DEPARTMENT OF EDUCATION
Colorado State Board of Education

COLORADO RULES FOR THE OPERATION, MAINTENANCE AND INSPECTION OF SCHOOL TRANSPORTATION VEHICLES

1 CCR 301-26

4204-R-1.00 Statement of Basis and Purpose

1.01 Colorado law provides for the State Board of Education to adopt and enforce regulations governing the safe operation of school buses used for the transportation of students pursuant to Sections 22-51-108 and 42-4-1904, C.R.S.

1.02 The purpose of these rules is to adopt and enforce regulations governing the reasonable and adequate standards of safety for the operation, maintenance and inspection of school transportation vehicles that promote the welfare of the students and afford reasonable protection to the public. These rules are designed to align with federal standards, reflect current industry practices, and incorporate recommendations from school district and service provider transportation professionals.

1.03 The Commissioner, or designee, may provide an exemption to the Rules for the Operation, Maintenance and Inspection of School Transportation Vehicles to the extent the Commissioner finds an exemption to be appropriate.

1.04 These rules shall become effective January 1, 2017 for all student transportation.

4204-R-2.00 Applicability of Rules

2.01 These rules and regulations apply to the operation, maintenance and inspection of all public school transportation conducted by:

2.01(a) A school district or charter school for routes (home to school, school to school, and school to home);

2.01(b) A school district or charter school for activity trips (school related events);

2.01 (c) A company or individual hired by a district or charter school (service provider) for routes (home to school, school to school, and school to home).

~~vehicles (School Bus, Multifunction Bus, Motor Coach Bus and Small Vehicle as defined in 1 CCR 301-25 R-5.00) transporting students to and from school, from school to school, and/or to and from school related events in vehicles owned, leased or rented by the district or under agreement with the district.~~

2.02 These rules are not intended to include:

2.02(a) Private motor vehicles used exclusively to carry members of the owner's household; or

2.02(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

2.02(c) The operations of vehicles in bona fide emergency situations consistent with policies of the local board of education; or

2.02(d) Transportation conducted by a company or individual for activity trips (school related events), including service providers, parent volunteers, and coaches or teachers using a private motor vehicle; or ~~Student transportation under public transportation programs subject to the Federal Motor Carrier Safety Regulations, 49 CFR sections 390 to 399, available at https://www.ecfr.gov/.~~

2.02(e) Route transportation provided by a company or individual as part of their operation as a common carrier under the jurisdiction of the US Department of Transportation or Public Utilities Commission, including RTD, taxi cab services, Uber services, and Lyft services.

2.03 These rules shall not preclude a school district or service provider from establishing a more rigid standard or policy when deemed necessary by the local board of education or service provider.

4204-R-3.00 Non-Compliance

3.01 CDE will perform periodic School Transportation Advisory Reviews (STAR) of school districts, charter schools and service providers to evaluate and assist with compliance of these rules.

3.01(a) CDE will provide school districts, charter schools and service providers written notification of the STAR findings.

3.01(b) Upon receipt of the written notification of STAR findings, school districts, charter schools or service providers shall respond in writing to outline corrective actions if necessary.

3.02 CDE shall revoke or suspend the certificate for a school transportation annual inspector, school transportation annual inspector hands-on tester or inspection site under the following circumstances:

3.02(a) A school transportation annual inspector, school transportation annual inspector hands-on tester or inspection site does not meet the requirements outlined in these rules.

3.02(b) School transportation annual inspections or hands-on tests have not been properly conducted.

4204-R-4.00 School District, Charter School and Service Provider Employment Responsibilities

4.01 School districts, charter schools and service providers shall outline job responsibilities and develop job qualification standards for each school transportation vehicle operator and school transportation paraprofessionals, consistent with federal and state regulations. A copy of these requirements shall be provided to each school transportation vehicle operator and paraprofessional upon employment.

4.02 School districts, charter schools and service providers shall maintain separate files for each school transportation vehicle operator, school transportation paraprofessional, and school transportation annual inspector with written documentation evidencing all listed requirements indicated in Rule 5.00, Rule 6.00 and Rule 7.00, as applicable. Training documentation shall include the trainer name, date of the training, description of the training, duration of each topic covered and the signature of all attendees.

4.02(a) If a school transportation vehicle operator, school transportation paraprofessional, or school transportation annual inspector works for more than one school district, charter school, service provider, or operator of an inspection site, each ~~district~~ shall maintain a file with documentation in accordance with this rule.

4.03 School districts, charter schools and service providers shall ensure all employees required to possess a commercial driver's license (CDL) shall be in a US DOT approved substance abuse testing program.

4.04 School districts, charter schools and service providers shall not permit a school transportation vehicle 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.

