

4204-R-200.00 Statement of Basis and Purpose

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

4204-R-201.00 Applicability of Rules

- 201.01 These rules and regulations apply to all school transportation vehicle operators (school bus, activity bus and small vehicle) who transport students to and from school, school to school, or to school related events in vehicles, either owned, leased or rented by the district or under contract to the district. Refer to Colorado Minimum Standards Governing School Transportation Vehicles, 301-25, for definitions of the different types of school transportation vehicles.

201.01 (a) A contract is defined as: payment to a service provider furnishing regular transportation to and from a public school or on a school-related event for students enrolled in the school or the district.

- 201.02 These rules are not intended to include:

- 201.02 (a) Private motor vehicles used exclusively to carry members of the owner's household; or
- 201.02 (b) Transportation arrangements not authorized by the district including but not limited to; sharing of actual gasoline expense or participation in a car pool; or
- 201.02 (c) The operation of vehicles in emergency situations consistent with policies of the local board of education; or
- 201.02 (d) Public Utilities Commission (PUC) regulated operations. (40-10-116, C.R.S.)

4204-R-202.00 School Transportation Vehicle Operator Classifications

- 202.01 Route operator:

Route operators regularly transport students home to school, school to school and school to home. Small vehicles or school buses may be operated on route.

Route operators shall meet or exceed the following requirements before transporting students.

- 202.01 (a) Possess a valid operator's license appropriate for size and type of vehicle.
- 202.01 (b) Be a minimum of 21 years of age.

- 202.01 (c) Motor vehicle record check (annual) (207.02).
- 202.01 (d) Pre-service training for appropriate vehicle (207.04).
- 202.01 (e) Six hours of in-service training (annual) (207.05). Part of this requirement shall be given during the school year.
- 202.01 (f) CDE appropriate written test (annual) (207.06(a and b)).
- 202.01 (g) Driving performance test (every school year) (207.07).
- 202.01 (h) Current First aid certificate (207.01).
- 202.01 (i) DOT current physical (not to exceed two years) (205.01).
- 202.01 (j) Shall meet qualification standards and insurance coverage as adopted by the local board of education/service provider.
- 202.01 (k) Documentation of route operator requirements shall be maintained by the district/service provider.

202.02 Activity trip operator:

Activity trip operators transport students on events sanctioned by the school district other than route operation as defined in 202.01.

- 202.02 (a) Small vehicle (15 or less capacity) activity trip operators shall meet or exceed the following requirements before transporting students:
 - (1) Possess a valid operator's license.
 - (2) Be a minimum of 21 years of age.
 - (3) Motor vehicle record check (annual) (207.02).
 - (4) Appropriate operator training for type of vehicle (207.04).
 - (5) CDE small vehicle written test (annual) {207.06(b)}.
 - (6) Shall meet qualification standards and insurance coverage as adopted by the local board of education/service provider
 - (7) Documentation of activity trip operator qualifications shall be maintained by the district/service provider.
- 202.02 (b) Activity trip operators of greater than 15 passenger capacity vehicles shall meet or exceed the requirements for route operator (202.01).

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

203.01 An "S" endorsement is required to operate school transportation vehicles of greater than 15 passenger capacity.

4204-R-204.00 (reserved)

