Evidence that each driver has received this training shall be submitted to the Pupil Transportation Branch and a copy shall be retained by the district.

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	<p>Section 6.</p> <p>A superintendent shall require all drivers of school buses equipped with a crossing control arm to utilize the arm when loading or unloading students. The superintendent or designee, in consultation with the certified driver training instructor, shall have full authority as to the use of crossing arms on school grounds.</p> <p>Section 7.</p> <p>District school bus inspectors shall complete an annual four (4) hour update conducted by a state approved school bus inspector/instructor.</p> <p>Section 8.</p> <p>The training required to be designated as a state approved inspector is provided in the “Pupil Transportation Management Manual”, Chapter 6.</p> <p>Section 9.</p> <p>A superintendent shall implement a controlled substance and alcohol use and testing program in accordance with Federal Motor Carrier Regulations 382, Section 101 through 605.</p> <p>Section 10.</p> <p>A district shall provide the owner of any school bus or special type vehicle that is contracted to the board for the transportation of the district’s pupils</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>with a written contract each school year in which the responsibilities of the contractor are clearly established.</p> <p>Section 11.</p> <p>A district shall require the owner of any school bus or special type vehicle contracted to the board to provide a performance bond each school year in the amount that the district deems necessary.</p> <p>Section 12.</p> <p>In route planning and purchasing or contracting for school buses, a district shall work toward providing a sufficient number of school buses to allow each student a seated position that affords the occupant protected compartmentalization and complies with 702 KAR 5:080.</p> <p>Section 13.</p> <p>Before a district transfers the title of a school bus to another party other than a Kentucky school district, the district shall:</p> <p>(1) Remove all district identification. A contract issued by the board to a school bus contractor shall contain a clause requiring the school bus contractor to remove all district identification lettering from the school bus when it is no longer under contract to the district; and</p>

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	<p>(2) Make the stop signal arm and the red flashing warning lights, strobe lights and crossing control arms inoperable by disconnection or removal.</p> <p>Section 14.</p> <p>A district shall develop a plan providing all pupils instruction in school bus pupil safety each school year. The district shall conduct two (2) evacuations each semester with the first evacuation each semester being conducted within the first week in accordance with the Driver Training Instructor Manual, Chapter Eleven (11). The district shall retain documentation of emergency evacuation performance. Educational films, safety demonstrations or related information as approved by the Kentucky Department of Education, may supplement emergency evacuation drills.</p> <p>Section 15.</p> <p>A district shall not permit a radio, tape, or communication system to be installed or operated on the school bus that is not under the direct control of the bus driver. Any installed radio, tape or communication system shall be per the original equipment manufacturer's specifications.</p>

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	<p>Section 16.</p> <p>A district shall designate a physician, physician’s assistant, or an advanced registered nurse practitioner to perform the physical examination required for all school bus drivers. The district shall retain a current physical examination record or physical fitness certification for each school bus driver.</p> <p>Section 17.</p> <p>A principal or designee shall be responsible for the organization and operation of a system of adequate supervision of the pupils as they enter and leave the school buses at the school.</p> <p>Section 18.</p> <p>Each local board of education shall have a policy on responsibilities of pupils who are transported in district vehicles.</p> <p>Section 19.</p> <p>A principal or designee shall be responsible for the discipline of pupils who ride school buses. The principal shall assist the school bus driver with school bus discipline problems when the school bus driver properly reports on the discipline problem either in person or in writing.</p>

Section 20.

A pupil who creates a serious safety or discipline problem or persists in creating serious discipline problems on the school bus shall be reported to the principal or designee who handles bus discipline problems. The principal or designee may suspend the pupil's bus riding privileges until the problem is resolved. A student whose bus riding privileges have been suspended shall not be allowed on the bus again until the driver receives permission by the principal or his designee.

Section 21.

A school bus driver shall maintain a current ridership list for all routes and trips.

Section 22.

A local board of education that owns, operates, or contracts school buses that transport the district's pupils to and from school shall purchase liability or indemnity insurance for said school buses. The coverage limits shall be at least the amounts below:

Bodily injury/property damage	\$2,000,000 per occurrence combined or \$250,000/\$2,000,000 split
Uninsured/underinsured Motorist coverage	\$500,000
"No fault" coverage	20,000 per passenger

702 KAR 5:060 – Buses; Specifications and Purchases
702 KAR 5:080 – Bus Drivers’ Qualifications; Responsibilities and Training

Section 1.

(1) A local board of education shall require an annual medical examination of each school bus driver or driver of a special vehicle used to transport school children to and from school and events related to the school. A district may require a school bus driver to pass a routine medical examination or a special type medical examination more often than annually at the district’s expense. A current medical examination certificate (TC 94-35E and the Supplement to TC 94-35E) for each school bus driver shall be retained by the district.