4.05 School districts, charter schools and service providers shall have written emergency procedures and/or contingency plans to be followed in the event of a traffic accident, vehicle breakdown, unexpected school closing, unforeseen route change or relocation of a student stop in an emergency.

4.06 School district, charter schools and service providers shall ensure that documentation outlining transportation related services and requirements, including required use of Child Safety Restraint Systems and medical and behavioral information as it relates to student transportation, is available to applicable school transportation vehicle operators and paraprofessionals prior to providing transportation services.

4204-R-5.00 School Transportation Vehicle Operator Requirements

5.01 School transportation vehicle route operators (transporting students to and from school or from school to school) driving a School Bus with the capacity of 16 or greater passengers (counting the driver) and school transportation vehicle operators, other than route operators, driving vehicles with the capacity of 16 or greater passengers (counting the driver), including a School Bus, Multifunction Bus and Motor Coach Bus, shall meet or exceed the following requirements:

5.01(a) The operator shall possess a valid commercial driver's license (CDL) with the proper class and endorsements for size and type of vehicle(s) to be driven and the associated Medical Examination Report required pursuant to the Federal Motor Carrier Safety Regulations, 49 CFR section 391.43 (2015). Only the Federal Motor Carrier Safety Regulations adopted as of October 1, 2015 apply to this rule; later amendments do not apply. The federal regulations incorporated by reference in this rule are available for public inspection during regular business hours from the Colorado Department of Education, 201 E. Colfax Ave., Denver, Colorado 80209. In addition, these regulations are available at https://www.ecfr.gov/.

5.01(b) The operator shall be a minimum of 18 years of age.

5.01(c) The district or service provider shall obtain a motor vehicle record of each operator prior to transporting students and annually thereafter.

5.01(d) The operator shall be given and/or have access to the CDE School Bus/Multifunction Bus/Motor Coach Bus Operator Guide prior to transporting students.

5.01(e) The operator shall receive a minimum of six hours of in-service training annually which may include required training in 1 CCR 301-26-R-5.00. A portion of this annual in-service requirement may occur during the school year.

5.01(f) The operator shall successfully pass a CDE School Bus/Multifunction Bus/Motor Coach Bus Operator written test for the current school year prior to transporting students and annually thereafter.

5.01(g) The operator shall successfully pass a driving performance test including a pre-trip inspection prior to transporting students and annually thereafter. This test shall be conducted in a vehicle, which is similar in type and size to the vehicle the applicant is assigned to operate. Districts have the option to re-test at their discretion.

5.01(h) The operator shall receive pre-service training on the type of vehicle(s) to be driven, the type of duties they may be required to perform and in student confidentiality requirements prior to transporting students.

5.01(i) The operator shall have written documentation evidencing that they have received first aid training, including cardiopulmonary resuscitation and universal precautions within 90 calendar days after initial employment. If the operator holds a current first aid, cardiopulmonary resuscitation certificate it will meet the requirements of this section. Operators shall receive first aid training and/or re-certification every two (2) years thereafter.

5.01(j) The operator shall receive training regarding the proper use and maintenance of Child Safety Restraint Systems (CSRS) and proper wheelchair securement, when the operator is engaged in transportation involving these systems and devices prior to transporting students.

5.02 School transportation vehicle route operators (transporting students to and from school or from school to school) driving vehicles with the capacity of 15 or fewer passengers (counting the driver), including Type A Multifunction Bus and Small Vehicle, shall meet or exceed the following requirements:

5.02(a) The operator shall possess a valid driver's license.

5.02(b) The operator shall be a minimum of 18 years of age.

5.02(c) The operator shall have a current physical examination (not to exceed two years) consistent with the requirements of the Federal Motor Carrier Safety Regulations, 49 CFR section 391.43 (2015). Only the Federal Motor Carrier Safety Regulations adopted as of October 1, 2015 apply to this rule; later amendments do not apply. The federal regulations incorporated by reference in this rule are available for public inspection during regular business hours from the Colorado Department of Education, 201 E. Colfax Ave., Denver, Colorado 80209. In addition, these regulations are available at https://www.ecfr.gov/.

5.02(d) The district or service provider shall obtain a motor vehicle record of each operator prior to transporting students and annually thereafter.

5.02(e) The operator shall be given and/or have access to the CDE Type A Multifunction Bus /Small Vehicle Route Driver Guide prior to transporting students.

5.02(f) The operator shall receive a minimum of six hours of in-service training annually which may include required training in 1 CCR 301-26-R-5.00. A portion of this annual in-service requirement may occur during the school year.

5.02(g) The operator shall successfully pass a CDE Type A Multifunction Bus/Small Vehicle Route Operator written test for the current school year prior to transporting students and annually thereafter.