4204-R-205.00 Physical Standards

- 205.01 All route level operators shall have a current physical examination (not to exceed two years) by a licensed medical examiner as defined in 49 CFR 390.5 and as approved by the district/service provider.
- 205.02 Physical for route operators shall meet the standards of the US Department of Transportation (DOT) physical.
- 205.03 The physical exam report shall be on file in the driver qualification file.
- 205.04 Medical waivers to the DOT physical standards shall be administered by the Colorado State Patrol {part 391.43 Federal Motor Carrier Safety Regulations, (FMCSR)} and attached to the physical exam report.
- 205.05 School transportation vehicle operators are required to be able to perform all essential functions including emergency evacuations when transporting students as determined by district/service provider job description or physical performance test.
- 205.06 School transportation vehicle operators, who have medical conditions which result in temporary loss of performance abilities as addressed in 205.04, shall provide satisfactory medical proof of restoration of health to the employing school district/service provider.
- 205.07 The employing school district/service provider has the authority to require at any time medical evaluation of school transportation vehicle operators for any condition which could impair the operator's ability to function, and may take appropriate action on the outcome of such evaluation.
- 205.08 If the school transportation vehicle operator's eyesight requires correction by glasses or contact lenses, the operator shall wear them at all times while driving the school transportation vehicle.
- 205.09 If the school transportation vehicle operator's hearing requires correction by a hearing correction device, the operator shall wear the properly functioning device at all times while driving the school transportation vehicle.

4204-R-206.00 Character Requirements

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

4204-R-207.00 Operator Requirements

(The following requirements are referenced in section 202.00.)

- 207.01 The operator shall have an American Red Cross First Aid certificate or its equivalent within 90 calendar days after initial employment. Equivalent first aid training shall have prior approval by the Colorado Department of Education.
- 207.02 The operator shall have a satisfactory driving record as determined by the local board of education/service provider and its insurance carrier policy. A copy of the individual's driving record shall be on file with the district/service provider prior to completion of pre-service training as a school transportation vehicle operator and annually thereafter.
- 207.03 The operator shall be able to understand and apply the rules and regulations governing the "Operation of School Transportation Vehicles."

- 207.04 The operator (new) shall be provided with a pre-service training program that includes training and the written tests concerning driving on mountainous terrain and in adverse weather conditions. The local board of education/service provider shall determine additional content.
- 207.05 The operator shall also receive at least six hours of in-service safety training annually. A portion of this annual in-service requirement shall occur during the school year.
- 207.06 The operator shall pass the following appropriate written tests.
- 207.06 (a) CDE school bus written test during the pre-service training and annually thereafter for school bus operators.
 - 207.06 (b) CDE small vehicle written test during the pre-service training and annually thereafter for small vehicle route or activity trip operator level.
 - 207.06 (c) Mountain driving written test as part of the pre-service training program.
 - 207.06 (d) Adverse weather conditions written test as part of the pre-service training program.
- 207.07 The driving performance test shall be part of the pre-service training and given every school year thereafter for route operators. This test shall be conducted in a vehicle, which is similar in type and size to the vehicle the applicant plans to operate, and shall include a vehicle inspection evaluation similar to a pre-trip inspection.
- 207.07 (a) Documentation shall be maintained that the driving performance test was conducted.
- 207.08 All training required by section 207.00 shall be documented by the district/service provider.

4204-R-208.00 (reserved)

4204-R-209.00 Railroad Crossings

- 209.01 The following rules shall apply to all school/activity buses whether transporting students or not during the process of approaching, stopping, and crossing of railroad tracks.
- 209.01 (a) The four-way hazard lamps shall be activated not less than 200 feet from the railroad crossing to alert other motorists of the pending stop for the crossing.
 - 209.01 (b) When stopped, the bus shall be as far to the right of the roadway as possible, and shall not form two lanes of traffic unless the highway is marked for four or more lanes of traffic.
 - 209.01 (c) The bus shall be stopped within 50 feet but not less than 15 feet from the nearest rail.
 - 209.01 (d) A prearranged signal shall be used to alert students to the need for quiet aboard the bus when approaching railroad tracks. Turn off all noise making equipment (fans, heaters, radio, etc).
 - 209.01 (e) After quietness aboard the stopped bus has been achieved, open the service door and operator window, listen and look in both directions along the track(s) for any approaching train(s) and for signals indicating the approach of a train.
 - 209.01 (f) If the tracks are clear, the service door shall be closed prior to placing the bus in motion, the bus may then proceed in a gear low enough to permit crossing the tracks without having to manually shift gears. Hazard lamps shall be turned off after the bus has

cleared the tracks.