(2) The medical examination shall include tests for:

(a) Hearing and vision disorders;

(b) Emotional instability; and

(c) Serious medical conditions including:

1. Diabetes;

2. Epilepsy;

3. Heart disease; and

4. Other chronic or communicable diseases if indicated in the opinion of the licensed medical examiner.

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(3) The examination shall include tests for tuberculosis upon initial employment and positive reactors shall be required to have further evaluations.

(4) A medical examination of a school bus driver shall be reported on Form TC 94-35E and the Supplement(s) to TC 94-35E to the local superintendent or his designee.

Section 2.

(1)(a) A criminal records and driving history check shall be performed by a local district on school bus drivers prior to initial employment and after a break in service (excluding summers).

(b) Employment shall be contingent upon meeting the requirements of paragraph (a) of this subsection. A local board of education **shall adopt** policies outlining employment qualifications as related to these criminal records and driving history checks.

(c) A school bus driver shall immediately report to the local superintendent or his designee a:

1. Revocation of his driver's license;
2. Conviction for DUI/DWI;
3. Conviction for reckless driving; or
4. Citation for any moving motor vehicle violation including DUI/DWI and reckless driving.

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(2)(a) Controlled substance and alcohol use testing shall be a condition of employment for anyone in a safety sensitive position, including:

1. School bus drivers;
2. School bus mechanics; and
3. Other safety-sensitive jobs requiring a CDL license.

(b) The controlled substance and alcohol use testing program shall include the following tests:

1. Pre-employment testing (controlled substance only);
2. Post-accident testing;
3. Random testing; and
4. Reasonable suspicion testing.

(c) Prospective employees who have tested positive for a controlled substance within the last five (5) years shall not be considered for employment to drive a school bus or the performance of safety-sensitive services related to pupil transportation.

(d) A school bus driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties having a confirmed positive test for a controlled substance shall be relieved of those duties immediately and not be eligible for reemployment for five (5) years.

INSTRUCTOR GUIDELINES/NOTES**CONTENT**

(e) A school bus driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests at 0.02 percent or higher on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately and not be eligible for reemployment in a safety-sensitive position for five (5) years.

(f) A person shall not be employed as a school bus driver if convicted within the past five (5) years of driving a motor vehicle under the influence of alcohol or any illegal drug.

(g) A person shall not drive a school bus unless the person is physically or mentally able to operate a school bus safely and satisfactorily. If there is limitation of motion in joints, neck, back, arms, legs, or other body parts, due to injury or disease that would limit the driver's ability to safely perform the task of driving a school bus or performing other driver responsibilities, the person shall not be employed as a school bus driver.

(h) A driver taking medication either by prescription or without prescription shall report this to their immediate supervisor and shall not

drive if that medication would affect the driver's ability to safely drive a school bus or perform other driver responsibilities.

Section 3.

(1) A person shall not drive a school bus unless the person has:

- a) Visual acuity of at least 20/40 (Snellan) in each eye either without corrective lenses or by correction with corrective lenses;
- b) Form field vision of not less than a total of 140 degrees; and
- c) The ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.

(2) A driver requiring correction by corrective lenses shall wear properly prescribed corrective lenses at all times while driving.

Section 4.

A person shall not drive a school bus whose hearing is less than 7/15 in the better ear, or hearing loss is greater than forty (40) decibels if audiogram is used, for conversational tones, with or without a hearing aid. A driver requiring a hearing aid shall wear properly operating aids at all times while driving.

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	<p>Section 5.</p> <p>A school bus driver shall be at least twenty-one (21) years of age.</p> <p>Section 6.</p> <p>(1) A school bus driver shall have a current driver's license that is valid in Kentucky. A school bus driver shall possess a commercial driver's license, with the passenger endorsement for a school bus, which is valid in Kentucky.</p> <p>(2)(a) Prior to acceptance into the school bus driver training program, a driver applicant shall be required to demonstrate driving skills judged by a certified driver training instructor to meet acceptable performance standards as outlined in "Pre-employment Road Test", January, 2002.</p> <p>b) The Pre-employment Road Test Score Sheet supplied by the Department of Education shall become a part of the driver's training record.</p> <p>c) A driver shall demonstrate the following skill levels:</p> <ol style="list-style-type: none"> 1. Vehicle knowledge; and 2. Driver's ability to perform steering, maneuvering, braking, use mirrors, and demonstrate each of the following: <ol style="list-style-type: none"> a. Ninety (90°) degree left hand turns steering technique;

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- b. Ninety (90°) degree right hand turns steering technique;
- c. Operating posture;
- d. Visual awareness;
- e. Backing ability using mirrors only; and
- f. Demonstration of spatial awareness.

