

160-5-3-.17 USE OF ALTERNATIVE VEHICLES FOR THE TRANSPORT OF SPECIFIED STUDENT GROUPS.

(1) DEFINITIONS.

(a) **Eight-Passenger Vehicles** - motor vehicles with a designed maximum capacity of eight persons and not less than five persons. The vehicle capacity can be identified on the driver side door panel.

(b) **Local Educational Agency (LEA)** – local school system pursuant to local board of education control and management.

(c) **Non-resident** - a person who has his or her place of residence in a state other than Georgia.

(d) **Physician** - a Doctor of Medicine or osteopathy licensed by the Georgia Composite Medical Board pursuant to Article 2, Chapter 34, Title 43 of the Official Code of Georgia Annotated.

(e) **Resident** - a person who has his or her place of residence in the state of Georgia.

(f) **School bus driver (operator)** - a person, appropriately licensed and trained, who controls the operation of an Eight-Passenger Vehicle used in the transport of specific student groups.

(2) REQUIREMENTS.

(a) The local board of education shall only allow employees of the Local Education Agency or employees of a company contracted to provide these services to transport students who either (1) have transportation needs documented in their Individualized Education Program (IEP) or (2) may currently lack, or during the previous academic year lacked, a fixed, regular, and adequate nighttime residence as described under the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Section 11301, et seq., to and from school and school related activities using an Eight-Passenger Vehicle.

(b) The local board of education shall ensure the following driver qualifications are met:

1. The minimum age to qualify as a driver of an Eight-Passenger Vehicle is 21 years.

2. There is evidence of a physical examination by a Physician or legally authorized designee within 60 days prior to the date of employment for that school year. A Physician may delegate to certain specific healthcare professionals, including

physician assistants and certified nurse practitioners, the authority to sign, certify, and endorse documents relating to physical examination forms required by the State Board of Education as authorized by law.

3. Local Educational Agencies shall ensure that individuals transporting the specified group of students are properly licensed to drive the vehicle used.

4. Local Educational Agencies shall ensure that non-resident drivers have a valid and appropriate license, issued by their home state, to operate the vehicle used.

5. Local Educational Agencies shall ensure that every driver of an Eight-Passenger Vehicle satisfactorily completes an annual training program on safe driving practices provided by the Georgia Department of Education (GaDOE) prior to transporting students in such vehicles.

6. Local Educational Agencies must annually complete a motor vehicle record check on each driver.

7. Local Educational Agencies shall place all drivers in a drug and alcohol testing program. Drivers shall successfully complete a drug and alcohol test prior to transporting students and shall be included in a randomly selected pool drug and alcohol selection process to be completed a minimum of four times annually. This testing program shall be a separate program from those drivers who hold a Commercial Driver's License.

(c) The local board of education shall ensure the following vehicle regulations are met:

1. An Eight-Passenger Vehicle used for the purpose of transporting the specified group of students must be originally designed and constructed at the factory for eight but no less than 5 passengers and must be owned or leased by the Local Educational Agency or under a contractual agreement with a transportation company to provide these services.

2. Eight-Passenger Vehicles used for this purpose must be marked for the transport of students. The name of the school district or the name of the contractor must be clearly marked on the vehicle. The Eight-Passenger Vehicle must include a sign stating the vehicle is used for "Student Transport".

3. Local Educational Agencies shall use vehicles that are less than 10 years from the date of manufacture and the vehicle mileage must not exceed 200,000 miles.

4. Students shall only be transported in designated seating positions and must use the occupant crash protection system provided by the vehicle manufacturer.

5. Local Educational Agencies shall have a qualified mechanic conduct a monthly

inspection. An inspection form provided by the GaDOE or a form approved by the GaDOE shall be used. The local educational agencies shall adhere to all manufacturers recommended service intervals on such vehicles.

Authority O.C.G.A. §§ 20-2-188; 20-2-1076; 20-2-1110; 20-2-1111; 20-2-1112; 20-2-1113; 20-2-1125; 40-5-23; 40-5-140; 40-5-150; 43-34-23, 43-34-25, 43-34-103.

Adopted:

Effective: