

# **SCHOOL BUS DRIVER INSTRUCTOR MANUAL**

## **Mandatory Pre-Service Training for School Bus Driver Trainees**



## **Mandatory Pre-Service Training for School-Owned Activity Vehicle/SUV Driver Trainees**



## **Mandatory Pre-Service Training for School Bus Assistant Trainees**



# **SCHOOL BUS DRIVER INSTRUCTOR MANUAL**

## **Section 1**

### **Mandatory Pre-Service Training for School Bus Driver Trainees**



# Classroom Instruction



# Classroom Introduction

PLEASE INSERT

WELCOME AND INTRODUCTION





**School Bus Driver**  
**Pre-Service Training Record – Page 1 of 3**  
**This record shall be kept in the driver's file**

Trainee's Printed Name: \_\_\_\_\_ License #: \_\_\_\_\_

Class: \_\_\_\_\_ Endorsements: \_\_\_\_\_ Restrictions: \_\_\_\_\_

Date of Hire: \_\_\_\_\_ Date of Comprehension Test<sup>1</sup>: \_\_\_\_\_

Primary

SBDI's Printed Name: \_\_\_\_\_ SBDI #: \_\_\_\_\_

TPR #: \_\_\_\_\_ Date Training Theory Certification submitted <sup>2</sup> \_\_\_\_\_

Date Training BTW Certification submitted <sup>2</sup> \_\_\_\_\_

Secondary

SBDI's Printed Name: \_\_\_\_\_ SBDI #: \_\_\_\_\_

TPR #: \_\_\_\_\_ Date Training Theory Certification submitted <sup>2</sup> \_\_\_\_\_

Date Training BTW Certification submitted <sup>2</sup> \_\_\_\_\_

Secondary

SBDI's Printed Name: \_\_\_\_\_ SBDI #: \_\_\_\_\_

TPR #: \_\_\_\_\_ Date Training Theory Certification submitted <sup>2</sup> \_\_\_\_\_

Date Training BTW Certification submitted <sup>2</sup> \_\_\_\_\_

<b>MANDATORY TRAINING TOPICS</b>	<b>HOURS REQUIRED</b>	<b>CLOCK HOURS CONDUCTED</b>	<b>DATE(S)</b>	<b>DRIVER INITIALS</b>	<b>SBDI INITIALS</b>
<b><u>Section 1-A</u></b> Employer Policies and Procedures	1 Hour				
<b><u>Section 1-B</u></b> Standards for Providing Transportation For Eligible Students	2 Hours				
<b><u>Section 1-C</u></b> Pre-trip (Vehicle Inspection)	2-1/2 Hours				



## School Bus Driver Pre-Service Training Record – Page 2 of 3

Trainee's Printed Name: \_\_\_\_\_

<b>MANDATORY TRAINING TOPICS</b>	<b>MINIMUM HOURS REQUIRED</b>	<b>CLOCK HOURS CONDUCTED</b>	<b>DATE(S)</b>	<b>DRIVER INITIALS</b>	<b>SBDI INITIALS</b>
<b><u>Section 1-D</u></b> NM School Bus Driver Security Training Program	1 Hour				
<b><u>Section 1-E</u></b> Passenger Management	1 Hour				
<b><u>Section 1-F</u></b> Transporting Students with Disabilities	1 Hour				
<b><u>Section 1-G</u></b> Drug and Alcohol Awareness	1 Hour				
<b><u>Section 1-H</u></b> Observation	2 Hours				
<b><u>Section 1-I</u></b> First Aid/CPR (Within 60 Calendar Days) <sup>3</sup>					Trainer's name printed & signed
<b><u>Section 1-J</u></b> Safety Equipment	1 Hour				
<b><u>Section 1-K</u></b> MAP-21	30 minutes				
<b><u>Section 1-L</u></b> Defensive Driving Course	6 Hours				



## School Bus Driver Pre-Service Training Record – Page 3 of 3

<b>MANDATORY TRAINING TOPICS</b>	<b>MINIMUM HOURS REQUIRED</b>	<b>CLOCK HOURS CONDUCTED</b>	<b>DATE(S)</b>	<b>DRIVER INITIALS</b>	<b>SBDI INITIALS</b>
<u><b>Section 1-M</b></u> Mirrors	2 Hours				
Sections 1-A through 1-M must be completely taught before teaching Section 1-N thru 1-P					
<u><b>Section 1-N</b></u> Reference Point Driving	5 Hours				
<u><b>Section 1-O</b></u> Behind-the-Wheel Instruction	6 Hours				
<u><b>Section 1-P</b></u> Driver Comprehension Test	N/A	N/A			

<sup>1</sup>Administered after all training has been completed.

<sup>2</sup>Must be submitted by the Primary SBDI electronically by midnight of the second business day after training is completed.

<sup>3</sup>If the trainee has a current First Aid and CPR certificate from a nationally recognized and state-approved program and the course was not taken on-line, they need only to provide the certificate from the course.

I certify that \_\_\_\_\_ (trainee's name) has successfully completed the above initialed hours of Pre-Service Training pursuant to PED Regulation 6.41.4 NMAC.

\_\_\_\_\_  
SBDI Signature

\_\_\_\_\_  
SBDI #

\_\_\_\_\_  
SBDI Signature

\_\_\_\_\_  
SBDI #

\_\_\_\_\_  
SBDI Signature

\_\_\_\_\_  
SBDI #



**RETURNING School Bus Driver**  
**Pre-Service Training Record (Page 1 of 2)**  
**(This record shall be kept in the driver's file)**

Driver's Name: \_\_\_\_\_ License #: \_\_\_\_\_

Class: \_\_\_\_\_ Endorsements: \_\_\_\_\_ Restrictions: \_\_\_\_\_

Date of Hire: \_\_\_\_\_ Date of Comprehension Test\*: \_\_\_\_\_  
(\*administered after all training has been completed)

SBDI Printed Name: \_\_\_\_\_ SBDI #: \_\_\_\_\_  
Additional as needed: \_\_\_\_\_ Additional as needed: \_\_\_\_\_

