

SELECTED REGULATIONS, STATUTES, AND MANDATES

Listed below are a number of pupil transportation mandates to be followed by Kansas public school districts, contract transportation providers, head start agencies, and non-public schools. Further information is contained in the Kansas School Transportation Regulations, Standards, Statutes, and Guidelines, effective May, 2014. If you have any questions about these regulations, please call the School Bus Safety Education Unit in the School Finance Section at the Kansas State Department of Education, (785) 296-3551.

1. **DRIVERS MEETINGS:** The transportation supervisor is required to conduct at least 10 safety meetings per year for all school transportation providers. All regular school bus drivers, substitute drivers, and activity bus drivers are to attend, as well as drivers of passenger vehicles, if that is part of their primary job responsibilities. The supervisor must keep an agenda of the meeting and record of attendance for these meetings on file for a period of two years. [K.A.R. 91-38-3(c)(1) and (2)].
2. **LUBRICATION, MAINTENANCE, AND REPAIR RECORDS:** The transportation supervisor shall be responsible for all maintenance and repair records for vehicles used for student transportation. These records must be kept for as long as the school owns the vehicle, and for at least two years after the vehicle is sold or traded. [K.A.R. 91-38-3 (d)(1) and (2)].
3. **DRIVER QUALIFICATIONS:** A Commercial class A or B driver's license is required for all vehicles with a gross weight over 26,001 pounds and/or rated to transport 16 or more passengers. A Commercial class A, B, or C driver's license is required for vehicles with a gross weight rating of less than 26,000 pounds and/or rated for passenger capacity of 16 or more. All commercial licenses must have a passenger endorsement. Drivers of passenger vehicles and buses rated less than 26,000 pounds, for fewer than 16 passengers must maintain an appropriate non-commercial operator's license. [K.A.R. 91-38-6 (a)(1), (2), and (3)]. School bus drivers in Kansas are required to obtain an "S" endorsement for their Commercial Driver's License (CDL) in accordance with the provisions of K.S.A. 8-2,135.
4. **APPLICANT'S WRITTEN STATEMENT:** All school transportation provider applicants are required to sign a statement as to whether or not they have been convicted of any felony involving another person or any crime involving a child or any major traffic violations. The prospective driver shall also sign a statement authorizing the prospective employer to obtain his/her driving record for review. [K.A.R. 91-38-6 (b)(1), (2), and (4)].
5. **DRIVER TRAINING REQUIREMENTS:** Every school bus driver or person driving a school motor vehicle for student transportation, except employees of the school who drive school motor vehicles to provide student activity transportation in conjunction with their other supervisory duties shall comply with the following requirements:
 - a. School bus drivers shall be provided a minimum of 12 hours training in a school bus. Six hours of the training must be completed before the driver is allowed to transport students; however, the second six-hour block may be completed while transporting students, so long as the appointed driver-trainer accompanies the trainee on the bus route or activity trip. [K.A.R. 91-38- 6 (d)(2)(A)].
 - b. Each driver shall complete an approved first aid and CPR course, and certification shall be kept current. Drivers who are currently certified emergency medical service providers (First Responder, EMT, etc.), are not required to complete the first aid/CPR training so long as their EMS certification remains current. (NOTE: Transportation supervisors should obtain a photocopy of the current EMS certificate for the driver's personnel records.) [K.A.R. 91-38-6 (d)(2)(B) and (C)].

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c. Each driver shall complete the following prior to the first date students are transported:

1. Each newly employed driver must complete a vehicle accident prevention course approved by the Kansas State Department of Education. [K.A.R. 91-38-6 (e)(1)].

Experienced drivers needing re-certification shall complete an approved accident prevention course every three years or attend an annual workshop that has been approved by the Kansas State Department of Education. [K.A.R. 91-38-6 (e)(2)(A)(B)].

Documentation of this training shall be maintained in the driver's file for the duration of their employment, and for a minimum of two years after their termination.