5.02(h) The operator shall successfully pass a driving performance test including a pre-trip inspection prior to transporting students and annually thereafter. This test shall be conducted in a vehicle, which is similar in type and size to the vehicle the applicant is assigned to operate. Districts have the option to re-test at their discretion.

5.02(i) The operator shall receive pre-service training on the type of vehicle(s) to be driven, the type of duties they may be required to perform and in student confidentiality requirements prior to transporting students.

5.02(j) The operator shall have written documentation evidencing that they have received first aid training, including cardiopulmonary resuscitation and universal precautions within 90 calendar days after initial employment. If the operator holds a current first aid, cardiopulmonary resuscitation certificate it will meet the requirements of this section. Operators shall receive first aid training and/or re-certification every two (2) years thereafter.

5.02(k) The operator shall receive training regarding the proper use and maintenance of Child Safety Restraint Systems (CSRS) and proper wheelchair securement, when the operator is engaged in transportation involving these systems and devices prior to transporting students.

5.03 School transportation vehicle operators, other than route operators, driving vehicles with the capacity of 15 or fewer passengers (counting the driver), including Type A Multifunction Bus and Small Vehicle, shall meet or exceed the following requirements:

5.03(a) The operator shall possess a valid driver's license.

5.03(b) The operator shall be a minimum of 18 years of age.

5.03(c) The district or service provider shall obtain a motor vehicle record of each operator prior to transporting students and annually thereafter.

5.03(d) The operator shall be given and/or have access to the CDE Type A Multifunction Bus /Small Vehicle Operator Guide prior to transporting students.

5.03(e) The operator shall successfully pass a Type A CDE Multifunction Bus/Small Vehicle Operator written test for the current school year prior to transporting students and annually thereafter.

5.03(f) The operator shall annually complete the CDE Multifunction/Small Vehicle Operators Medical Information Form (STU-17). Any yes annotations shall require a doctor's release.

5.03(g) The operator shall receive pre-service training on the type of vehicle(s) to be driven, the type of duties they may be required to perform and in student confidentiality requirements prior to transporting students.

5.03(h) The operator shall be given and/or have access to first aid information, including cardiopulmonary resuscitation and universal precautions.

5.03(i) The operator shall successfully pass a driving performance test including a pre-trip inspection prior to transporting students. This test shall be conducted in a vehicle, which is similar in type and size to the vehicle the applicant is assigned to operate. Districts have the option to re-test in subsequent years at their discretion.

5.03(j) Prior to driving a school transportation vehicle pursuant to 1 CCR 301-26-R-12.11, operators shall receive training on towing a trailer.

5.04 School transportation paraprofessional is a person assigned to assist a school transportation vehicle operator control behavior of students in the bus and/or ensure the safety of students getting on and off the school transportation vehicle.

5.04(a) The school transportation paraprofessional shall receive pre-service training for the type of duties they may be required to perform prior to assisting with transporting students.

5.05 School transportation vehicle operators and school transportation paraprofessionals are required to be able to perform all essential functions including emergency evacuations when transporting students as determined by the school district or service provider job qualification standards.

5.05(a) The employing school district or service provider has the authority to require at any time a medical evaluation of a school transportation vehicle operator or school transportation paraprofessional for any condition that could impair the employee's ability to operate a vehicle safely, assist student(s) as required by their position, and/or perform other required job duties, and may take appropriate action on the outcome of such evaluation.

5.05(b) School transportation vehicle operators and school transportation paraprofessionals that have medical conditions which result in temporary loss of performance abilities shall provide return to work documentation from their physician, and any other requirements per district policy to the employing school district/service provide prior to returning to their assigned duties.

4204-R-6.00 School Transportation Annual Inspector Requirements

6.01 School transportation annual inspector is a person qualified to perform annual inspections on a school transportation vehicle to confirm the vehicle complies with CDE regulations.

6.02 School transportation annual inspectors shall meet or exceed the following requirements:

6.02(a) The school transportation annual inspector shall be in possession of a valid driver's license with the proper class and endorsements for the size and type of vehicle(s) to be inspected.

6.02(b) The school transportation annual inspector shall provide to the school district or service provider a Brake Inspector Qualification Certificate meeting the requirements of the Federal Motor Carrier Safety Regulations, 49 CFR section 396.25 (2015). Only the Federal Motor Carrier Safety Regulations adopted as of October 1, 2015 apply to this rule; later amendments do not apply. The federal regulations incorporated by reference in this rule are available for public inspection during regular business hours from the Colorado Department of Education, 201 E. Colfax Ave., Denver, Colorado 80209. In addition, these regulations are available at https://www.ecfr.gov/.

6.02(c) The school transportation annual inspector shall have at least two years verifiable experience in the maintenance of light, medium or heavy duty vehicles.

6.02(d) The school transportation annual inspector shall successfully pass the CDE initial hands-on performance test.

6.02(d)(1) A certified school transportation annual inspector hands-on tester must proctor the hands-on performance test.

6.02(e) The school transportation annual inspector shall successfully pass the CDE annual inspector qualification written test initially, and every three years thereafter pass the CDE annual inspector recertification written test.

6.02(e)(1) A representative of the district or service provider, other than a school transportation annual inspector candidate, shall grade the written test.

6.03 A school district, charter school, ~~or~~ service provider or operator of an inspection site ~~with an Inspection Site Certificate shall~~ may submit a CDE Application for CDE Annual Inspector Qualification or Recertification Form (STU-20) to CDE verifying that the above requirements have been satisfied. CDE will issue an Annual Inspector Certificate.

6.04 If any of the above requirements become invalid, the annual inspector certificate is invalid until the requirement(s) is made valid.

6.05 If a school transportation annual inspector has an expired certificate, the certificate can be recertified as follows:

6.05(a) If the certificate has been expired less than six months, then the CDE Annual Inspector Recertification Written Test is required.

6.05(b) If the certificate has been expired between six and 12 months, then the CDE Annual Inspector Qualification Written Test is required.

6.05(c) If the certificate has been expired for more than one year, then both the CDE Annual Inspector Qualification Written Test and the CDE hands-on performance test are required.

4204-R-7.00 Annual Inspector Hands-On Tester

7.01 School transportation annual inspector hands-on tester is a person qualified to proctor hands-on tests to annual inspector candidates.

7.02 School transportation annual inspector hands-on testers shall meet or exceed the following requirements:

7.02(a) The school transportation annual inspector hands-on tester shall have maintained a CDE Annual Inspector certificate for a minimum of two years.

7.02(b) The school transportation annual inspector hands-on tester shall have satisfactorily completed a four hour CDE school transportation annual inspector hands-on tester training.

7.02 (c) The school transportation annual inspector hands-on testers shall have completed a four hour brake training in the last three years or have maintained an ASE School Bus or Medium/Heavy Duty Truck or Transit Bus Brake Certification.

7.02(d) The school transportation annual inspector hands-on tester candidate shall submit a CDE Application for Certification or Recertification of CDE Annual Inspector Hands-On Tester Form (STU-30) verifying that the above criteria have been satisfied. CDE will issue an Annual Inspector Hands-On Tester Certificate.

7.02(e) The school transportation annual inspector hands-on tester shall conduct at least two hands-on tests every three years or attend a CDE school transportation annual inspector hands-on recertification training to recertify as a school transportation annual inspector hands-on tester.

7.03 If any of the above requirements become invalid, the hands-on tester certificate is invalid until the requirement(s) is made valid.

4204-R-8.00 Pre-trip/Post-trip Vehicle Inspections

8.01 Each school transportation vehicle shall have a daily pre-trip and post-trip inspection performed and documented by the school transportation vehicle operator or a district, charter school or service provider authorized transportation employee. A daily pre-trip inspection shall be completed prior to a vehicle being placed in service. A daily post-trip inspection shall be completed at the end of daily operation of each vehicle.

8.02 The pre-trip and post-trip inspection requirements for school transportation vehicles, other than small vehicles, shall include at a minimum all items listed on the CDE School Transportation Vehicle (School Bus/Multifunction Bus/Motor Coach Bus) – Pre-Trip and Post Trip Requirements Form (STU-9).

8.03 The pre-trip and post-trip inspection requirements for school transportation small vehicles shall include at a minimum all items listed on the CDE School Transportation Vehicle (Small Vehicle) – Pre-Trip and Post Trip Requirements Form (STU-8).

8.04 School districts and service providers shall have a procedure in place to verify that students are not left on an unattended school transportation vehicle.

4204-R-9.00 Inspection Site Certification

9.01 A CDE Inspection Site Certificate is required at each facility/location where annual inspections for school transportation vehicles are performed.

9.02 The inspection site shall meet or exceed the following criteria to acquire and maintain an inspection site certificate.

9.02(a) The inspection site shall be large enough to accommodate the vehicle, equipment and tools necessary to perform the inspection.

9.02(b) The inspection site shall have a floor surface or pad adequate to safely support the maximum weight of the largest vehicle to be inspected.

9.02(c) The inspection site shall have adequate lighting and ventilation.

9.02(d) The inspection site or inspector shall, at the time of inspection, have the equipment and tools necessary to properly complete the annual inspection.

