

Michigan Department of Education

Pupil Transportation Advisory Committee

Advisory Practice and Guideline

February 7, 2019

Considerations Before Contracting or Using School Owned Vehicles with Capacities of Ten or Fewer for Pupil Transportation

Note: This advisory does not address the use of volunteer drivers or the usage of vehicles privately owned by volunteer drivers. It is recommended that school districts develop local policies if volunteer drivers and volunteer personally owned vehicles are used for any type of student transportation. Please refer to <http://legislature.mi.gov/doc.aspx?mcl-257-1807> for additional information.

Pupil transportation services within Michigan are primarily controlled by provisions of the Pupil Transportation Act 187 of 1990 and applicable sections of the Revised School Code Act 451 of 1976. While absolutes in the business of education are few, there is one related to transporting students safely. It can be stated that school buses provide the safest mode of transportation for students. Vehicles with a seating capacity of ten or fewer occupants, including the driver, are not defined as school buses, are not regulated by the Pupil Transportation Act and may be used by school districts based upon local practice or policy.

Following are factors that school districts and pupil transportation providers should consider when using vehicles with seating capacities of ten or fewer.

I. What these vehicles are not:

- A. They are not school buses or multifunction school activity buses.
- B. They are not Commercial Motor Vehicles.

II. When public, non-public, or private schools own or lease vehicles with seating capacities of ten or fewer used to transport pupils, the should:

- A. Demonstrate vehicles undergo an annual safety inspection by a third-party inspector. Michigan State Police are not required to inspect vehicles not meeting school bus definition.
- B. Ensure drivers undergo a physical examination at least equal to that required of a school bus driver.
- C. Ensure drivers submit to fingerprinting, criminal background checks, driver record checks, drug and alcohol testing and maintain continuing driver record checks.
- D. Ensure drivers successfully complete the National Safety Council's Defensive Driver Course at least every two years.

E. It is recommended that drivers obtain a minimum of a chauffeur's license.

III. When public, non-public, or private schools' contract for vehicles with seating capacities of ten or fewer used to transport pupils they should:

A. Receive written documentation that vehicles undergo and pass an annual safety inspection, by a third-party inspector.

B. Receive written documentation ensuring that drivers have:

1. Successfully completed an annual medical examination equivalent to that required by a school bus driver.

2. Successfully completed the National Safety Council's Defensive Driving Course every two years and maintain continuing driving records

C. Ensure drivers submit to fingerprinting, criminal background checks, driver records checks, drug and alcohol testing and maintain continuing driver record updates.

D. It is recommended that drivers obtain a minimum of a chauffeur's license.

IV. When transporting children under nine years of age, the transportation provider must comply with the Michigan Child Restraint provisions of P.A. 43 of 2008.

Please refer to the following link for additional information;

<http://legislature.mi.gov/doc.aspx?mcl-257-710e>.

Student safety is a top priority of the Michigan Department of Education. The Michigan Department of Education, upon the recommendation of the Pupil Transportation Advisory Committee, recommends the implementation of this practice for all pupil transportation providers.