<b>MANDATORY TRAINING TOPICS</b>	<b>MINIMUM HOURS REQUIRED</b>	<b>ACTUAL HOURS CONDUCTED</b>	<b>DATE(S)</b>	<b>DRIVER INITIALS</b>	<b>SBDI INITIALS</b>
<b><u>Section 1-A</u></b> District/Employer Policies and Procedures (include Drug and Alcohol Awareness and Passenger Management information)	1-1/2 Hours				
<b><u>Section 1-B</u></b> Standards for Providing Transportation For Eligible Students	30 minutes				
<b><u>Section 1-C</u></b> Pre-trip (Vehicle Inspection)	1-1/2 Hours				
<b><u>Section 1-D</u></b> NM School Bus Driver Security Training Program	1 Hour				
<b><u>Section 1-I</u></b> First Aid/CPR (Within 60 Calendar Days)**					Trainer's name printed & signed



## **RETURNING School Bus Driver Pre-Service Training Record (Page 2 of 2)**

<b><u>Section 1-L</u></b> Defensive Driving Course	2 Hours				
<b><u>Section 1-M</u></b> Mirrors	1 Hour				
<b><u>Section 1-N</u></b> Reference Point Driving	1-1/2 Hours				
<b><u>Section 1-O</u></b> Behind-the-Wheel Instruction	1 Hour				

\*\*If the person has a current First Aid and CPR certificate from a nationally recognized and state-approved program and the course was not taken on-line, they need only to provide the certificate for the course.

I certify that \_\_\_\_\_ (applicant's name) has successfully completed the above initialed hours of **Returning** School Bus Driver Pre-Service Training pursuant to PED Regulation 6.41.4 NMAC.

\_\_\_\_\_  
SBDI Signature

Additional as needed:

\_\_\_\_\_  
SBDI #

Additional as needed:

# **Classroom Instruction**



## **Section 1-A**

# **Employer Policies and Procedures**

**1 Hour of Instruction**

## PLEASE INSERT THE EMPLOYER'S POLICIES AND PROCEDURES

Include information on:

- ✓ Washing the bus
- ✓ Fueling the bus
- ✓ How to obtain a spare bus
- ✓ How to complete paperwork (worked time, requested time off, extra time worked)
- ✓ What to do post-crash – both at the scene (what information to document) and away from the scene (drug and alcohol testing), how to obtain emergency assistance, what to do if there are injured passengers, and how to interact with law enforcement officials.
- ✓ Procedures for dealing with mechanical breakdowns
- ✓ Idling guidelines
- ✓ Use of strobe lights

# **Classroom Instruction**



## **Section 1-B**

### **Standards for Providing Transportation for Eligible Students (6.41.4 NMAC)**

**2 Hours of Instruction**



Please review and discuss the shaded information on the following pages that pertains to school bus drivers. Additional regulation information may be reviewed and discussed as well.

**INSTRUCTOR NOTE:** When reviewing and discussing 6.41.4.9 T. (3), make sure the trainee understands the safety, legal and personal consequences of violating the hours of service regulations.

**INSTRUCTOR NOTE:** When reviewing and discussing 6.41.4.11 C. (8) (c), be sure to caution trainees that they should develop a signal that is understood by both them and the students as to when it safe to cross the roadway. Caution trainees that when they are deciding upon a signal, it should not be a gesture that could potentially cause motorists to think that it is OK for them to proceed.

**INSTRUCTOR NOTE:** When reviewing and discussing 6.41.4.11 D. (1) (b) (i), emphasize the importance that if a school bus is approaching another school bus that has stopped to load or unload students with its alternating amber or red flasher lights activated, the approaching school bus shall mimic the other bus by activating its alternating amber or red flasher lights and shall not load or unload students.

**INSTRUCTOR NOTE:** Three reminder words to pass along to trainees:

**STOP, LOOK AND LISTEN**

When reviewing and discussing 6.41.4.11 G., it is good to teach the trainee to apply the parking brake if stopped for a train. This practice helps avoid becoming “hypnotized” by a train, especially if it is moving, and thereby reducing the risk of inadvertently either rolling forward into a train or backward into a vehicle.

When reviewing and discussing 6.41.4.11 G. (6), emphasize that the driver is still responsible for the safe movement of the school bus.

**INSTRUCTOR NOTE:** When reviewing and discussing 6.41.4.11 L.(1), emphasize the importance of the post-trip inspection. Many students have died from being left onboard.

**INSTRUCTOR NOTE:** When reviewing and discussing 6.41.4.11 L. (3), make sure the trainee understands that the driver’s responsibility is for the safety of the passengers on the bus.

**TITLE 6                    PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 41            TRANSPORTATION - SCHOOL BUS SAFETY**  
**PART 4                    STANDARD FOR PROVIDING TRANSPORTATION FOR ELIGIBLE STUDENTS**

**6.41.4.1                ISSUING AGENCY:** Public Education Department, hereinafter the department.  
 [6.41.4.1 NMAC - Rp, 6.41.4.1 NMAC, 3/27/2018]

**6.41.4.2                SCOPE:** Provisions of Chapter 41, Part 4 apply to local education agencies (LEA). This regulation governs LEAs. If an LEA chooses to provide transportation services by contracting with a transportation service provider instead of through LEA employed personnel, it may do so. The LEA, however, is responsible for ensuring that the provisions of transportation services comply with all pertinent state and federal regulations including 49 Code of Federal Regulations Part 382 and statutes and department regulations.  
 [6.41.4.2 NMAC - Rp, 6.41.4.2 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.3                STATUTORY AUTHORITY:** This regulation is promulgated pursuant to Sections 1111g(1) (E) and 1112c(5)(B) of ESEA, Section 722g(J)(iii) of the McKinney-Vento Act, and Sections 22-2-1, 22-2-2, 22-8-26, 22-10A-5, 22-16-2, 22-16-4, and Subsection D of Section 9-24-8 NMSA 1978.  
 [6.41.4.3 NMAC - Rp, 6.41.4.3 NMAC, 3/27/2018]

**6.41.4.4                DURATION:** Permanent.  
 [6.41.4.4 NMAC - Rp, 6.41.4.4 NMAC, 3/27/2018]

**6.41.4.5                EFFECTIVE DATE:** March 27, 2018, unless a later date is cited at the end of a section.  
 [6.41.4.5 NMAC - Rp, 6.41.4.5 NMAC, 3/27/2018]

**6.41.4.6                OBJECTIVE:** To establish a safe, timely, and efficient system of transportation responsive to the needs of eligible public school students, hereinafter students, including children and youth in foster care and homeless children and youth, and to guide the provision of school transportation and transportation as a related service to students with an individualized education program (IEP). LEAs, therefore, shall ensure that all eligible students are served within the requirements of current federal and state laws and department regulations.  
 [6.41.4.6 NMAC - Rp, 6.41.4.6 NMAC, 3/27/2018]

**6.41.4.7                DEFINITIONS:**

**A.                    “Activity driver”** means an individual who is employed by an LEA or a transportation service provider and has completed all federal, state, and department certifications, licensing requirements, and LEA criteria to drive students on school-sponsored activities.