9.02(e) The inspection site or inspector shall have tools designed and calibrated to take accurate readings of appropriate measurements, such as brakes and tires.

9.03 The operator of an inspection site ~~district or service provider~~ shall submit a request for an inspection site certificate on the CDE Application for Inspecting Site Certification Form (STU-22) that the above criteria have been satisfied.

9.04 The operator of an inspection site ~~district or service provider~~ shall post the CDE Inspection Site Certificate at the inspection site.

4204-R-10.00 Annual Inspection

10.01 School districts, charter schools and service providers shall ensure all school transportation vehicles and trailers pursuant to 1 CCR 301-26-R-12.11 have a CDE annual inspection conducted by a CDE certified annual inspector.

10.01(a) Recently purchased school transportation vehicles shall successfully pass a CDE annual inspection prior to transporting students.

10.02 Annual inspection results shall be documented on the CDE Affidavit of Annual Inspection for School Transportation Vehicles Form (STU-25).

10.02(a) A copy of the current Affidavit is maintained inside the vehicle and a copy is placed in the vehicle file.

10.03 All annual inspection criteria of school transportation vehicles must meet or exceed manufacturer's specifications. The annual inspection shall be documented and shall include at a minimum all fields listed on the CDE Annual Inspection and Preventive Maintenance Requirements Form (STU-26).

10.04 All annual inspection criteria of trailers must meet or exceed manufacturer's specifications and shall include at a minimum all fields listed on the CDE Trailer Annual Inspection and Preventive Maintenance Requirements Form (STU-27).

10.05 During the annual inspection, all four wheels shall be pulled for full inspection of the foundation brake system. The three exceptions are:

10.05(a) School transportation vehicles with less than 4,000 miles since the previous annual inspection shall have two wheels (one front and one rear) pulled different than those pulled for the previous inspection.

10.05(b) School transportation vehicles equipped with a retarder meeting the specifications outlined in 1 CCR 301-25-R-33.00, shall have two wheels (one front and one rear) pulled which are different than those pulled for the previous inspection.

10.05(c) Trailers pursuant to 1 CCR 301-26-R-12.11 shall have 50 percent of the wheels pulled different than those pulled for the previous inspection.

4204-R-11.00 Maintenance and Repair

11.01 School districts, charter schools and service providers must ensure all school transportation vehicles are systematically inspected, maintained and repaired to ensure that school transportation vehicles are in safe and proper operating condition.

11.02 School districts, charter schools and service providers shall have a system to document preventative maintenance, reported defects and repairs made to school transportation vehicles.

11.03 School districts, charter schools and service providers shall maintain separate files for each school transportation vehicle with documentation of all annual inspections, all preventative maintenance and all reported damage, defects or deficiencies and the corresponding repair and maintenance performed.

11.04 Any identified damage, defect or deficiency of a school transportation vehicle must be reported to the school district, charter schools or service provider which:

11.04(a) Could affect the safety of operation of the school transportation vehicle, or

11.04(b) Could result in a mechanical breakdown of the school transportation vehicle, or

11.04(c) Results in noncompliance with Colorado Minimum Standards Governing School Transportation Vehicles (1 CCR 301-25) and/or manufacturer's specifications.

11.05 Documentation for reported defects must include all of the following:

11.05(a) The name of the school district, charter school or service provider.

11.05(b) Date and time the report was submitted.

11.05(c) All damage, defects or deficiencies of the school transportation vehicle.

11.05(d) The name of the individual who prepared the report.

11.06 Following a reported damage, defect or deficiency of a school transportation vehicle, school districts, charter schools and service providers or a representative agent must repair the reported damage, defects or deficiencies, or document that no repair is necessary, ensuring that the vehicle is in safe and proper operating condition prior to transporting students.

11.07 School districts, charter schools and service providers shall not transport students in a school transportation vehicle which is not in safe and proper operating condition. A school transportation vehicle shall be designated as "out-of-service" by a school district, charter schools or service provider, a school transportation annual inspector or the CDE School Transportation Unit.

11.07(a) Exemption - Any school transportation vehicle discovered to be in an unsafe condition while being operated on the highway, roadway or private road may be continued in operation only to the nearest place where repairs can safely be affected. Such operation shall be conducted only if it is less hazardous to the public than to permit the vehicle to remain on the highway, roadway or private road.

11.08 Following a school transportation vehicle being placed "out-of-service", a school district, charter school, service provider or a representative agent must make required repairs, ensuring that the vehicle is in safe and proper operating condition prior to transporting students. In the event of being placed "out-of-service" during an annual inspection, the school transportation vehicle must successfully pass a CDE annual inspection prior to transporting students.

