

PERRIS UNION HSD – BOARD POLICIES

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of ~~2015 (AB 93, Ch. 10, Statutes of 2015)~~ **2016 (SB 826, Ch. 23, Statutes of 2016)** extends the suspension of these requirements through the ~~2015-16~~**2016-17** fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment ~~listed~~ **specified** in 13 CCR 1215, ~~including~~ **The report shall indicate** any defect or deficiency discovered by or reported to ~~him/her~~ **the driver** which would affect safe operation or result in mechanical breakdown of the bus, or, ~~indicating that if~~ no defect or deficiency was discovered or reported, **shall so indicate**. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

~~In the event of a school bus accident, the driver shall immediately notify the California Highway Patrol, the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)~~ **[MOVED DOWN]**

~~The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.~~ **[MOVED DOWN]**

~~*(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)*~~

Passenger Restraint Systems

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies (continued)

- a. Is designed for carrying 16 or fewer passengers and the driver
- b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)
(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Electronic Communications Devices

A bus driver ~~shall not drive~~ **is prohibited from driving** a school bus or student activity bus while using a wireless telephone ~~except under the following conditions: (Vehicle Code 23123, 23125)~~ **or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)**

1. ~~When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving~~

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies (continued)

2. For emergency purposes, including, but not limited to, a call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity

3. For work-related purposes

(cf. 3513.1 - Cellular Phone Reimbursement)

A bus driver shall not drive while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email, unless the device is specifically designed and configured to allow voice-operated and hands-free operation and is used in that manner. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include address all of the following: (Education Code 39831.3)

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies (continued)

1. ~~Procedures for d~~Determining if students in grades 7 through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades 7 through 8 to follow as they board and exit the bus at their bus stops
3. ~~Procedures for b~~BBoarding and exiting a school bus at a school or other trip destination
4. **Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or youth bus**

Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.

5. **Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus**

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol **(CHP)**. (Education Code 39831.3)

Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.
2. At least once each school year, all students in grades 7 through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
 - a. Proper loading and unloading procedures, including escorting by the driver
 - b. How to safely cross the street, highway, or private road
 - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies (continued)

fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use

- d. Proper passenger conduct
- e. Bus evacuation procedures
- f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the **California Highway Patrol-CHP**.

(cf. 3580 - District Records)

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies (continued)

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Bus Accidents

In the event of a school bus accident, the driver shall immediately notify the CHP, and the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Legal Reference:

EDUCATION CODE

39830-398423 *Transportation, school buses*

39860 Contract for transportation; requirement that student not be left unattended

51202 *Instruction in personal and public health and safety*

PENAL CODE

241.3 *Assault against school bus driver*

243.3 *Battery against school bus driver*

VEHICLE CODE

415 *Definition of motor vehicle*

545-546 *Definition of school bus and student activity bus*

22112 *Loading and unloading passengers*

~~23123 Use of wireless telephone prohibited while driving motor vehicle~~

~~23123.5 Text communications prohibited while driving motor vehicle~~ **Use of wireless telephone or communications device while driving; exceptions**

23125 *Use of wireless telephone prohibited while driving school bus*

27316-27316.5 *Passenger restraint systems*

28160 Child safety alert system

34500 *California Highway Patrol responsibility to regulate safe operation of school buses*

34501.5 *California Highway Patrol responsibility to adopt rules re: safe operation of school buses*

34501.6 *School buses; reduced visibility*

34508 *California Highway Patrol responsibility to adopt rules re: equipment and bus operations of school buses*

Business and Noninstructional Operations

AR 3543

Transportation Safety And Emergencies (continued)

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Passenger Restraints Frequently Asked Questions

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

American School Bus Council: <http://www.americanschoolbuscouncil.org>

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.nesbs.org>

National Transportation Safety Board: <http://www.nts.gov>

*U.S. Department of Transportation, National Highway Traffic Safety Administration:
<http://www.nhtsa.dot.gov>*

PERRIS UNION HIGH SCHOOL DISTRICT

Perris, California

Administrative Regulation Adopted: March 2013

Revised: May 17, 2017 (Pending Board Approval)