Section 7.

(1) Minimum training requirements to become a school bus driver shall consist of the training course developed by the Kentucky Department of Education and three (3) driver review, evaluation and instruction components.

(2)(a) A person shall not be certified to teach the school bus driver training curriculum until that person has:

1. Satisfactorily completed a minimum of thirty-three (33) hours classroom and driving instruction, conducted or approved by the Department of Education and relevant to the driver training curriculum; and
2. Been issued an instructor's certificate by the commissioner of education.

(3) Instructors shall be required to renew their certificates annually by completing six (6) hours of update training conducted or approved by the Department.

(4) The school bus driver training course core curriculum shall consist of the following instructional units and minimum instructional times:

- a) Laws and regulations - two (2) hours;
- b) Driving fundamentals - two (2) hours;
- c) Care and maintenance - two (2) hours;
- d) Critical situations - one (1) hour;
- e) Incidents and emergency procedures - two (2) hours;
- f) Pupil management - two (2) hours;
- g) First aid - one (1) hour;
- h) Special education transportation - one (1) hour;
- i) Extracurricular trips – one (1) hour;
- j) Vehicle operations – three (3) hours;
- k) Vehicle control at speed – one (1) hour; and
- l) Bus route identification, driver review and instruction – two (2) hours

(5) Upon successful completion of the core curriculum the school bus driver applicant shall complete the following:

- a) Driver review I, evaluation and instruction – two (2) hours within the first five (5) days of driving.

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- b) Driver review II, evaluation and instruction - two (2) hours after not less than twenty (20) days nor more than thirty (30) days of driving; and
- c) Driver review III evaluation and instruction - one (1) hour within three (3) to six (6) months of completion of driver review II. **Driver review III shall be done with students on the bus.**

Section 8.

(1) Prior to the beginning of each school year, a certified driver shall complete an eight (8) hour training update relevant to the curriculum prior to the beginning of the school year. **Each district shall be responsible for planning and conducting the update based on the needs of its drivers.**

(2) Discontinuance of driver employment and subsequent reemployment shall require the driver to become requalified by a training update within a twelve (12) month period following his or her certification termination date.

(3) A driver who does not complete the training update and recertification as required by subsection (2) of this section shall be required to complete the beginning training program.

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	<p>Section 9.</p> <p>If an emergency makes it necessary for the driver to leave the bus while pupils are on board, the driver shall:</p> <ol style="list-style-type: none"> 1) Move the bus to a safe location if possible; 2) Set the parking brake; 3) Stop the engine; 4) Shift the bus to low gear, or place in neutral if automatic equipped; 5) Remove the ignition key; and 6) Place one (1) of the older responsible pupils in charge during the driver's absence if appropriate. <p>Section 10.</p> <p>A driver shall operate the school bus at all times in a manner that provides the maximum amount of safety and comfort for the pupils under the circumstances.</p> <p>Section 11.</p> <ol style="list-style-type: none"> (1) A driver shall supervise the seating of the pupils on the bus. A driver may assign a pupil to a specific seat on the bus. (2) The driver shall make certain the seating capability of the bus has been fully utilized before any pupil is permitted to stand in the bus aisle. A driver shall not permit pupils to stand:

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- a. In the step well or landing area;
- b. If the pupil would likely fall out of the bus if the emergency door were opened; or
- c. If the driver's view directly in front of the bus or to either side of the front of the bus would be obscured.

(3) A driver shall report to the superintendent or a designee any overcrowded conditions on the bus.

Section 12.

(1) A driver shall transport only those pupils officially assigned to a particular bus route unless an unassigned pupil presents the driver with a written permit to ride the bus that has been signed by the school principal or a designee.

(2) A driver shall not permit an assigned pupil to leave the bus at a stop other than where the pupil regularly leaves the bus unless presented with a written permission signed by the principal or a designee.

Section 13.

A driver shall not transport adult employees of the board or any person not employed by the board of education unless provided with written permission from the district superintendent or a designee.

Section 14.

A board of education shall develop a policy on what may or may not be transported on a school bus. The policy shall include the following:

(1) A driver shall not knowingly permit any firearms or weapons, either operative or ceremonial, to be transported on the bus. The driver shall not knowingly permit any fireworks or any other explosive materials of any type to be transported on the bus; and

(2) A driver shall not permit to be transported on the bus:

- a. Any live animals, fowls, or reptiles.
- b. Preserved specimen that would likely frighten any pupil or cause a commotion on the bus; or
- c. Glass objects or helium balloons.

(3) A driver shall not permit the transportation of any object that would block the bus aisle or exits.

Section 15.