6. **DRIVERS-ATTENDANCE AT MEETINGS:** Each school bus and activity bus driver (including substitutes) is to attend the monthly safety meetings. Supervisors may video tape the meeting to help drivers who are unable to attend a given meeting to get the information. A record of those attending each meeting must be made and kept on file for at least two years, along with the agenda for the meeting. If a new driver is hired during the school year, he/she is required to attend meetings following the date of hiring. [K.A.R. 91-38-3 (c)(1), (2), (4), and (5)].
7. **SUBSTITUTE DRIVERS:** Substitute school bus drivers shall complete the same training requirements as regular route drivers, except that substitute drivers are allowed up to 30 days following employment to complete all of the first aid/CPR and defensive driving course requirements. [K.A.R. 91-38-6 (f)(1)].
8. **PHYSICAL EXAMINATIONS:** School transportation providers are required to comply with physical qualification requirements of 49 C.F.R., Part 391.41 (most commonly known as a "DOT physical"). [K.A.R. 91-38-6 (G)(1) and (2)].
9. **WAIVER OF PHYSICAL REQUIREMENTS:** A driver who does not meet the physical qualification requirements for any reason may apply for a waiver of those particular requirements by following the provisions in K.A.R. 91-38-6 (h). Once the waiver is approved (must have a unanimous approval of the local governing board), the driver will only be allowed to drive within the general area of their district. [K.A.R. 91-38-6 (h)].
10. **PHYSICAL EXAMINATION REPORTS:** A copy of the current physical examination shall be kept on file. When the driver terminates employment, the most recent physical examination file shall be kept for a minimum of two years following termination. [K.A.R. 91-38-6 (g)(4)].
11. **DAILY INSPECTION:** Drivers of school vehicles must inspect the vehicles before use to make sure it is in safe operating condition and all equipment is in place and in working order. Inspections shall be documented and kept on file for a minimum of one year. Drivers must also walk through a school bus or activity bus and visually check to make sure all passengers are off the bus. Passenger vehicle operators must perform a visual check to make sure no one is still in the vehicle. [K.A.R. 91-38-7 (a),(c), and (j)].
12. **OBSTRUCTIONS:** Drivers are responsible to see that the service door, emergency exits, and aisles are kept free from obstructions (i.e., no coolers book bags, band instruments, school projects, sports equipment, etc.) at all times. [K.A.R. 91-38-7 (f)].



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13. **EMERGENCY PROCEDURES:** The governing body of each school is tasked with development and adoption of a policy for procedures to be followed when an emergency situation arises while transporting students. All students who regularly ride the bus must receive instruction in these procedures at least once each semester. [K.A.R. 91-38-9 (a) and (b)].
14. **EVACUATION DRILLS:** Students are also required to practice emergency evacuation of the school bus at least once each semester. These practice drills must be supervised by the transportation supervisor or his/her designee. Documentation of the drills shall include the date, number of student participants, and names of supervisory personnel. The documentation must be kept on file for at least two years from the date of the drill. (K.A.R. 91-38-9 (c) and (d)).
15. **ACTIVITY TRIP PROCEDURES:** Prior to each activity trip in a school bus or activity bus, a brief explanation concerning emergency evacuation procedures and location of emergency exits for the bus being used shall be given. (K.A.R. 91-38-9 (e)).
16. **USE OF SEAT BELTS IN SCHOOL PASSENGER VEHICLES:** Appropriate occupant restraining systems shall be used by all occupants being transported in school passenger vehicles. Size-and age-appropriate child safety restraining systems must be utilized when transporting infants and pre- school children. [K.A.R. 91-38-2 (f)]
17. **TRANSPORTATION AND SPECIAL NEEDS ASSESSMENT TEAMS:** Each board shall notify the transportation supervisor of any student with special health care concerns or special needs for transportation. The transportation supervisor is responsible to ensure appropriate training for drivers and attendants of students with special needs, to assure that those persons will be able to accommodate those needs and safely transport the students. By inviting the transportation supervisor or another designated transportation staff person to the portion of the IEP that pertains to a student's specific transportation needs, these requirements can be met on a timely basis. [K.A.R. 91-38-3 (f)]
18. **SCHOOL BUS SPEED LIMITS:** K.S.A. 8-1558 was amended during the 2003 Legislative Session to allow school buses to travel the posted speed limits on Kansas roadways. The local board of education is encouraged to adopt written policies when it is desired that school buses drive at lower limits than those allowed in this statute.

For more information on these and or other areas of student transportation in Kansas, please check your regulation manual. If you have further questions, please feel free to call the School Bus Safety Education Unit staff or visit our [web site](#).

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