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

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

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

4204-R-210.00 Accident/Breakdown Procedures

210.01 The following procedures shall be observed in the case of an accident involving a school transportation vehicle.

210.01 (a) Stop the vehicle immediately.

210.01 (b) Remain at the scene of the accident If the accident occurred on the traveled portion, median or ramp of a divided highway and each vehicle can be safely moved, move the vehicles to a nearby safe location. (42-4-1602, C.R.S. as amended).

210.01 (c) Make certain all students are in a safe place. If it is determined that it is unsafe to keep students inside the school transportation vehicle, then evacuate the students to a safe place, away from traffic.

210.01 (d) Render any person injured in the accident reasonable assistance.

210.01 (e) When a school transportation vehicle is involved in a traffic accident, three emergency reflectors shall be set to warn traffic to the distances as specified in 42-4-230, C.R.S.

210.01 (f) Notify the proper law enforcement authority and school administrator/service provider immediately. Request emergency medical assistance as necessary. On accident alert days, follow the reporting procedures as set out by the local law enforcement agency.

210.01 (g) Information such as names, license numbers, registration numbers, location, time, road and weather conditions should be obtained and accurately written down.

210.01 (h) Provisions shall be made for transporting students to their homes or school.

210.02 The operator of any school transportation vehicle (school bus or small vehicle) involved in an accident;

210.02 (a) In which any person is killed or injured or in which damage equals or exceeds the limits set forth in 42-7-202 (C.R.S. as amended), shall within ten (10) days report the matter in writing on prescribed forms to the Colorado Department of Revenue.

210.02 (b) In which the accident results in injury or death, or the total property damage for the accident equals or exceeds \$1,000, shall complete and send the STU-5 form to the Department of Education.

210.03 When a school transportation vehicle operator approaches the scene of an accident in which the

school transportation vehicle is not involved, the operator should determine the necessity of being of assistance, provide reasonable assistance, and thereafter immediately continue on the routine schedule.

210.04 The following procedures shall be observed, in the case of a school transportation vehicle breakdown:

210.04 (a) Make certain all students are in a safe place. If it is determined that it is unsafe to keep students inside the school transportation vehicle, then evacuate the students to a safe place, away from traffic.

210.04 (b) When a school transportation vehicle is broken down, three emergency reflectors shall be set to warn traffic to the distances as specified in 42-4-230, C.R.S.

210.04 (c) Notify the school district administrator/service provider (give location, type of breakdown, etc.).

210.04 (d) Provisions shall be made for transporting students to their homes or to school.

4204-R-211.00 Speed Limits

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

4204-R-212.00 Convoy Distance

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

4204-R-213.00 Substitute Assignment

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

4204-R-214.00 Pre-trip Vehicle Inspection

214.01 Each school transportation vehicle shall have a daily pre-trip inspection performed and documented by the school transportation vehicle operator, or a district/service provider authorized transportation employee, prior to the vehicle being placed in service. The pre-trip inspection requirements shall include as a minimum: service brake test, park brake test, lights (inside and outside), mirrors, emergency equipment, emergency door(s), wheels, tires, wipers, horn, and exhaust system. Additional inspection items shall be determined by the district/service provider.

4204-R-215.00 Repairs and Maintenance

215.01 The district/service provider shall have a system to document that the defects and deficiencies of school transportation vehicles and the action taken addressing the reported defect or deficiency are being reported.

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

4204-R-216.00 Emergency Evacuation Drills

216.01 Emergency evacuation drills with students shall be conducted at least twice during each school year.

216.01 (a) One drill shall be through the emergency door(s) unless district/service provider policy precludes such practice.

216.01 (b) One drill shall be conducted in the fall and the second drill be conducted in the spring.

216.01 (c) Substitute and activity trip operators of greater than 15 capacity vehicles shall be involved in the drills.