A driver shall not permit a pupil to operate the entrance door handle or any other bus control except in case of an emergency.

Section 16.

(1) A driver shall activate the flashing amber warning lights at least 150 feet, if available, or a

sufficient distance from a bus stop to warn motorists of the intended stop.

(2) Once the bus comes to a complete stop, the driver shall follow the loading and unloading procedure outlined in Chapter 7 of the Driver Training Instructors Manual.

Section 17.

For safety reasons, a driver shall not permit fueling of the bus while pupils are on board the bus.

Section 18.

(1) If a pupil's conduct on the bus makes it unsafe for the bus to continue on its route, the driver shall:

- a. Make a determination as to the potential danger to other students on the bus; and
- b. Take action against the student by:
 1. Requesting that the student stop engaging in the prohibited conduct;
 2. If feasible, sending for assistance if the student fails to comply with the driver's order or request;
 3. Ordering the student to leave the bus;
or
 4. Ejecting the pupil from the bus.

(2) Ejecting a pupil from the bus shall be done only in the most extreme circumstances.

(3) If a student has been ejected from a bus as the result of conduct specified in subsection (1) of this section, the driver shall notify the immediate supervisor, who shall notify the appropriate district authorities, who shall subsequently notify the student's parent or legal guardian according to local board policy.

Section 19.

A school bus driver shall stop the bus at all places where the roadway crosses a railroad track or tracks at grade level. The stop shall be made not less than fifteen (15) feet nor more than fifty (50) feet from the nearest track.

(1) After making the stop, the driver shall:

- a. Set the parking brake;
- b. Shift to neutral;
- c. Turn off all noise makers or activate the noise abatement switch if equipped;
- d. Open the service door and driver side window; and
- e. Carefully look in each direction and listen for approaching trains before proceeding.

(2) If visibility is impaired at a crossing, after stopping the driver may allow the vehicle to roll

forward to gain required visibility before proceeding.

(3) When a driver has ascertained that it is safe for the bus to cross the railroad tracks, the driver shall:

- a. Close the bus entrance door;
- b. Shift the bus into the lowest gear;
- c. Release the parking brake;
- d. Proceed immediately to cross the railroad tracks; and
- e. Turn the noise abatement switch off when safe to do so.

Section 20.

A driver shall make a pre-trip inspection of the bus safety and operating equipment each time that the bus is taken out for the transportation of pupils.

Section 21.

(1) A school bus driver shall not operate the school bus at a speed in excess of the posted speed limit on any section of highways over which the bus travels.

(2) A driver shall not drive the school bus on any roadway at any time at a speed where the conditions of the roadway, weather conditions, or other extenuating circumstances would likely make it unsafe.

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	<p>Section 22.</p> <p>A driver shall wear the driver's seat belt at all times that the bus is operated.</p> <p>Section 23.</p> <p>A stop signal arm and flashing warning lights shall be used only at stops where pupils are boarding or leaving the bus.</p> <p>Section 24.</p> <p>A driver shall not use tobacco products on the school bus and shall not permit pupils to use tobacco products on the school bus.</p> <p>Section 25.</p> <p>A driver shall signal pupils to board or leave the bus when the driver has determined that any visible approaching traffic creating a substantive risk of harm has come to a complete stop and is not attempting to start up or pass the bus.</p> <p>Section 26.</p> <p>A driver shall not operate a school bus while under the influence of alcoholic beverages or any illegal drug or other drug as provided in Section 2 of this administrative regulation. A driver found under the influence of alcohol or any illegal drug while on duty or with remaining driving responsibilities that same day shall be dismissed from employment.</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>Section 27.</p> <p>A driver of a school bus shall be on the bus at all times students are loading or unloading.</p> <p>Section 28.</p> <p>A driver shall inspect the school bus at the completion of each bus run to ensure that no students remain on the bus.</p> <p style="text-align: center;">EMPLOYEE DRUG AND ALCOHOL AWARENESS TRAINING SESSIONS</p> <p style="text-align: center;">OUTLINE FOR INSTRUCTIONS</p> <p><u>Each board employee who possesses a commercial driver’s license must receive a minimum of one (1) hour of training in drug and alcohol awareness. Following is the outline for this training, along with a drug handout.</u></p> <p><u>EMPLOYEE ORIENTATION</u></p> <p>The purpose of employee training is to provide your employees with the skills and knowledge to accomplish the following objectives:</p> <ol style="list-style-type: none"> 1. Understand your transit policy for a drug-free workplace and how it applies to them, including: <ol style="list-style-type: none"> (a) understanding the performance impacts of drug and alcohol abuse;

