

## *2018 NDE Pupil Transportation Reminders*



**Effective January 1, 2019, DMV will no longer issue school bus permits per LB347. At that time, the Nebraska Safety Center will begin handling the qualification process for drivers of pupil transportation vehicles. Information related to this change will be available this fall.**

### **Pupil Transportation Rule Revision 2018**

- NDE is currently in the revision process of Rule 91 and 92. These revisions include incorporating LB 347 (2018) which eliminated DMV's role in issuing school bus permits in Rule 91 and aligning Rule 92 with the National School Transportation School Bus Specifications.
- We anticipate public hearings for Rule 91 and 92 will be held in July. [Hearing drafts](#) for both Rules along with a summary of the proposed changes will be available once the hearing date has been established. We are hopeful that the new Rules will be in place by the first of the year.
- The change to Rule 91 will streamline the qualification process to become a pupil transportation driver with driver requirements remaining the same. School Bus Permits will be replaced with a notification from the Nebraska Safety Center (NSC) when the driver is qualified to drive a pupil transportation. Required documentation such as the Pre-Drive Form and Annual Physicals will be uploaded to the NSC. This driver qualification documentation for each driver must be kept on file at the district.

### **Commercial Driver's License (CDL) Reminders**

The following is a partial list of requirements that impact school bus drivers. The full list of requirements that began July 2015 can be found at <http://www.dmv.nebraska.gov/examining/CDL.html>

- In order to take the skills tests for a CDL, drivers must first have a Commercial Learner's Permit (CLP) for 14 days. All applicable knowledge tests must be passed in order to obtain a CLP.

- ALL CLP/CDL applicants are required to show proof of U.S. Citizenship or lawful status. A list of acceptable document for proof of citizenship, lawful status, identification and principal address can be found on the DMV website at [www.dmv.ne.gov](http://www.dmv.ne.gov). Applicants will only have to provide proof of citizenship one time after July 2015 during the licensing process.
- A CDL School Bus Pre-Trip Inspection video is available on the DMV website at [http://www.dmv.nebraska.gov/examining/School\\_Bus\\_pretrip\\_video.html](http://www.dmv.nebraska.gov/examining/School_Bus_pretrip_video.html)
- For more information about these new requirements, please contact Matt Coatney, DMV CDL Program Manager 402-471-1472 or [matt.coatney@nebraska.gov](mailto:matt.coatney@nebraska.gov).

**Please note:** CDL skills tests are only administered at 22 DMV locations throughout the state and appointments for skills testing must be made in advance. (CDL knowledge tests can be taken at all Driver Licensing Services Offices.) Keep in mind that in order to schedule an appointment for the CDL Skills test, drivers must have held a valid Nebraska CLP for 14 days. Contact DMV at 402.471.7983 to find locations for the skills test and make appointments for skills tests. Drivers also have the option to be tested by a CDL Third Party Examiner for a fee.

### Annual Physicals

- Annual physicals for any pupil transportation driver (*school bus and small vehicle*) must be performed by a health professional that is a “Certified Medical Examiner” that is also listed on the FMCSA’s (Federal Motor Carrier Safety Administration) National Registry. For more information and to locate for health professional nearby:  
<https://nationalregistry.fmcsa.dot.gov/NRPublicUI/home.seam>
- Drivers need only present the medical examiner’s certificate to DMV when going through CDL licensing process. DMV does not need the long form from the drivers when NOT taking action on Bus Permit.

### DOT Alcohol and Controlled Substances Testing

- Schools are *required* by the U.S. DOT Federal Motor Carrier Safety Administration (FMCSA) to implement an Alcohol and Controlled Substances Testing Program for their employees who drive school buses requiring a CDL.
- All drivers holding a CDL are subject to pre-employment, random, post-accident, return-to-duty and follow-up testing– whether it be conducted by the school, contracted services or within a consortium that provides these services to their member schools.
- Pre-employment testing requires that schools receive a negative controlled substances test result *PRIOR* to any driver performing a safety-sensitive function (as defined in 49 CFR 382.107).
- All drivers operating CDL vehicles are subject to random unannounced alcohol and controlled substances testing – whether it be conducted by the school, contracted services or within a consortium that provides these services to their member schools.
- Supervisors of pupil transportation drivers must attend at least one hour of training for alcohol misuse and for controlled substances use (two hours total). After completion of this training, documentation such as a certificate should be placed into the supervisor’s file. *This is a one-time requirement for an individual.* The following link provided by Federal Transit Administration could provide appropriate training for your supervisor: <http://transitsafety.volpe.dot.gov/DrugAndAlcohol/TechnicalAssistance/ReasonableSuspicion.asp>. Another option to consider is an internet search on “DOT drug alcohol supervisory training video free” to bring up other training videos available for this purpose. *There is no specific required course to meet this requirement.*

- Schools contracting for pupil transportation services should require records from their provider documenting their drivers are participating in a DOT-compliant Random Alcohol and Controlled Substances Testing Program.
- If you have questions, please contact the Federal Motor Carrier Safety Administration, Nebraska Division, at 402-437-5986.

### **“NeedSomeone to Drive the Bus Today!!”**

- If a situation arises where students have to be transported in an emergency situation, a School Bus Permit is not required “when approved by the school administrator or person designated by the governing school board.” (*NDE Rule 91 - 003-01A*)
- *This only applies to small vehicles such as a car or van...it does not include school buses because a CDL is required.*
- Emergency situations should be carefully defined in local policy. These situations could include that the parent of a sick child has no transportation available and their child needs to be taken home and no drivers are available.