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

216.03 Records shall be maintained showing that the required evacuation drills were conducted and evacuation instruction was received.

4204-R-217.00 Strobe Lamps

217.01 When a school transportation vehicle is equipped with a roof mounted strobe lamp, it shall be operated in the following manner:

The use of the strobe lamp will only be permitted when the bus presents a hazard to other motorists, such as: loading or unloading students in inclement weather or to enhance visibility of the bus when barriers inhibit such visibility.

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

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

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

4204-R-219.00 Food and Drink

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

4204-R-220.00 Backing

220.01 The school bus operator shall use extreme caution when backing. It is recommended that the rear of the school bus be observed and directed by a second responsible person stationed outside of the bus. Before backing on roadway or school grounds, the horn or audible warning device shall be sounded and hazard lamps actuated.

4204-R-221.00 Towing

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

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

Ag program.

4204-R-222.00 Authorized Passengers

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

4204-R-223.00 Transportation of Unsafe Items

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

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

4204-R-224.00 Route Planning

224.01 School transportation vehicle routes shall be planned in such a manner as to:

224.01 (a) Eliminate as nearly as possible all railroad crossings.

224.01 (b) Prohibit the unloading from the school transportation vehicle any students who must immediately cross a major thoroughfare, except for two lane highways when such crossing can be done in a safe manner, as determined by the local school-board in consultation with the local traffic regulatory authority.

224.01 (c) Prohibit the loading/unloading of students from school transportation vehicles onto the side of any major thoroughfare when an adjacent road or street would provide access to the students' destination.

224.02 For the purpose of this section:

224.02 (a) Major thoroughfare - a freeway, U.S. highway outside any incorporated limit, interstate highway, highway with four or more lanes, or a highway or road with a median separating multiple lanes of traffic.

(1) Freeway - a controlled access highway.

(2) U.S. highway - a highway with a U.S. designation in front of the highway number (for example, U.S. 50) or posted with the U.S. highway sign.

(3) Highway with four or more lanes - a highway with two or more through lanes in the same direction. Turn, acceleration and deceleration lanes are not considered through lanes.

(4) A highway or road with a median - a highway or road with a raised, lowered, or striped area between opposing lanes of traffic. A median using a striped area is normally two to four feet wide between the solid lines.

224.02 (b) Adjacent - a road or street running parallel to the major thoroughfare: For example, service or frontage road.

224.03 It shall be the responsibility of each school transportation vehicle operator to report any condition on a route, which may be construed as a safety hazard.

224.04 Safe Stops for Loading and Unloading Students

School bus alternately flashing warning signal lamps are placed on school buses for the purposes of warning traffic that the school bus is about to stop (amber lamps) or is stopped (red lamps) to load or unload students. The following procedures shall be observed when controlling traffic with a school bus during the process of loading or unloading students on any highway, road or street:

224.04 (a) Activate the school bus alternately flashing warning signal lamps:

(1) Not less than 500 feet from the bus stop in rural areas.

(2) At least 200 feet or the length of one city block from the bus stop within the corporate limits of a town or city.

224.04 (b) The red alternately flashing warning signal lamps shall be activated whenever the bus is stopped for the purpose of receiving or discharging students. The same red lamps shall also be activated when the school bus is stopped behind or has met a school bus that has activated its red alternately flashing warning signal lamps, and at no other time.

224.04 (c) Every school bus shall stop as far to the right of the roadway as possible before discharging or loading students; except that the school bus may stop in the traffic lane when a student must cross the roadway.

224.04 (d) Exceptions:

(1) A school bus shall be exempt from this section when stopped for the purpose of discharging or loading students who require the assistance of a lift device only when no student is required to cross the roadway. Such bus shall stop as far to the right off the roadway as possible to reduce obstruction to traffic.