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>(b) understand expected standards of employee conduct and the penalties for violation of the policy; and</p> <p>(c) knowing what Employee Assistance Program (EAP) services are available.</p> <ol style="list-style-type: none"> 2. Appreciate how substance abuse can affect the workplace in terms of economic loss, vehicle safety and incidents, workplace attitudes and morals, productivity, and equipment reliability. 3. Understand the general procedures for specimen collection for drug testing. 4. Know that impaired job performance may lead to a request for a urine specimen for reasonable suspicion testing. 5. Know where to go for assessment and referral for drug or alcohol abuse for themselves, co-workers, or family members. 6. Understand how the physiological and psychological effects of drugs endanger health and the work environment, with particular emphasis on alcohol, marijuana, and cocaine. 7. Understand the principal of confidentiality and how it applies to the drug and alcohol policy. 8. Have an appreciation of their role in creating a workforce value system which actively supports the concept of a drug-free workplace.

SAMPLE OUTLINE FOR EMPLOYEE

AWARENESS TRAINING SESSIONS

A. Impact Of Drug Abuse On Society And Industry

1. National and regional statistics on drug and alcohol abuse.
2. Signs and symptoms of drug and alcohol abuse

B. School District’s Anti-Drug Policy

1. Purpose and scope
2. Opportunities for help (employee assistance)
3. Prohibited substance
4. Prohibited behaviors/standards or conduct
5. Consequences of policy violation
6. Circumstances requiring drug testing (pre-employment, reasonable cause, etc.)
7. Overview of the specimen collection process
8. Overview of laboratory testing techniques and validity.

C. The Drugs Of Abuse (Brief Overview Of Signs And Symptoms of Use and Effects on the Individual And The Workplace)

1. Depressants (alcohol, barbiturates, sedatives, tranquilizers, antihistamines)
2. Stimulants (cocaine, amphetamines, and pseudoamphetamines)
3. Narcotics (heroin, codeine, morphine, Demerol, Percodan, Dilaudid)