**B.                    “Child welfare agency”** means the children youth and families department.

**C.                    “Children in foster care”** means 24-hour substitute care for children and youth who are placed away from their parents or guardians and who are in custody of state or tribal welfare agencies.

**D.                    “Conviction”** means an adjudication of guilt, and includes a guilty plea, judgment, or verdict, no contest, nolo contendere, conditional plea of guilty, or any other plea that would result in an adjudication of guilt in any court of competent jurisdiction. A conviction includes a deferred sentence and a conditional discharge prior to satisfaction of the conditions and after satisfaction of conditions where required by the act.

**E.                    “Driver”** means school bus driver, substitute school bus driver, activity bus driver, school-owned activity vehicle driver, and sport utility vehicle (SUV) driver.

**F.                    “Eligible student”** means:

**(1)** Students eligible for transportation services under federal and state statute or under the department’s standard for determining hazardous walking conditions pursuant to 6.41.3 NMAC. Students are eligible for transportation services in accordance with Section 22-16-4 NMSA 1978 if school bus routes are:

**(a)** one mile one way for students in grades kindergarten through six;  
**(b)** one and one-half miles one way for students in grades seven through nine, and;

**(c)** two miles one way for students in grades 10 through 12.

(2) Students with an IEP are entitled to transportation pursuant to Subparagraphs A through C of Paragraph (1) of Subsection F of 6.41.4.7 NMAC, or transportation as a related service pursuant to Subsection EE of 6.41.4.7 NMAC.

**G. “Employer”** means an LEA or transportation service provider.

**H. “Homeless children and youth”** as defined by section 725(2) of the McKinney-Vento Act means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

- (1) children and youth who are:
  - (a) sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - (b) living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - (c) living in emergency or transitional shelters;
  - (d) abandoned in hospitals;
- (2) children and youth who have a primary nighttime address that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- (3) children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
- (4) migratory children under Title I Part C migrant education program.

**I. “Individualized education program (IEP)”** means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with Sections 300.320 through 300.324 of 34 CFR.

**J. “IEP team”** means individuals who are involved in writing a student’s IEP. In accordance with Section 300.321 of 34 CFR, Individuals with Disabilities Education Act, this team may include:

- (1) the student’s parents or legal guardian;
- (2) at least one of the student’s general education teachers;
- (3) the student’s special education teacher;
- (4) an individual who can interpret the instructional implications of a student’s evaluation;
- (5) an individual representing the school system;
- (6) individuals with knowledge or special expertise about the student;
- (7) representatives from transition service agencies, if applicable; or
- (8) the student, if appropriate.

**K. “Local education agency” or “LEA”** means a local public school district or a state-chartered charter school.

**L. “On-duty time”** means time related to the driving, servicing, or operation of the vehicle, or those duties assigned or necessary that are related to a specific LEA-sponsored activity trip such as staying with the vehicle for security purposes or assisting with supervision of students. On-duty time also includes performing any compensated work for an entity that is not a motor carrier.

**M. “Planned school-sponsored activity trip”** means transportation of school groups when the activity is approved according to the LEA’s policy. Activity trips do not include recurring transportation that is part of the school day.

**N. “Roadway”** means that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of berm or shoulder.

**O. “School bus”** means a commercial motor vehicle used to transport preprimary, primary or secondary school students from home to school, from school to home, or to and from school-sponsored events, but not including a vehicle:

- (1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of students;
- (2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the transportation of students;
- (3) operated as a per capita feeder as provided in Section 22-16-6 NMSA 1978; or
- (4) that is a minimum six-passenger, full-size, extended-length, sport utility vehicle operated by a school district employee pursuant to Subsection D of Section 22-16-4 NMSA 1978.

**P. “School bus assistant”** means an individual employed by an LEA or a transportation service provider to help the school bus driver and students. A school bus assistant shall be provided on school buses when necessary, when required by law or regulation, or when required by a student’s IEP.

**Q. “School bus driver”** means an individual employed by an LEA or a transportation service provider that has completed all federal, state, and department certification and licensing requirements and LEA criteria and is assigned to drive a school bus on an LEA-approved school bus route or on a planned LEA-sponsored activity trip in a school bus that meets requirements pursuant to 6.40.2 NMAC.

**R. “School bus driver instructor (SBDI)”** means a person certified by the department to provide mandatory pre-service training to applicants who want to drive a school bus in New Mexico.

**S. “School bus route”** means a designated course regularly traveled by a school bus for to-and-from transportation to pick up students and take them to school or to deliver students from school to their homes or to designated school bus stops that are approved by the LEA. Should the typical number of students on a school bus route drop below the number of 10, it shall be the responsibility of the LEA to notify the department transportation director by phone or email immediately.

**T. “School of origin”** means the school in which the child or youth is enrolled at the time of placement in foster care or prior to becoming homeless.

**U. “School-owned activity vehicle”** means a vehicle other than a school bus that is used to transport students to and from planned LEA-sponsored activity trips.

**V. “School-owned activity vehicle driver”** means an individual who meets all qualifications, licensing requirements and LEA criteria to drive students on LEA-sponsored activities in school-owned vehicles other than school buses.

**W. “School-owned activity vehicle instructor” or “AVI”** means a person certified by the department to provide mandatory pre-service training to driver applicants for school-owned activity vehicles.

**X. “Serious traffic offense”** means any of the following offenses contained in Sections 66-1-1 through 66-8-141 NMSA 1978:

- (1) speeding in excess of 15 miles above any posted speed limit;
- (2) reckless driving;
- (3) careless driving;
- (4) passing a school bus;
- (5) following too closely;
- (6) operating a commercial motor vehicle without holding a valid commercial driver’s license (CDL) along with any endorsements;
- (7) racing on a highway;
- (8) homicide or great bodily harm by vehicle;
- (9) injury to a pregnant woman;
- (10) failing to stop after an accident involving death or personal injury; or
- (11) operating a vehicle after suspension or revocation of a driver’s license.