(2) School bus loading and unloading zones, which are properly designated, marked, and supervised within the corporate limits of a town or city, may be exempted from this section by local traffic authority and board of education policy. In rural areas, the use of the alternating flashing lamps may be exempted from this section when the local traffic regulatory authority and local board of education has by prior written designation declared such actuation unnecessary.

224.04 (e) Stop the bus to allow sufficient area to the right and front of the school bus so students may clear the school bus safely while in sight of the operator.

224.04 (f) When stopped, the parking brake or equivalent shall be set prior to loading and unloading. Transmission shall be placed in neutral or in park, (if vehicle is so equipped).

224.04 (g) Students shall be instructed to walk a distance of approximately ten (10) feet in front of the school bus and wait for operator's signal before crossing the roadway.

224.04 (h) Students shall be instructed to stand away from the curb or roadway so, when the bus stops to load, they are not next to the bus.

- 224.05 Location of student stops should consider factors including; visibility, lateral clearance, student access, and control of other motorists.
- 224.06 The route operator shall not relocate the student stop without supervisor approval. The supervisor shall specify the procedure for a route operator to relocate a student stop in an emergency.
- 224.07 The district shall have a procedure in place to verify that no students are inadvertently left on the bus at the end of the run or trip.

4204-R-225.00 Standees

- 225.01 Students shall not be permitted to stand in any school transportation vehicle while the vehicle is in motion. This does not preclude authorized persons (such as; bus assistants) from moving about as required.

4204-R-226.00 Vehicle Capacity

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

4204-R-227.00 Safety Belts

- 227.01 A school transportation vehicle operator shall have the safety belt fastened and properly adjusted whenever the school transportation vehicle is in motion.
- 227.02 Students in a small vehicle shall have their safety belts fastened and properly adjusted prior to the small vehicle being put in motion.

4204-R-228.00 Fueling

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

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

- 229.01 No school transportation vehicle operator shall drive nor shall the school district/service provider permit or require an operator to drive:
- 229.01 (a) After being on-duty 14 hours following 10 hours off duty. This would include on-duty time for all employers. Ten hours off duty may be consecutive or accumulated in two or more periods of off duty time with one period having a minimum of 6 consecutive hours off duty.
- 229.01 (b) After being on-duty for more than 70 hours in any seven consecutive days.
- 229.02 Nothing in these rules prohibits a school district/service provider from complying with part 395 of the Federal Motor Carrier Safety Regulations (FMCSR) in place of this section.
- 229.03 Definitions:
- 229.03 (a) Adverse driving conditions - In case of emergency, an operator may complete their trip without being in violation if such trip reasonably could have been completed absent the emergency.

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

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

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

(a) the operator shall be relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and students, and

(b) the operator shall be at liberty to pursue activities of their choice including leaving the premises on which the bus is located.

229.04 The operator shall document that they are in compliance with this section, hours of service.

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

229.05 No school transportation vehicle operator shall transport students, nor shall the school district/service provider require the operator to transport students, while the operator's ability or alertness is so impaired, through fatigue, illness or any other cause, as to make it unsafe for the operator to transport students.

4204-R-230.00 School Buses Operated on Mountainous Terrain

230.01 School buses, when operated on mountainous terrain, shall be equipped with an appropriate capacity retarder or students shall not occupy the front row of seats and seats located next to the emergency door(s) unless the students is adequately restrained in a fixed position as required by 42-4-1901 (1)(a) and (b), C.R.S.

4204-R-231.00 Substance Abuse Testing

231.01 District/service provider employees required to possess a CDL shall be in a US Department of Transportation approved substance abuse testing program.

4204-R-232.00 Cell Phones/Two Way Radios

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

4204-R-233.00 Service Door

233.01 No school bus operator shall operate the bus on public roadways with the service door open except when required by regulation.

4204-R-234.00 Headlight Operation

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

4204-R-235.00 School District Rules

235.01 None of these rules shall preclude a school district/service provider from establishing a more rigid standard or policy when deemed necessary by the local board of education/service provider.