### **Emergency Evacuations**

- Twice during each school year, schools must provide an opportunity for *each* student to take part in instruction in safe riding practices and emergency evacuation drills. (*NDE Rule 91- 005.05*)
- The instruction and drills must be provided to students whether the school owns the vehicle or transportation is provided by a private contractor and *should be conducted by a school bus driver*. Guidelines are available in the appendix of NDE Rule 91.
- Superintendents verify the emergency evacuations were conducted during the school year through the Pupil Transportation Report located in the NDE Portal within the Consolidated Data Collection (CDC).
- **NDE has been receiving reports that some schools or contractors are not conducting emergency evacuation drills for their students. *Please note that this is a statutory requirement.***

### **School Bus Driver In-Service Series**

- Are you planning in-service training for your teachers before the school year starts? How about those responsible for transporting your students? The National Highway Traffic Safety Administration (NHTSA) has developed a school bus driver in-service safety series available on their website at <http://www.nhtsa.gov/Driving+Safety/School+Buses/School+Bus+Driver+Training>
- This refresher training provides nine lesson modules on driving a school bus for experienced bus drivers. The modules cover adverse weather conditions, railroad grade crossing, routes, driver attitude, emergency evacuations, loading and unloading, student management, transporting special needs students, and vehicle training. Each module has an instructor guide, presentation slides and handouts making your transportation in-service training much more manageable.

### **Vehicle Inspections**

- Vehicles (including contracted vehicles) that transport students must have been inspected according to NDE Rules 91 and 92. These inspections include:
  - *Pre-Trip Vehicle Inspection* done *at least* once a day (*NDE Rule 91- 005.01*)
  - *80 day inspections* done before school and every 80 days thereafter (*NDE Rule 92 – 009.02A*)

o *Post-trip Vehicle Inspection* for any students left on board (NDE Rule 91- 005.02)

- Documentation of the Pre-Trip, 80-day and Post Trip inspections must be kept in school files for a period of at least five years. This documentation would be a critical piece of information for the school if an accident occurs with a school vehicle.

### Contracting for Pupil Transportation

- Private providers of pupil transportation are also required to follow all of the Rule 91 regulations
- Be aware that responsibility is yours as the administrator to assure these contractor-owned vehicles have been *documented* as safe pupil transportation vehicles. Like any pupil transportation vehicle, you must have documentation for the inspections of these contracted vehicles on file at the district. (Rule 91 – 005.01 and Rule 92 – 009)
- Require the vehicle identification numbers (VIN) be included on all invoices from the contractor. In the past, some contractors may not have been forthcoming with that information. Since schools are required to submit that information on the Pupil Transportation Report each spring, we have instructed many schools to hold payment until accurate VINs have been provided. Please do not accept a list of VINs for vehicles that may or may not have been actually used by your school.

### School Bus Permits

- School bus permits are required for any person that transports students in a school vehicle on a route.
- School Bus Permits are not required to drive a small vehicle for **activities**.
- **The DMV will no longer issue school bus permits effective January 1, 2019**

### Licensing New Drivers (Current Process)

Licensing new drivers with a School Bus Permit is a three-step *process* (NDE Rule 91 - 003.03)

1. Complete the [Level I Training](#) through the Nebraska Safety Center, UNK
2. Complete the [Pre-Service Evaluation and Behind the Wheel Form](#) with a driver that holds a valid School Bus Permit. This can be done before or after the Level I Training but must be completed prior to going to DMV for the School Bus Permit. The Pre-Service Evaluation **must be submitted** to the Nebraska Safety Center prior to completing the DMV School Bus Permit requirements.
3. Complete DMV School Bus Permit requirements:  [Current annual physical exam](#)  
*Note: Before sending new drivers to a Level I Class, ask that they get their physical completed in case they fail the physical for medical problems. If they do not pass, you won't have had the expense of the Level training for a person that is not medically eligible to drive a vehicle for the school.*  DMV Eye Exam (required annually)
  - DMV Written Exam (required for *initial* school bus permit and the year that coincides with the expiration of the driver's operator's license – 5 year cycle)
  - DMV Driving Exam (required for *initial* school bus permit and the year that coincides with the expiration of the driver's operator's license – 5 year cycle)

Matrices displaying Federal and State Requirements for licensing drivers of pupil transportation vehicles are available on the NDE Pupil Transportation webpage

<http://www.education.ne.gov/FOS/OrgServices/PupilTrans/DriverRequirements.html>

- ✓ **This process will remain in place until January 1, 2019, at which time the NSC will provide documentation that qualifies pupil transportation drivers. More information about the new process to prepare drivers will be available later this fall.**

## Driver Records

- Each year, schools must verify or obtain a record of satisfactory driving from DMV **for all drivers**. Policy established by local governing boards determines each school's definition of "satisfactory driving." (*NDE Rule 91 – 003.03.A3*) ***This does include drivers of activity trips.***
- A criminal background check is required before a driver is hired and for **every** driver during the calendar year that coincides with the expiration of the individual's motor vehicle operator's license (every five years). Contact the Nebraska State Patrol for more information. (*NDE Rule 91 – 003-03.A5*) ***This does include drivers of activity trips.***

## Hiring out-of-state drivers

- Drivers residing in bordering states (Kansas, Colorado, Wyoming, South Dakota, Iowa, and Missouri) may be eligible to obtain a Nebraska School Bus Permit without holding a current Nebraska License after completing the three-step licensing process listed above.
- A driver from a state other than the bordering states must first receive a Nebraska Driver's License prior to registering for a Level I Training Course. Once the three-step licensing process is complete, this driver is eligible to receive the Nebraska School Permit.
- Contact the Department of Motor Vehicles at 402-471-3890 for more information.

Questions? Please contact Janice Eret at [janice.eret@nebraska.gov](mailto:janice.eret@nebraska.gov) or Bryce Wilson at [bryce.wilson@nebraska.gov](mailto:bryce.wilson@nebraska.gov)