**Y. “Sponsor”** means an individual, such as a coach, teacher, or parent who accompanies students on a planned LEA-sponsored activity trip.

**Z. “Substitute school bus assistant”** means an individual employed by an LEA or transportation service provider to help the school bus driver and students when the assigned school bus assistant is absent.

**AA. “Substitute school bus driver”** means an individual employed by an LEA or transportation service provider to operate a school bus on a school bus route when the assigned school bus driver is absent. The substitute school bus driver shall meet all certification and licensing requirements of a school bus driver.

**BB. “Sport utility vehicle (SUV)”** means a sport utility vehicle or a crew cab pickup truck. This type of vehicle differs from a typical four-door sedan due to being constructed on a light or medium truck chassis, making it more rugged and giving it higher ground clearance. It must have four full-size doors and seat six to nine passengers. Vans and mini-vans are excluded from this definition.

**CC. “To-and-from route serviced by an SUV”** means a designated course regularly traveled to pick up designated students at their designated pick-up location to take them to school or to deliver designated students from school to a designated drop-off location.

**DD. “Transportation administrator”** means an individual employed by the LEA or transportation service provider who has responsibility to monitor and guide the transportation program, drivers,

and assistants and who is required to make daily observations to detect reasonable suspicion for alcohol or substance use or both.

**EE. “Transportation as a related service”** means specific modifications or support services or both that are required for transportation of a student with an IEP.

**FF. “Transportation service provider”** means an individual or business that has entered into a binding agreement with the LEA to provide school transportation services.

[6.41.4.7 NMAC - Rp, 6.41.4.7 NMAC, 3/27/2018; A, 1/16/2024]

#### **6.41.4.8 RESPONSIBILITIES OF THE LOCAL BOARD OF EDUCATION OR CHARTER**

**SCHOOL ADMINISTRATOR:** Each local board of education or charter school administrator is responsible for adopting transportation policies which ensure a safe, timely, and efficient system of transportation for all eligible students, including children in foster care and homeless children and youth, within its jurisdiction. School transportation services for eligible students shall be provided by use of a school bus, per capita feeder route, or SUVs or a combination of school bus, per capita feeder route, or SUVs. Additional options for transportation of children in foster care or homeless children and youth may be explored while ensuring the safety of students. Therefore, each local board of education or charter school administrator shall establish policies in the following areas.

##### **A. Community, parent, and staff involvement:** Each LEA shall:

(1) provide a platform for adequate community, parent, staff, and transportation service provider participation in the development of policies and procedures for providing transportation services to eligible students;

(2) approve a policy defining the responsibilities of parents, students, teachers, staff, and transportation service providers;

(3) provide a platform for adequate information and training provided to the community, parents, and school personnel so that each understands the rights and responsibilities associated with transportation services;

(4) approve a policy concerning complaints from parents, students, transportation providers, and others regarding school transportation;

(5) approve a policy concerning transportation as a related service for a student with an IEP as the IEP requires. The transportation administrator or designee, or transportation service provider shall be afforded the opportunity to participate in the development of the IEP as it relates to transportation;

(6) approve disciplinary procedures, including an appeal process, applicable to all students being transported. The procedures shall comply with all applicable federal and state law and department regulation. Information regarding disciplinary procedures shall be provided to parents and students;

(a) the procedures shall include the process for emergency removal of a student from a school bus;

(i) if emergency removal of a student is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident; and

(ii) a written behavioral report shall be filed with the school and a copy of the report provided to the parents;

(b) nothing contained herein or in local board of education policy shall prevent the emergency removal of any student from a school bus if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other student, teacher, or employee;

(7) approve disciplinary procedures including an appeal process applicable to students with an IEP being transported. The procedures shall comply with all applicable federal and state law and department regulation governing students with disabilities. Information regarding disciplinary procedures shall be provided to parents, students, and IEP teams;

(a) disciplinary procedures for a student with an IEP shall be specified in the student's IEP;

(b) the procedures shall include the process for emergency removal of a student with an IEP from a school bus;

(i) if emergency removal of a student is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident; and

- (ii) the transportation administrator shall report each incident or behavior in writing to the LEA's special education director within 24 hours of receiving the driver's report;
  - (c) nothing contained herein or in local school board policy shall prevent the emergency removal of any student from a vehicle if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other student, teacher, or employee; and
  - (d) suspension of transportation service for a student with an IEP for more than ten cumulative days requires a change in transportation service in that student's IEP; and
  - (8) adopt and approve policies in specialized areas affected by federal regulations, state law, and new legislative initiatives related to school transportation.
- B. Student services:** Transportation is provided to students who are eligible for transportation pursuant to Sections 22-16-2 and 22-16-4, NMSA 1978. Students who do not obey the state and local LEA regulations governing student transportation may have their transportation services revoked by the LEA. Each LEA shall adopt:
- (1) a student disciplinary policy for school transportation, including procedures for suspending a student's transportation privilege and for holding parents responsible for any malicious destruction to the vehicle or assault on a driver or others. Policies shall be in agreement with and subject to procedural safeguards and protections specified in federal, state, and department regulations;
  - (2) a comparable travel time policy that shall:
    - (a) ensure that transportation time for a student with an IEP is comparable to transportation time provided to neighborhood students who do not have an IEP;
    - (b) consider the least distance from a student with an IEP's home to the school site as compared to the least distance from the homes of neighborhood students who do not have an IEP to the school site;
    - (c) consider the time for other transportation services identified in the IEP.
- Any variance from the comparable travel time policy shall be determined on a case-by-case basis by the IEP team and shall be clearly stated in the IEP;
- (3) a policy regarding the transportation of specialized personnel, such as licensed nurses and special education assistants, or other designated persons;
  - (4) a policy regarding the transportation of animals that accompany a student with an IEP and shall ensure that the certification, training, and immunization requirements for the animal are completed and current;
  - (5) a policy outlining acceptable procedures for medicine transport. The policy shall include the designated place for transport and the personnel authorized to administer medication during transport when necessary;
  - (6) a policy regarding the maintenance of a roster or seating chart for students who ride school buses;
  - (7) a policy for providing transportation services for students eligible under Section 504 of the Rehabilitation Act of 1973 when such services are specified in the student's accommodation plan; and
  - (8) a policy covering a do not resuscitate request from the parents or guardians specific to the student while the student is being transported on a school bus, school-owned activity vehicle, or SUV.