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>4. Hallucinogens (LSD, mescaline)</p> <p>5. PCP (phencyclidine, angel dust)</p> <p>6. Marijuana</p> <p>D. Return To Duty And Re-Entry Contracts</p> <p>1. After voluntary admission of use</p> <p>2. After a positive drug test result</p> <p>3. After a performance-based intervention</p> <p>E. Sources And Resources For Help (EAP, Assessment, Referral, Treatment, Follow-Up)</p> <p><u>Drug Detection Periods</u></p> <p>Approximate Guidelines</p> <p>Amphetamines 2-4 days</p> <p>Barbiturates 3 days – Phenobarbital-2 weeks or longer</p> <p>Benzodiazepines Up to 2 weeks</p> <p>Cannabinoids Infrequent user: up to 10 days Chronic user: 30 days or longer</p> <p>Cocaine Metabolite 2-3 days</p> <p>Methaqualone Up to 14 days</p> <p>Opiates 2-3 days</p> <p>Phencyclidine 3-8 days</p> <p>Alcohol Several hours</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p data-bbox="743 193 1490 289"><u>Please note: Guidelines Should Not Be Applied To Any Individual.</u></p> <p data-bbox="751 317 1143 348">DRUG EDUCATION GUIDE</p> <p data-bbox="743 384 1398 415">Seven (7) possible symptoms of drug involvement:</p> <ol data-bbox="857 447 1490 989" style="list-style-type: none"> <li data-bbox="857 447 1490 543">1. change in school or work attendance or performance; <li data-bbox="857 575 1349 606">2. alteration of personal appearance; <li data-bbox="857 638 1344 669">3. mood swings or attitude changes; <li data-bbox="857 701 1490 798">4. withdrawal from responsibilities/family contacts; <li data-bbox="857 829 1354 861">5. association with drug-using peers; <li data-bbox="857 892 1382 924">6. unusual patterns of behavior; and/or <li data-bbox="857 955 1382 987">7. defensive attitude concerning drugs. <p data-bbox="850 1018 1382 1050"><u>ALCOHOL (BEER, WINE, LIQUOR)</u></p> <p data-bbox="743 1081 1490 1241">PHYSICAL SYMPTOMS: intoxication, slurred speech, unsteady walk, relaxation, relaxed inhibition, impaired coordination, slowed reflexes</p> <p data-bbox="743 1272 1490 1369">LOOK FOR: smell of alcohol on clothes or breath, intoxicated behavior, hangover, glazed eyes</p> <p data-bbox="743 1400 1490 1560">DANGERS: addiction, incidents as result of impaired ability and judgement, overdose when mixed with other depressants, heart and liver damage</p> <p data-bbox="808 1591 1425 1623"><u>COCAINE (COKE, ROCK, CRACK, BASE)</u></p> <p data-bbox="743 1654 1490 1814">PHYSICAL SYMPTOMS: brief intense euphoria, elevated blood pressure and heart rate, restlessness, excitement feeling of well-being followed by depression</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>LOOK-FOR: glass vials, glass pipe, white crystalline powder, razor blades, syringes, needle marks</p> <p>DANGERS: addiction, heart attack, seizures, lung damage, severe depression, paranoia (see stimulants)</p> <p style="text-align: center;"><u>MARIJUANA (POT, DOPE, GRASS, WEED, HERB, HASH, JOINT)</u></p> <p>PHYSICAL SYMPTOMS: altered perceptions, red eyes, dry mouth, reduced concentration and coordination, euphoria, laughing, hunger</p> <p>LOOK FOR: rolling papers, pipes, dried plant material, odor of burnt hemp rope, roach clips</p> <p>DANGERS: panic reaction, impaired short term memory, addiction</p> <p style="text-align: center;"><u>HALLUCINOGENS, (ACID, LSD, PCP, MDMA, ECSTASY, PSILOCYBIN MUSHROOMS, PEYOTE)</u></p> <p>PHYSICAL SYMPTOMS: altered mood and perceptions, focus on detail, anxiety, panic, nausea, synaesthesia (ex: smell colors, see sounds)</p> <p>LOOK FOR: capsules, tablets, “microdots”, blotter squares</p> <p>DANGERS: unpredictable behavior, emotional instability, violent behavior (with PCP)</p> <p style="text-align: center;"><u>INHALANTS-GAS, AEROSOLS, GLUE, NITRATES, RUSH, WHITE-OUT</u></p> <p>PHYSICAL SYMPTOMS: nausea, dizziness, headaches, lack of coordination and control)</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>LOOK FOR: odor of substance on clothing and breath, intoxication, drowsiness, poor muscular control</p> <p>DANGERS: unconsciousness, suffocation, nausea and vomiting, damage to brain and central nervous system, sudden death</p> <p style="text-align: center;"><u>NARCOTICS-HEROIN (JUNK, DOPE, BLACK TAR, CHINA WHITE) – DEMEROL, DILAUDID (D’S), MORPHINE, CODEINE</u></p> <p>PHYSICAL SYMPTOMS: euphoria, drowsiness, insensitivity to pain, nausea, vomiting, watery eyes, runny nose (see depressants)</p> <p>LOOK FOR: needle marks on arms, needles, syringe, spoons, pinpoint pupils, cold moist skin</p> <p>DANGERS: addiction, lethargy, weight loss, contamination from unsterile needles (hepatitis, AIDS), accidental overdoes</p> <p style="text-align: center;"><u>STIMULANTS (SPEED, UPPERS, CRANK, BAM, BLACK BEAUTIES, CRYSTAL, DEXIES, CAFFEINE, NICOTINE, COCAINE, AMPHETAMINES</u></p> <p>PHYSICAL SYMPTOMS: alertness, talkativeness, wakefulness, increased blood pressure, loss of appetite, mood elevation</p> <p>LOOK FOR: pills and capsules, loss of sleep and appetite, irritability or anxiety, weight loss, hyperactivity</p> <p>DANGERS: fatigue leading to exhaustion, addiction, paranoia, depression, confusion, possible hallucinations</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p data-bbox="753 195 1487 352"><u>DEPRESSANTS – BARBITURATES, SEDATIVES, TRANQUILIZERS, (DOWNERS, TRANKS, LUDES, REDS, VALIUM, YELLOW JACKETS, ALCOHOL</u></p> <p data-bbox="753 384 1487 541">PHYSICAL SYMPTOMS: depressed breathing and heartbeat, intoxication, drowsiness, uncoordinated movements.</p> <p data-bbox="753 573 1487 667">LOOK FOR: capsules and pills, confused behavior, longer periods of sleep, slurred speech</p> <p data-bbox="753 699 1487 856">DANGERS: possible overdose, especially in combination with drugs; muscle rigidity, addition, withdrawal and overdose require medical treatment.</p> <p data-bbox="753 888 1487 930"><u>702 KAR 5:100 – Handicapped, Reimbursement For</u></p> <p data-bbox="753 951 1487 1182">This regulation establishes the terms under which school districts will receive a weighted amount in their state allotment to help defray the added cost of providing special transportation for special needs students.</p> <p data-bbox="753 1203 1487 1308"><u>702 KAR 5:110 – Vocational Pupils, Reimbursement For</u></p> <p data-bbox="753 1329 1487 1497">This regulation outlines the terms under which the state reimburses the local districts for the transportation of vocational students.</p> <p data-bbox="753 1518 1487 1623"><u>702 KAR 5:120 – Blind and Deaf Pupils, Reimbursement For</u></p> <p data-bbox="753 1644 1487 1875">The purpose of this regulation is to provide for the administration of a grant program for the purpose of providing home-to-school transportation for pupils enrolled at the Kentucky School for the Blind in</p>