11.09 The preventative maintenance inspection on air drum brake systems shall include, at a minimum, that the brake rod travel has been measured and documented. The applied pressure method shall be used.

11.09(a) The inspection-interval shall not exceed 4,000 miles for buses equipped with a manual slack adjuster air brake system.

11.09(b) The inspection-interval shall not exceed 6,000 miles for buses equipped with an automatic slack adjuster air brake system.

11.10 The preventive maintenance inspection interval on air disc brake systems shall not exceed 6,000 miles and shall include, at a minimum; inspection and documentation of:

11.10(a) Inspect the pad thickness by checking the mechanical wear indicators.

11.10(b) Inspect the visible part of the rotors for cracks, excessive wear, damage, etc.

11.10(c) Inspect running clearance. If the caliper has no movement or appears to move greater than the distances indicated by the manufacturer, then a full wheel removal inspection will be necessary.

11.11 The preventive maintenance inspection interval for hydraulic brake systems shall not exceed 6,000 miles and shall include, at a minimum, inspection and documentation of:

11.11(a) Proper parking brake operation.

11.11(b) Proper brake fluid level and clarity.

11.11(c) Adequate pedal reserve.

11.11(d) Proper hydraulic/vacuum assist operation.

11.11(e) Visual inspection for brake fluid leakage.

11.12 If brake adjustment or repair is needed, the work shall be completed by or supervised by a DOT or equivalent qualified brake inspector meeting the requirements of the Federal Motor Carrier Safety Regulations, 49 CFR section 396.25 (2015). Only the Federal Motor Carrier Safety Regulations adopted as of October 1, 2015 apply to this rule; later amendments do not apply. The federal regulations incorporated by reference in this rule are available for public inspection during regular business hours from the Colorado Department of Education, 201 E. Colfax Ave., Denver, Colorado 80209. In addition, these regulations are available at https://www.ecfr.gov/.

4204-R-12.00 Operation of a School Transportation Vehicle

12.01 A school transportation vehicle shall not be operated in a manner which is unsafe or likely to cause an accident or damage of the vehicle.

12.02 A school transportation vehicle shall not be placed in motion on a roadway, highway or private road with the passenger entry door/service door open.

12.03 A school transportation vehicle's headlights or daytime running headlights shall be activated while the vehicle is in operation.

12.04 A school transportation vehicle 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.

12.05 Use of tobacco products as defined in Section 18-13-121(5), C.R.S., use or possession of illegal controlled substances, use or possession of alcohol and use or possession of marijuana or cannabinoid product, except as otherwise allowed by law, aboard any school transportation vehicle shall be prohibited at all times.

12.06 A school transportation vehicle operator shall not consume food unless the vehicle is stopped at a safe location with the park/emergency brake set.

12.07 When a school transportation vehicle is equipped with a roof mounted strobe lamp, the use of the strobe lamp is permitted only when the vehicle presents a hazard to other motorists, such as loading or unloading students in inclement weather or to enhance visibility of the vehicle when barriers inhibit such visibility.

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

12.09 The school transportation vehicle operator shall use extreme caution when backing. Before backing on a roadway, highway or private property, the horn or audible warning device shall be sounded and four-way hazard lamps actuated or there shall be a person outside the vehicle giving direction.

12.09(a) Backing a school transportation vehicle when students are outside of the vehicle at a student stop is prohibited.

12.10 School transportation vehicles including Type A, B, C and D School Bus, Multifunction Bus and Motor Coach Bus shall not be operated with a trailer or other vehicle attached while students are being transported.

12.11 School transportation small vehicles, with the capacity of 15 or fewer passengers (counting the driver), may tow trailers while students are being transported to the extent that trailering is a necessary component of a district sponsored program.

4204-R-13.00 Authorized Passengers

13.01 Only district or charter school personnel, students enrolled in a district or charter school, or law enforcement officials or individuals that have received prior authorization from the school district, charter schools or service provider may be passengers on any school transportation vehicle.

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

13.03 Passengers 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 school transportation paraprofessionals) from completing their duties as required.

13.04 School districts and service providers shall consider the size of the passengers when determining the number of passengers that can safely occupy a school transportation vehicle seat.

4204-R-14.00 Safety Restraints

14.01 A school transportation vehicle operator shall have the safety belt fastened, worn correctly and properly adjusted prior to the school transportation vehicle being placed in motion.

14.02 All passengers in a school transportation vehicle under 10,000 lbs. GVWR shall have their safety belts fastened, worn correctly and properly adjusted prior to the school transportation vehicle being placed in motion.