**C. Relationship with transportation providers.** When a transportation service provider is contracted to provide school transportation services, each local board of education or charter school administrator shall:

- (1) approve all contracts and contract amendments with a transportation service provider in accordance with state law and department regulation;
- (2) approve a policy governing the termination of a contract with a transportation service provider in accordance with state law and department regulation;
- (3) include as a part of each contract a scope of work which ensures that this regulation and all other applicable state and federal regulations and state statutes and department regulations are adhered to; and
- (4) develop policy involving fingerprint-based background checks in accordance with state law.

**D. Planned LEA-sponsored activities:** Each local board of education or charter school administrator shall adopt policies and procedures concerning the safety and welfare of students who are

transported to and from planned LEA-sponsored activities. Policies and procedures shall comply with all applicable federal, state, and department regulations.

- (1) Vehicles used for school-sponsored activities shall be school-owned, leased, or private vehicles that meet the following department requirements:
  - (a) vehicles shall not be vans or minivans;
  - (b) excluding buses, vehicles shall not seat less than six or more than nine people including the driver;
  - (c) excluding buses, vehicles shall have seat belts available for all occupants and all occupants are required to wear them while the vehicle is in motion;
  - (d) vehicles shall have available secure cargo storage or other adequate tie-down for securing items in the vehicle, excluding hitched trailers; and
  - (e) trailers shall not be hitched to vehicles while the vehicle is transporting students.

- (2) Policies and procedures shall include provision for the use of commercial common carrier buses, taking into account that commercial common carrier buses do not meet current New Mexico school bus construction standards and school bus phase-out pursuant to 6.40.2 NMAC.

- (3) Policies and procedures shall include provisions for rest and relaxation for students and the driver(s) during the trip.

- (4) Policies and procedures shall include procedures for releasing students on the planned activity trip to parents or guardians.

- (5) Policies shall explicitly state that prior to and during work periods all drivers, school bus assistants, and substitute school bus assistants have not used and do not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

[6.41.4.8 NMAC - Rp, 6.41.4.8 NMAC, 3/27/2018]

#### **6.41.4.9 RESPONSIBILITIES OF THE LEA:**

##### **A. General requirements:**

- (1) The LEA shall designate a transportation administrator.
- (2) The LEA shall observe all federal and state laws, department regulations, and local board of education policies and procedures. The LEA shall follow the New Mexico guide for school vehicle maintenance and safety audit program.
- (3) Prior to providing services, the LEA shall ensure that each transportation service provider has a properly executed contract on a form approved by the department.
- (4) The LEA shall direct drivers, school bus assistants, and substitute school bus assistants on meeting all transportation requirements of students' IEPs.
- (5) The LEA shall, in accordance with applicable federal and state law and department regulation:

- (a) verify qualifications which include fingerprint-based background checks and reference checks made and completed for the following positions:

- (i) school bus driver;
- (ii) substitute school bus driver;
- (iii) activity school bus driver;
- (iv) school-owned activity vehicle driver;
- (v) SUV driver;
- (vi) school bus assistant; and
- (vii) substitute school bus assistant;

- (b) ensure proper training is provided by a qualified trainer and documented on the applicable pre-service training record as provided by the department. The training shall be completed prior to the drivers, school bus assistants, and substitute school bus assistants performing assigned duties; and

- (c) ensure ongoing training is provided and continuing requirements for drivers, school bus assistants, and substitute school bus assistants are met pursuant to 6.41.4.13 NMAC.

- (6) The LEA shall establish and provide to all drivers written procedures to be followed:

- inspection;
- (a) for immediate replacement of a vehicle when a vehicle fails pre-trip
  - (b) during inclement weather; and
  - (c) during school bus evacuation drills.
- (7) The LEA shall provide to transportation service providers and drivers vital emergency information for all students with an IEP or special medical conditions. All vital emergency information shall be treated as a confidential record as provided by law.
- (8) The LEA, shall be available until all school bus drivers have completed their trips and all students have been properly delivered.
- (9) The LEA shall develop and implement a school transportation safety curriculum for students who ride school buses to and from planned LEA-sponsored activity trips.
- (10) The LEA shall review for safety each student walk zone for each school on an LEA approved cycle. The review cycle shall not exceed five years.
- (11) The LEA shall ensure that school bus evacuation drills are performed and documented once per semester.
- (12) All school buses, activity school buses, and school-owned activity vehicles shall be alcohol, drug, and tobacco free areas. The LEA shall ensure that, prior to or during work periods, all drivers, school bus assistants, and substitute school bus assistants shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.
- (13) The transportation administrator shall ensure compliance with 49 CFR Part 382 by maintaining documentation including proof of contract and pools of driver names. Drivers who possess a CDL shall constitute a pool of names and the school-owned activity vehicle drivers shall constitute a separate pool of names for random drug and alcohol testing.
- (14) The LEA shall arrange for and document in-service training that meets the department's required hours for applicable staff.
- B. Accidents:** In the event of a school bus accident or emergency, the LEA shall:
- (1) promptly notify the department by telephone if a school bus is involved in an accident that results in the death, serious injury or hospitalization of any occupant of the school bus or other motor vehicle or a pedestrian;
  - (2) promptly notify the department if a school bus is involved in an accident in which possible mechanical failure may have been a contributing factor; and
  - (3) submit the uniform school bus accident and adjudication report to the department within seven calendar days of any accident.
- C. Plan of action for emergencies:**
- (1) The LEA or the transportation service provider shall provide to each driver a written plan of action in case of an emergency covering:
- (a) vehicle trouble requiring evacuation;
  - (b) vehicle trouble not requiring evacuation;
  - (c) passenger trouble requiring transportation personnel intervention;
  - (d) passenger trouble requiring police intervention; and
  - (e) passenger trouble requiring medical intervention.
- (2) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in a school bus shall:
- (a) be documented;
  - (b) be conducted once per semester;
  - (c) include all school bus drivers and substitute school bus drivers;
  - (d) include all school bus assistants and substitute school bus assistants;
  - (e) exempt students when they are limited in their capability to participate;
- and
- (f) include the following types of evacuation drills:
    - (i) occupants exit through the rear emergency door;
    - (ii) occupants exit through the front service door;
    - (iii) occupants in the front half of the school bus exit through the front service door and occupants in the back half of the school bus exit through the rear emergency door. If any



emergency door is located mid-bus, it shall be considered the rear emergency door; and  
 (iv) occupants receive instructions on the proper use of roof hatches.

