

NDE Pupil Transportation Reminders --2016



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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.
 - Applicants will only have provide proof one time during 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 new requirements, please contact Matt Coatney, DMV CDL Program Manager 402-471-1472 or matt.coatney@nebraska.gov.

Please note: CDL skills tests are now 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 licensing process. DMV does not need the long form from the drivers.

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://transit-safety.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.

Pupil Transportation Rule Revision 2017

- Schools are asked to submit concerns and suggestions for changes in the NDE Pupil Transportation Rules as NDE will start the rule revision process with Rule 91 (Driver Qualifications and Operational Procedures) and Rule 92 (Equipment Standards and Safety Inspection Criteria) in 2017. Please send your suggestions to Janice Eret at janice.eret@nebraska.gov to be used during the revision committee discussions.
- The Revision Committee for Rule 91 and 92 will include school superintendents, transportation managers, school bus vendors, legislative aides, and a representative of the state patrol. If you are interested in serving on the committee, please contact Janice Eret.

Use of Mobile Communication Devices

- Drivers of pupil transportation vehicles need to pull off the roadway before talking on cell phones during the operation of a pupil transportation vehicle. This is only allowed in emergencies and should also be defined by local school board policy.
- Text messaging (reading, writing, sending) on communication devices (cell phones) during the operation of any pupil transportation vehicle (or any vehicle) is prohibited. (*NDE Rule 92-005.07L*)
- School policy should address the use of cell phones by drivers of pupil transportation vehicles.

“Need Someone 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 conducted whether the school owns the vehicle or transportation is provided by a private contractor. 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). No other documentation is required.

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*)
 - *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. (*NDE Rule 92-009.01A2*)

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. You should 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**.

Licensing New Drivers

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 turned in** 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>

Driver Records

- Each year, schools must verify or obtain a record of satisfactory driving from DMV. Policy established by local governing boards determines each school's definition of "satisfactory driving." (NDE Rule 91 – 003.03A3)
- A criminal background check is required for each 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)

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 or Bryce Wilson at bryce.wilson@nebraska.gov