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>Louisville and the Kentucky School for the Deaf in Danville.</p> <p><u>NOTE:</u> In the previous sections (702 KAR 5:010 to 5:120, plus 5:150), we have tried to reference those State laws and regulations that most directly relate to a school bus driver. There are many other laws, especially traffic laws, that you should know and obey, along with those rules and policies adopted by each board of education.</p> <p><u>702 KAR 5:130 – Vehicles Designed for Nine (9) Passengers or Less, Standards For</u></p> <p>Section 1.</p> <p style="padding-left: 40px;">For the purpose of this regulation, the word “vehicle” shall mean any vehicle owned by a school district board or contracted to the board which is significantly used to transport pupils to and from school and which is designed by the manufacturer to carry fewer than ten (10) passengers.</p> <p>Section 2.</p> <p style="padding-left: 40px;">(1) A vehicle may be used for the transportation of pupils:</p> <p style="padding-left: 80px;">a) From areas not accessible by a regular school bus to the nearest road available for the safe transfer of pupils to a regular school bus or vice versa:</p>

INSTRUCTOR GUIDELINES/NOTES**CONTENT**

- b) For emergency transportation of students;
 - c) For approved school activities; or
 - d) For qualified special needs pupils.
- (2) A vehicle driver shall be a school district employee or a person contracted by the district.

Section 3.

A vehicle shall not be used to carry more pupils than the manufacture's designed passenger capacity for that particular vehicle.

Section 4.

A vehicle shall have occupant restraint systems equal in number to the manufacturer's designed passenger capacity and installed in accordance with the original equipment manufacturer's specifications.

Section 5.

Liability or indemnity insurance shall be purchased for each vehicle. The coverage limits shall be at least these amounts:

Bodily injury/property damage	\$1,000,000 per occurrence combined or \$250,000/\$1,000,000 split
Uninsured/underinsured Motorist coverage	\$500,000
"No fault" coverage	20,000 per passenger

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>Section 6.</p> <p>Before a vehicle is initially used to transport pupils, a safety inspection shall be made on the vehicle by an approved school bus inspector to certify the vehicle is in safe operating condition. If the vehicle is found to be in unsafe operating condition, it shall not be used to transport pupils until necessary repairs are made.</p> <p>Section 7.</p> <p>Each vehicle shall be inspected at least once each month that the vehicle is used to transport pupils, utilizing the same criteria for inspection as for school buses on the “Preventative Management Inspection” Form as found in the “Pupil Transportation Management Manual.</p> <p>Section 8.</p> <p>If being used to transport pupils, a vehicle shall display a sign in clear view in the rear of the vehicle stating: “THIS VEHICLE IS BEING USED TO TRANSPORT SCHOOL CHILDREN.</p> <p>Section 9.</p> <p>Incorporated by Reference.</p> <p>(1) “Pupil Transportation Management Manual”, is incorporated by reference.</p>

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of District Support Services, Department of Education, 15th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky, Monday through Friday 8 a.m. to 4:30 p.m.

702 KAR 5:150 – Transportation of Pre-School Children

Section 1.

Local boards of education shall require each school bus transporting three (3) and four (4) year old children to be staffed with a minimum of one (1) driver assistant who is qualified and trained to assist in the transportation of three (3) and four (4) year old children by a certified local board of education school bus driver training instructor. The driver training instructor shall qualify the driver assistants with training in student entrance of bus, student egress from bus, safety rules of transportation, first aid as it pertains to emergency and immediate care, emergency evacuation and student management as it relates to seated positions and seat occupancy. The Pupil Transportation Branch shall provide the curriculum for driver assistant training. The number of assistants required for any one (1) school bus shall be recommended to the

INSTRUCTOR GUIDELINES/NOTES	CONTENT
	<p>superintendent by the driver training instructor.</p> <p>Liability insurance shall be provided for the driver assistant as a named insured. A driver assistant shall be selected who has personal attributes and indicators, which show the individual's ability to handle preschool-aged children.</p> <p>Section 2.</p> <p>It shall be the responsibility of the parent, guardian, or person authorized by the parent of a preschool child to provide safe supervision to and from the bus stop and delivery to and receipt from the driver assistant.</p> <p>Section 3</p> <p>The driver assistant shall be responsible to deliver and receive the child safely to and from the parent, guardian or person authorized by the parent. Three (3) and four (4) year old children who must cross a roadway shall be escorted by the driver assistant.</p> <ol style="list-style-type: none"> 1. No three (3) or four (4) year old child shall be left unattended at the time of delivery. 2. If the parent, guardian or a person authorized by the parent to accept the child is not present upon delivery, the child shall be taken to a prearranged location.