(3) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in an SUV shall:

- (a) be documented;
- (b) be conducted once per semester;
- (c) include all SUV drivers and assistants;
- (d) exempt students when they are limited in their capability to participate;

and

- (e) include the following types of evacuation drills:
  - (i) occupants exit through the nearest door;
  - (ii) occupants exit through driver-side doors only; and
  - (iii) occupants exit through passenger-side doors only.

(4) Adequate alternate instruction shall be verbal instruction on the location and operation of emergency exits and shall be presented by the driver to all vehicle occupants.

**D. School bus routes:** The LEA shall follow department regulations and procedures for the establishment and monitoring of school bus routes.

(1) Loading and unloading shall occur, whenever possible, off the roadway and so that students do not have to cross the roadway. When it is impossible for a school bus to completely pull off the roadway, the driver shall remain on the roadway and use procedures provided in Subsection D of 6.41.4.11 NMAC.

(2) LEAs shall establish written procedures regarding adherence to school bus route pick-up and delivery times by both drivers and students. This information shall be available to parents and guardians of the students.

(3) The LEA shall review each school bus route on a district- approved cycle for safety and economy. The review cycle shall not exceed five years.

(4) The LEA shall comply with local board of education policy regarding the number of days allowed to re-configure a school bus route when a student's IEP has been modified and requires an adjustment to the student's transportation.

(5) The LEA shall establish a policy for the minimum time required for the school bus driver to wait for a student with an IEP who is receiving transportation as a related service to arrive at the school bus stop to be picked up. The policy shall also include information regarding the unloading of that student when returning the student to their school bus stop when a parent or guardian is not present to receive the student.

**E. Loading and unloading students at schools:**

(1) All school bus loading and unloading zones shall be properly marked by use of signs and pavement markings.

(2) The school bus loading and unloading zones shall be adequately staffed with designated personnel to monitor the loading and unloading of students.

(3) When loading and unloading, school buses shall be parked in a single file as close as possible to avoid students and other people from going between the school buses.

(4) Whenever possible, loading and unloading shall be done on school premises and separated from general vehicular traffic areas and playground areas.

(5) If loading or unloading must occur on the roadway, the school bus shall be stopped on the side of the roadway nearest the school. Alternating red flasher lights shall be activated when the school bus is stopped on the roadway.

(6) When loading, school buses shall be parked prior to dismissal time, if possible. School buses shall be parked in the order in which they arrive at the school.

(7) When loading or unloading students, the school bus parking brake shall be activated, the transmission shall be in neutral or in park, if equipped, and the engine off.

(8) For LEA's in counties where a heat advisory or excessive heat warning issued by the National Weather Service is in effect, the LEA may elect to review the circumstances and make their own determination as to whether a bus equipped with air conditioning shall remain on for the duration of the heat advisory or excessive heat warning when loading or unloading students. The LEA shall first consider alternatives

that may be available taking into consideration best practices and implementing those other alternatives if practicable. The LEA may also reference any guidance or resource documents issued by the department involving best practices for maintaining student safety during heat advisories or excessive heat warnings.

(9) When loading and unloading students, if the driver is required to leave the driver's seat, the keys shall be removed from the ignition switch. Exceptions to removing the key from the ignition switch include:

(a) school buses built after July 1, 2003 that are equipped with an interlock for wheel chair lifts; and

(b) school buses equipped with a child check safety system. In buses equipped with this system, the service door shall be closed when the driver leaves the driver's seat.

(10) The LEA shall review each school bus loading and unloading area at each school for safety on an LEA-approved cycle. The review cycle shall not exceed five years.

**F. School bus stops:** LEAs shall establish all school bus stops and, when appropriate, include involvement from a student's IEP team. The local public safety organization having jurisdiction shall also be included whenever necessary. Services shall be designed that safely, efficiently, and economically transport students.

(1) The LEA shall review each school bus stop for safety on an LEA approved cycle. The review cycle shall not exceed five years.

(2) School bus stops shall not be established where the view is obstructed to motorists for 500 feet in either direction. If, because of natural conditions, a stop must be established with a view of less than 500 feet, the LEA shall contact the state highway department or other agency having jurisdiction and request the installation of highway signage.

(3) School bus stops shall not be established on any interstate highway. If necessary, school bus stops shall be established on service or frontage roads adjacent to the interstate highway.

(4) School bus stops shall, whenever possible, be established so that students do not have to cross the roadway.

(5) School bus stops shall not be made:

(a) within 25 feet of any intersection.

(b) at a railroad grade crossing where a stop-and-go traffic light controls movement of traffic;

(c) at an abandoned railroad grade crossing which is marked with a sign indicating that the railroad is abandoned;

(d) at an industrial or spur line railroad grade crossing marked with a sign reading "EXEMPT CROSSING"; or

(e) at a railroad grade crossing used exclusively for industrial switching purposes within a business district or a streetcar crossing.

**G. Identification of transportation needs for students with disabilities:**

(1) Transportation needs for students with an IEP who require transportation as a related service is determined by each student's IEP team and shall be included in the IEP.

(2) When modifications to standard transportation are necessary, transportation personnel shall be afforded the opportunity to participate in the development of the IEP. The IEP document shall clearly state the transportation needs or modification or both identified by the IEP team and, if applicable, transportation personnel. If circumstances require changes in services, any team member may request that the team reconvene to consider the student's transportation needs.

**H. Provisions for transportation of students with disabilities:**

(1) In providing transportation as a related service to a student with an IEP, the LEA shall ensure:

(a) all alternatives are considered if, due to serious health or safety considerations, an IEP team determines that a student with an IEP cannot be transported with neighborhood peers who are not disabled;

(b) time transporting a student with an IEP is comparable to that provided for non-disabled neighborhood peers, unless otherwise specified in the student's IEP;

(c) access to and from the designated pickup and drop-off point; and

(d) access to other educational and related services specified in the student's IEP.