4204-R-15.00 Transportation of Miscellaneous Items

15.01 A 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.

15.02 All baggage, articles, equipment or medical supplies not held by individual passengers shall be secured in a manner which assures unrestricted access to all exits by occupants, does not restrict the driver's ability to operate the bus and protects all occupants against injury resulting from falling or displacement of any baggage, article or equipment. Oxygen cylinders secured to a wheelchair shall be considered to be in compliance with this subsection, provided they do not impede access to any exit.

15.03 All chemicals and cleaning supplies carried on a school transportation vehicle must meet the following precautions:

15.03(a) Container is non-breakable.

15.03(b) Container is labeled with contents.

15.03(c) Pressurized aerosols are prohibited.

15.03(d) Container is secured in a bracket, or in a closed compartment in the driver's area or a compartment on the exterior of the bus.

15.03(e) Containers and quantities of products must be no more than 32 ounces in size.

15.04 Interior-decorations shall not be located within the driver's area (which includes the space in front of the front barriers including the step-well, dash, walls and ceiling, the windshield, the entry door, the driver's side window, and all windows in front of the front barrier), the first two passenger windows on both sides of the vehicle and all windows on the rear of the vehicle. Other decorations within the passenger compartment shall not:

15.04(a) Cover any required lettering.

15.04(b) Impede the aisle or any emergency exit.

15.04(c) Hang from the walls and/or ceiling.

4204-R-16.00 Maximum Driving Time for School Transportation Vehicle Operators

16.01 The school transportation vehicle operator, including small vehicle operators, shall not drive nor shall the school district or service provider permit or require an operator to drive:

16.01(a) In excess of 10 hours or after being on-duty 14 hours until completing 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.

16.01(b) After being on-duty for more than 70 hours in any seven consecutive days.

16.02 In place of section 16.00 of these rules, the school district or service provider may comply with the Federal Motor Carrier Safety Regulations, 49 CFR section 391.43 (2015). Only the Federal Motor Carrier Safety Regulations adopted as of October 1, 2015 apply to this rule; later amendments do not apply. The federal regulations incorporated by reference in this rule are available for public inspection during regular business hours from the Colorado Department of Education, 201 E. Colfax Ave., Denver, Colorado 80209. In addition, these regulations are available at https://www.ecfr.gov/.

16.03 Definitions:

16.03(a) Adverse driving conditions - In case of emergency, an operator may complete the trip without being in violation if such trip reasonably could have been completed absent the emergency.

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

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

16.03(d) Off-duty time - School transportation vehicle operators may consider waiting time at special events, meal stops and school related events as off-duty if the following criteria are met: (Compensated waiting time does not necessitate on-duty time.)

16.03(d)(1) The operator shall be relieved of all duty and responsibility for the care and custody of the vehicle, its accessories and students, and

16.03(d)(2) The operator shall be at liberty to pursue activities of his/her choice including leaving the premises on which the bus is located.

16.04 All school transportation vehicle operators shall document that they are in compliance with this section, hours of service.

16.04(a) An operator's daily log, or equivalent, 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.

4204-R-17.00 Route Planning – Student Loading and Discharge

17.01 School transportation small vehicles, Type A Multifunction Buses with 15 or fewer passenger capacity (counting the driver) and School Buses (Types A, B, C, and D) may be used to transport students to and from school. Multifunction Buses Type B, C and D and Motor Coach Buses shall not be used to transport students to and from school.

17.02 The location of student stops shall consider factors including:

17.02(a) Ages of the students.

17.02(b) Visibility.

17.02(c) Lateral clearance.

17.02(d) Student access.

17.02(e) Control of other motorists.

17.02(e)(1) Student stops for Type A Multifunction Buses with 15 or fewer passenger capacity (counting the driver) and school transportation small vehicles should be located off of the roadway whenever possible.

17.03 School transportation vehicle operators shall stop at least 10 feet away from students at each designated stop. The school transportation vehicle operator shall apply the parking brake and shift the vehicle into neutral or park prior to opening the service door of a bus or passenger door(s) of a small vehicle.

17.04 The school transportation vehicle operator shall stop as far to the right of the roadway, highway or private road as possible before discharging or loading passengers, allowing sufficient area to the right and front of the vehicle but close enough to the right to prevent traffic from passing on the right so students may clear the vehicle safely while in sight of the operator.

17.04(a) Exception: The school transportation vehicle operator may block the lane of traffic when passengers being received or discharged are required to cross the roadway.

17.05 Student stops shall not be located on the side of any major thoroughfare whenever access to the destination of the passenger is possible by the use of a road or street which is adjacent to the major thoroughfare.

17.06 If students are required to cross a roadway, highway or private road on which a student stop is being performed, they are prohibited from crossing a roadway, highway or private road constructed or designed to permit three or more separate lanes of vehicular traffic in either direction or with a median separating multiple lanes of traffic. This does not include crossing the roadway, highway or private road with the assistance of a traffic controls signal or with the assistance of a crossing guard.

