

NDE Pupil Transportation Reminders

2020-2021 School Year



- *COVID-19 Related Pupil Transportation Topics*
- *Commercial Driver's License (CDL) Reminders*
- *Driver Physicals (Medical Exams)*
- *DOT Alcohol & Controlled Substance Testing*
- *Emergency Evacuations*
- *School Bus Driver In-Service*
- *Functional Capacity of Pupil Transportation Drivers*
- *Vehicle Inspections*
- *Contracting for Pupil Transportation*
- *Licensing Drivers*
- *Driver Records*
- *Contents of School Transportation Files*
- *Hiring Out of State Drivers*

COVID-19 Related Pupil Transportation Topics

- Due to the COVID-19 pandemic, federal waivers are currently in place that allow a CLP holder to take a CDL skills test prior to holding the document for 14 days. Another federal waiver extends the expiration date of any CDL that expired March 1, 2020. These two waivers expire on September 30, 2020. (Contact Matt Coatney at DMV at matt.coatney@nebraska.gov for more information.)
- In-person Level trainings have recently been scheduled following the suspension of in-person trainings due to COVID-19 Directed Health Measures. The Nebraska Safety Center also offers on-line Level I and Level II trainings so your drivers will have the option on how they can complete the training to be ready to drive for the upcoming school year. Register for those classes with the Nebraska Safety Center at <https://nepupiltransportation.com/>.
- Since the Nebraska Safety Center has resumed in-person Level training, the waiver to freeze expiration of Level training has ended. All drivers that requested the waiver must now register for a class. Contact the Nebraska Safety Center for more information at bus@unk.edu or 308-865-8256.
- Cleaning and sanitation of pupil transportation vehicles will be important when school starts in August. The following links are to bus manufacturer disinfecting instructions:
 - Blue Bird <https://www.blue-bird.com/buses/disinfection-best-practices>
 - Thomas: https://thomasbuiltbuses.com/content/uploads/2020/06/COVID19-Cleaning-Instructions_June2020.pdf
 - International <https://www.icbus.com/blog/cleaning-an-ic-bus>
- Since Nebraska school districts throughout the state have very different needs and risk levels, please work with your local health official and your school attorney to develop your district policy for pupil transportation related to COVID-19 Health Concerns.
- CDC Recommendations for School Buses are listed below and are also available at the CDC Covid Website (<https://www.cdc.gov>). *Please be aware these recommendations are current as of today and may change due to the COVID-19 situation changing rapidly.*
 - Keep distance between students by seating one student per row in every other row when possible.

- Provide guides such as tape on floors to ensure staff and children remain at least 6 feet apart in lines and at other times.
 - Clean and disinfect frequently touched surfaces on school buses at least daily or between use as much as possible.
 - Stagger arrival and drop-off times or locations.
 - Establish protocols to limit contact between cohorts and direct contact with parents as much as possible.
 - Close off areas used by a sick person and do not use them until they have been cleaned and disinfected. Wait at least 24 hours before cleaning and disinfecting. If 24 hours is not feasible, wait as long as possible.
 - Ensure ventilation systems operate properly and increase circulation of outdoor air as much as possible.
 - Drivers should follow the same practices the CDC recommends to bus transit operators.
- 80-Day Vehicle Inspections: Since schools closed in mid-March due to COVID-19 related health issues, most schools didn't complete the 4th quarter vehicle inspections since no students would have been transported. This makes it even more important to get those vehicles in to be inspected before school starts in August.
- Emergency Evacuations: Conducting the second emergency evacuation drills became a problem with many districts due to the early closure of school. Since the first emergency evacuation drill is commonly held soon after school starts, consider holding the second required drill earlier in the second semester rather than in the spring just because the weather is nicer at that time. Student are being transported quite a bit in February/March and the drills at that time would be beneficial for them.

Commercial Driver's License (CDL) Reminders

The following is a partial list of requirements that impact school bus drivers. The full list of requirements 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. 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
- For more information about these requirements, please contact **the Department of Motor Vehicles (DMV) at 402.471.3861**
- **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.

Driver Physicals (Medical Exams)

- Medical exams for pupil transportation driver (*school bus and small vehicle on routes*) **are valid for two years** unless the health profession approves the exam for a shorter period of time due to medical issues of the driver.
- Drivers will provide the Medical Examiner's Certificate (last page of medical exam document) to their employer. Only drivers holding a CDL will provide a copy of the Medical Examiners Certificate to DMV when required by Federal CDL Regulations.

- The medical exams 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>

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.
- If you have questions, please contact Jennifer Lancaster with the Federal Motor Carrier Safety Administration, Nebraska Division at 402-437-5928.

School Bus Driver In-Service Training

- Employers of drivers are required to provide in-service to all their drivers – *this includes small vehicle activity drivers*. This in-service must be at least two hours and must include the following topics at a minimum:
 - Emergency Evacuations.
 - Loading/Unloading.
 - Student management.
 - Vehicle inspections.
 - School’s Safe Pupil Transportation Plan.
- The Nebraska Safety Center has developed a pupil transportation driver in-service program for employers. Please contact the Nebraska Safety Center at 308-865-8256 for more information.

Functional Capacity of Pupil Transportation Drivers

- This is a new requirement added to the Safe Pupil Transportation Plan in the latest revision of Rule 91. (005-02A9)
- Districts are required to confirm their driver’s ability to conduct the daily tasks of safely transporting students and conduct emergency evacuations.
- Districts develop their own functional capacity testing procedures best suited for their district with the intent of keeping students as safe as possible at all times.
- This requirement was added in response to the school bus fire in western Iowa in 2017 where a driver and a student were killed because the driver had very limited mobility.

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.
- The instruction and drills must be provided to students whether the school owns the vehicle or transportation is provided by a private contractor and are required to be conducted by a qualified school bus driver per Rule 91. 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 and verification of the drills are required in the Pupil Transportation Report.

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 **before each trip** if an hour has passed since the last trip.
(New requirement in Rule 91)
 - *80 day inspections* done before school and every 80 days thereafter
 - *Post-trip Vehicle Inspection* for any students left on board
- 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 during an investigation of a school vehicle accident with students involved.

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.
- 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.

Licensing Drivers

- School Bus Permits no longer exist since they were eliminated in statute effective January 1, 2019.
- A description of requirements for pupil transportation drivers are available at <https://www.education.ne.gov/fos/pupil-transportation/requirements-to-drive-a-pupil-transportation-vehicle/>

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 – 003.03A3*) ***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 – 003-03A5*) ***This does include drivers of activity trips.***

Contents of School Transportation Files:

- The following documents should be included in **each** of the driver's files:
 - Documentation of Level Training (Small vehicle activity drivers exempt)
 - *Valid for 5 years*
 - Medical Certificate (Small vehicle activity drivers exempt)
 - *Valid for 2 years*
 - Criminal Background Check
 - *Valid for 5 years*
 - DMV Driving Record
 - *Must be updated annually*

Hiring out-of-state drivers

- Drivers residing in bordering states (Kansas, Colorado, Wyoming, South Dakota, Iowa, and Missouri) may be eligible to become a qualified pupil transportation driver without holding a current Nebraska License after completing the licensing process.
- 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.
- Contact the Department of Motor Vehicles at 402-471-3890 for more information.

“Need a Driver 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.

Questions? Please contact Janice Eret at janice.eret@nebraska.gov or Bryce Wilson at bryce.wilson@nebraska.gov