(2) Confidentiality of IEP and student medical information shall apply when transportation as a related service is provided to a student with an IEP.

**I. Provisions of transportation for children and youth in foster care:**

(1) The LEA shall develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care. The procedures shall:

(a) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with Section 475(4)(A) of the Social Security Act;

(b) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their school of origin, the LEA will provide transportation to the school of origin if:

(i) the local child welfare agency agrees to reimburse the LEA for the cost of such transportation;

(ii) the LEA agrees to pay for the cost of such transportation; or

(iii) the LEA and the local child welfare agency agree to share the cost of such transportation; and

(c) include, in addition to state and local funds that may be available for transportation, certain federal funds, if allowable under the grants, may be available to cover additional transportation costs to maintain children in foster care in their schools of origin.

(2) LEAs shall provide transportation to maintain children in foster care in their school of origin even if it does not provide transportation for children that are not in foster care.

(3) LEAs shall provide or arrange for adequate and appropriate transportation of children in foster care to and from the school of origin while any disputes are being resolved.

**J. Provisions of transportation for homeless children and youth:**

(1) LEAs are responsible for reviewing and revising transportation policies that may act as barriers to the identification, enrollment, attendance, or success in schools of homeless children and youth.

(2) McKinney-Vento Act requires homeless children and youth to receive transportation that is comparable to what is available to non-homeless students.

(3) LEAs shall adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian or in the case of the unaccompanied youth, the liaison, to and from the school of origin in accordance with the following requirements.

(a) If the child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA shall provide or arrange for the child's or youth's transportation to and from the school of origin.

(b) If the child or youth continues their education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally, pursuant to 6.42.2 NMAC.

(4) LEAs may use McKinney-Vento subgrant funds or Title I funds to defray the excess costs of transporting homeless children and youth to and from their school of origin.

(5) LEAs are required to provide adequate and appropriate transportation for homeless children and youth to and from the school of origin while enrollment disputes are being resolved.

(6) LEAs shall continue to provide transportation to and from the school of origin to formerly homeless children and youth who have become permanently housed for the remainder of the academic year during which the child or youth becomes permanently housed.

**K. Dispute resolution regarding the transportation of children in foster care and homeless children and youth:**

(1) To the extent feasible and appropriate, LEAs must ensure children in foster care remain in their school of origin while disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

- (2) Homeless children and youth shall be provided adequate and appropriate transportation to and from the school of origin while disputes are being resolved.
- (3) LEAs shall work with child welfare agencies, unaccompanied youth liaisons, and parents and guardians to resolve disputes at the lowest level possible.
- (4) If disputes are unable to be resolved at the local level, applicable parties may access dispute resolution procedures available at the department including those pursuant to 6.10.3 NMAC.

**L. Student behavior:**

- (1) When a student's behavior on a school bus or at a designated school bus stop endangers the safety of others, the student shall be suspended from being transported according to LEA policies and department regulations.
- (2) If an incident or behavior occurs involving a student with an IEP, the driver shall report each incident or behavior to the transportation administrator within 24 hours of the incident. Provisions for removal and reinstatement of transportation services for students with disabilities shall be specified in the LEA's policies and in the student's IEP. Any change in transportation as a related service must be made through the IEP process, and the procedural safeguards specified in department regulations shall apply. The transportation administrator shall report each incident or behavior within 24 hours of receiving the driver's report to the LEA's special education director or appropriate administrator. The incident or behavior shall be addressed by the student's IEP team.

**M. Process for pre-employment screening of initial commercial driver's license (CDL) driver applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

- (1) The employer shall verify the following documentation is in each driver applicant's file:
  - (a) a complete LEA-approved application form that meets or exceeds federal, state and department requirements;
  - (b) a copy of the driver applicant's current and valid driver's license, verified by the employer;
  - (c) a fingerprint-based background check. A person applying for full or part-time employment with an LEA or transportation service provider to operate a vehicle for the purpose of transporting students shall, at the person's own expense, submit to a fingerprint-based background check pursuant to Section 22-10A-5 NMSA 1978;
    - (i) the fingerprint-based background check shall be conducted prior to employment;
    - (ii) the applicant shall not qualify if there is a conviction of any violation of the Controlled Substances Act;
    - (iii) the applicant shall not qualify if there is a conviction of child abuse pursuant to Section 30-6, NMSA 1978, Crimes Against Children and Dependents;
    - (iv) the applicant shall not qualify if there is a conviction of any other criminal offense in which a child was a victim as defined or prescribed by the offense;
    - (v) the employer shall maintain on file an agreement, authorization, and waiver and release form in addition to a criminal history affidavit on any newly hired employee employed to operate a vehicle for the purpose of transporting students; and
    - (vi) the fingerprint-based background check requirement does not apply to any person who, as of January 1, 2006 was already engaged in full or part-time employment to operate a vehicle used to transport students, unless the employer's policies require it;
  - (d) a department of transportation (DOT) medical examiner's certificate indicating that a DOT physical examination was passed in accordance with DOT and federal motor carrier safety administration requirements. The DOT physical examination form that is current on the date of the examination must be used. The transportation administrator or the department may require a DOT physical examination be performed at any time, and the medical examiner's certificate shall be provided to all appropriate parties;
  - (e) a completed New Mexico school bus driver pre-service training record per the current SBDI manual provided by the department;
  - (i) an SBDI certified by the department shall conduct instruction using the current SBDI manual provided by the department;

- (ii) all pre-service training shall be documented on the appropriate pre-service training record as per the SBDI manual provided by the department;
- (iii) pre-service training shall be administered in a 65-71 passenger type C school bus. When the driver applicant is expected to operate more than one size and type of school bus, training shall be given on the specific handling characteristics of each size and type of school bus the driver applicant may be assigned to drive once all pre-service training has been completed;
- (iv) all behind the wheel instruction shall be administered under the supervision of an SBDI and without student passengers or other persons on board except other school bus driver applicants;
- (v) observation time shall include riding in a school bus with a licensed school bus driver driving on a school bus route or in observation of other school bus driver applicants driving under the supervision of an SBDI. Observation time shall also include actual school bus route orientation with a licensed school bus driver; and
- (vi) if the school bus driver applicant has completed a department-approved first aid and cardiopulmonary resuscitation (CPR) course taught by a certified instructor and the certificate is current, the certificate shall be provided to the transportation administrator. This shall satisfy the requirement for first aid and CPR training on the school bus driver pre-service training record. Online courses are not acceptable;
- (f) a printout of the driver applicant's current driving record through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle divisions. Verification includes the driver applicant's eligibility to be a driver. The driver applicant shall not be eligible if their driving record shows the driver applicant has:
  - (i) been convicted of driving while intoxicated (DWI) or driving under the influence (DUI) of intoxicating liquor or drugs within three years of the date of application for employment;
  - (ii) been convicted of a DWI or DUI between three years and 20 years prior to the date of application for employment unless the person provides written verification from a licensed counselor or physician that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;
  - (iii) been convicted two or more times for DWI or DUI;
  - (iv) had their driver's license suspended or revoked within five years of the date of application for employment for any serious traffic offense;
  - (v) been convicted of more than three serious traffic offenses within three years of the date of application for employment; or
  - (vi) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (g) a copy of the CDL test results, if available.