17.07 Four-way hazard lamps shall be used on private property such as parking lots.

17.08 Alternating flashing red warning signal lamps shall not be activated within ~~50~~ 200 feet of an intersection if the intersection is controlled by a traffic control signal.

17.09 Routes shall be planned as to:

17.09(a) Eliminate, when practical, railroad crossings.

17.09(b) Have stops be a minimum of 200 feet apart since alternating flashing amber warning signal lamps must be activated a minimum of 200 feet in advance of the stop on the roadway on which the bus stop will be performed.

17.09(b)(1) Exception: Student stops located in areas where wildlife may create a high risk of threat to students' safety while they are waiting and/or walking to a student stop, may designate student stops less than 200 feet apart upon detailed written approval by the school district board of education or governing body of a charter school and/or their designee. A copy of the written approval shall be kept in the school transportation office and route operators shall be given written notice of the exception and have it indicated on route sheets.

17.10 In determining the length of routes, districts, charter schools and service providers must make an effort to minimize student ride times while considering student educational needs and the geographic boundaries, terrain, traffic congestion, and financial resources within the district. ~~L~~A local board~~s~~ of education or the governing body of a charter school may establish a maximum student ride time.

17.11 Pursuant to Section 42-4-1903(2), C.R.S., school transportation vehicle operators are not required to actuate the alternating flashing red warning signal lamps on a school bus when the student stop is at a location where the local traffic regulatory authority has by prior written designation declared such actuation unnecessary and when discharging or loading passengers who require the assistance of a lift device and no passenger is required to cross the roadway. Further, Type A Multifunction Buses with 15 or fewer passenger capacity (counting the driver) and school transportation small vehicles do not have the functionality to control traffic. In these instances, the school transportation vehicle operator shall stop as far to the right off the roadway as possible to reduce obstruction to traffic, activate the four-way hazard warning lamps a minimum of 200 feet prior to the student stop, continue to display the four-way hazard warning lamps until the process of discharging or loading passengers has been completed, and deactivate the four-way hazard lamps before resuming motion. Students are prohibited from crossing any lanes of traffic to access the student stop or after disembarking.

17.12 School transportation vehicle operators shall not relocate a student stop without approval of the school district or service provider.

17.13 School transportation vehicle operators of School Buses, Multifunction Buses and Motor Coach Buses, whether transporting students or not, shall apply the following procedures during the process of approaching, stopping and crossing railroad tracks:

17.13(a) Activate the four-way hazard lamps not less than 200 feet from the railroad crossing to alert other motorists of the pending stop for the crossing.

17.13(b) Stop the bus within 50 feet but not less than 15 feet from the nearest rail.

17.13(c) When stopped, the bus should be as far to the right of the roadway as possible and should not form two lanes of traffic unless the highway is marked for four or more lanes of traffic.

17.13(d) Use a prearranged signal to alert students to the need for quiet aboard the bus when approaching railroad tracks. Turn off all noise making equipment (fans, heater, radio, etc.)

17.14 After quietness aboard the stopped bus has been achieved, bus operators shall open the service door and operator window. The bus operator shall listen and look in both directions along the track(s) for any approaching train(s) and for signals indicating the approach of a train.

17.14(a) If the tracks are clear, the bus operator shall close the service door and may then proceed in a gear low enough to permit crossing the tracks without having to manually shift gears. The bus operator shall cancel the four-way hazard lamps after the bus has cleared the tracks.

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

17.14(c) Before crossing the tracks, the bus operator shall verify that there is enough space after the tracks for the bus plus 15 feet if it is necessary to stop after crossing the tracks.

17.15 School transportation vehicle operators of School Buses, Multifunction Buses and Motor Coach Buses are not required to stop at crossings only controlled by a red, amber, green traffic control signal when it is in the green position or when the crossing is controlled by a police officer or human flag person, or when the crossing is marked with an official "exempt" sign placed on the railroad crossing light post or cross bucks post.

4204-R-18.00 Emergency Evacuation Drills

18.01 Emergency evacuation drills shall be conducted with students by all school transportation vehicle operators and school transportation paraprofessionals at least twice during each school year.

18.01(a) One drill shall be conducted in the fall and the second drill conducted in the spring.

18.01(b) Substitute and Multifunction operators of 16 or greater capacity (counting the driver) vehicles shall be trained how to conduct the emergency evacuation drills.

18.02 Students on school related events shall receive emergency evacuation instruction prior to departure.

18.03 School district, charter schools and service providers shall maintain records documenting that the required evacuation drills were conducted and/or evacuation instruction was given.