INSTRUCTOR GUIDELINES/NOTES

CONTENT

3. If anyone other than the authorized person is to receive the child, such arrangements shall be made by the parent or guardian by prior written permission.

NAME: _____ DATE: _____

KENTUCKY LAWS AND REGULATIONS GOVERNING SCHOOL BUS DRIVERS
TEST

**** PLEASE ANSWER TRUE OR FALSE ****

1. _____ School bus drivers must obey all Kentucky Laws unless superceded by a state regulation.
2. _____ A law is a rule of conduct that has been enacted by the Kentucky State Police.
3. _____ A regulation is an aid in carrying out the law.
4. _____ The Division of Pupil Transportation adopts rules and regulations governing pupil transportation.
5. _____ Local school districts do not receive money for pupil transportation from the state, it is all district-supported the local tax base.
6. _____ All local boards of education in Kentucky are required to provide pupil transportation.
7. _____ Local boards of education are required to provide liability and indemnity insurance for school buses.
8. _____ All school sponsored trips must be chaperoned by a school faculty or staff member.
9. _____ All school buses must have folding stop signs.
10. _____ All traffic must stop for school buses loading and unloading students on a two-lane highway.
11. _____ The Kentucky Board of Education governs the design and operation of school buses.
12. _____ The Division of Pupil Transportation establishes guidelines and procedures for school bus specifications and purchasing.
13. _____ School buses are not required to stop at all railroad crossings at grade level.
14. _____ The Division of Pupil Transportation helps local districts provide economy in operation.

15. _____ Each local superintendent is responsible for school bus inspections and reporting these monthly to the State.
16. _____ Local superintendents are required to provide training for bus drivers.
17. _____ All bus drivers are required to have on-the-road training.
18. _____ Local boards of education are not required to provide written contracts for all bus drivers.
19. _____ Local boards of education are required to make provisions for the mechanical maintenance for their districts' school buses.
20. _____ Local boards are not required to provide safety instruction for pupils riding buses, however it is recommended.
21. _____ All bus drivers are required to pass an annual physical examination.
22. _____ Each school principal is required to provide supervision and discipline relating to pupils riding buses.
23. _____ Bus drivers must report serious discipline problems to the principal.
24. _____ Students may carry firearms on a school bus if they are licensed to carry such.
25. _____ Principals are required to provide bus drivers with student rider names and addresses.
26. _____ A Kentucky public school bus driver must be eighteen (18) years old.
27. _____ A school bus driver must have the ability to recognize the colors of traffic signals.
28. _____ A school bus driver must have a current Kentucky driver license.
29. _____ Substitute bus drivers are not required to meet the same standards as regular drivers.
30. _____ A school bus driver must supervise the seating of students on the bus.
31. _____ Students riding a school bus cannot stand in the step-well or landing area of the bus.
32. _____ School bus drivers who wear hearing aids, must have a spare battery with them when operating the bus.
33. _____ In general, a student may bring a dog to school on the bus if the animal is to be used for class on that particular day.

34. _____ The driver is required to signal pupils that do not cross the roadway to board the bus.
35. _____ The driver is required to signal pupils that must cross the roadway to board the bus.
36. _____ The bus warning lights must be activated before the bus stops.
37. _____ A school bus may be filled with fuel while students are on the bus on extracurricular trips only.
38. _____ A bus driver may order a pupil off the bus.
39. _____ A school bus stop signal may be used at times other than when pupils get on and off the bus if it is an emergency situation.
40. _____ Each school bus driver is required to make a pre-trip inspection of his/her bus.
41. _____ All school bus drivers may drive over 55 miles per hours on interstates and intrastates only.
42. _____ A school bus driver must wear his/her seat belt at all times.
43. _____ Pupils must wait for a school bus at an assigned area.
44. _____ Pupils who must cross the road must do so in front of the bus.
45. _____ Pupils must remain seated while the bus in motion.
46. _____ Pupils may extend only their hands out of the bus windows when the bus is not moving.
47. _____ Handicapped students may ride regular school buses.
48. _____ Pupils that attend vocational school may not ride local district school buses.
49. _____ Pupils that are blind and deaf can ride a school bus in Kentucky.
50. _____ A bus driver does not have to follow the local board adopted policies on transportation if the situation calls for other action.

INSTRUCTOR'S SIGNATURE _____ DATE: _____

KENTUCKY LAWS AND REGULATIONS GOVERNING SCHOOL BUS DRIVERS
TEST

ANSWER KEY

The answer key is only released to KDE endorsed trainers.