(2) The employer shall make available to each driver applicant at the time of hiring a current copy of 6.41.4 NMAC and any applicable LEA handbooks.

**N. Process for pre-employment screening of returning CDL driver applicants:** The employer shall adhere to all applicable federal, state and department employment requirements.

- (1) A returning CDL driver applicant shall:
  - (a) provide a completed New Mexico school bus driver pre-service training record provided by the department or certificates of training conducted by the department prior to 2000; and
  - (b) complete the training as outlined on the New Mexico returning school bus driver pre-service training record per the current SBDI manual provided by the department.

(2) A returning CDL driver applicant that cannot provide either a New Mexico school bus driver pre-service training record provided by the department or certificates of training conducted by the department prior to 2000 must complete the process for pre-employment screening of initial commercial driver's license (CDL) driver applicants pursuant to Subsection M of 6.41.4.9 NMAC.

(3) The employer shall verify that the following is completed and in each returning driver applicant's file:

(a) documentation pursuant to the requirements listed in Paragraph (1) of Subsection M of 6.41.4.9 NMAC; and  
 (b) a completed New Mexico returning school bus driver pre-service training record.

(4) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**O. Process for pre-employment screening of school-owned activity vehicle driver applicants:** The LEA shall adhere to all federal, state and department employment requirements when employing a school-owned activity vehicle driver.

(1) The LEA shall verify the following documentation is in each driver applicant's file:  
 (a) a completed employment application form that meets or exceeds federal, state and department requirements unless the applicant is currently employed by the LEA;  
 (b) documentation pursuant to requirements listed in Subparagraphs (b), (c) and (f) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;  
 (c) a current medical examiner's certificate indicating that a physical examination was passed using the DOT physical examination form that is current as of the date of the examination. The transportation administrator or the department may require a physical examination be performed at any time. The medical examiner's certificate shall be provided to all appropriate parties;  
 (d) a completed New Mexico school-owned activity vehicle driver pre-service training record per the current SBDI manual provided by the department;  
 (i) training shall be provided by an SBDI with activity vehicle (AV) certification by the department or an activity vehicle instructor (AVI) certified by the department using the current SBDI manual provided by the department;  
 (ii) as part of the pre-service training, the driver applicant must complete a defensive driving course (DDC) that is nationally recognized and approved by the department. In lieu of AV-certified SBDI or AVI DDC training, a certificate of completion of a DDC course that is approved by the department may be accepted. The certificate of completion shall be dated within four years of the driver applicant's date of application; and  
 (iii) as part of the pre-service training, the driver applicant must complete a department-approved first aid and CPR course taught by a certified instructor. A certificate from the completed course shall be provided to the transportation administrator. If the driver applicant has a current certificate from a department-approved complete first aid and CPR course, this shall satisfy the requirement. On-line courses are not acceptable.

(2) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**P. Process for pre-employment screening of school bus assistant and substitute school bus assistant applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

(1) The employer shall maintain the following documentation in each school bus assistant and substitute school bus assistant's file:  
 (a) a completed employment application form that meets or exceeds federal, state and department requirements unless the applicant is currently employed by the LEA;  
 (b) a fingerprint-based background check pursuant to the requirements listed in Subparagraph (c) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;  
 (c) a physical examination record;  
 (i) the physical examination shall be completed before the assistant begins performing duties; and  
 (ii) the transportation administrator or the department may require a new physical examination be performed at any time;  
 (d) a completed New Mexico school bus assistant pre-service training record in accordance with the SBDI manual as provided by the department; and  
 (e) a current first aid and CPR certificate. Online first aid and CPR courses are not acceptable.

(2) The applicant shall not qualify if they have:

- (a) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (b) a conviction for any violation of the Controlled Substances Act;
- (c) been convicted of child abuse pursuant to Sections 30-6-1 through 30-6-4, NMSA 1978, Crimes Against Children and Dependents; or
- (d) been convicted of any other criminal offense in which a child was a victim as defined or prescribed by the offense.

(3) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**Q. Continuing standards for drivers:** Any individual who currently drives a vehicle transporting students shall no longer be eligible to transport students:

(1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. Online programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;

(2) for five years if they receive a suspension or revocation of driver's license for any serious traffic offense;

(3) for three years if they receive convictions for more than three serious traffic offenses; or

(4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC.

**R. Background check requirements for drivers, school bus assistants, and substitute school bus assistants:** The background check requirements pursuant to 6.41.4.9 NMAC, shall not apply to anyone who, as of January 1, 2006 was already engaged in full or part time employment to operate a vehicle to transport students. LEAs may require additional background check information.

**S. Required documentation for files:** In addition to the required pre-employment screening documentation pursuant to 6.41.4.9 NMAC, the documentation below shall be maintained in the employee's file.

(1) Employee files for school bus drivers, substitute school bus drivers and activity bus drivers shall include:

(a) a copy of current CDL;

(b) a current medical examiner's certificate for a DOT physical examination;

(i) a DOT physical examination shall be renewed every 24 months from the date of the last examination, or earlier as requested by a licensed medical professional;

(ii) the current DOT physical examination form must be used; and

(iii) additional DOT physical examinations may be requested by the employer or the department;

(c) a driving record printed annually then verified for eligibility. The driver's current driving record shall be obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division. The driver shall no longer be eligible:

(i) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;

(ii) for five years if they receive a suspension or revocation of their driver's license for any serious traffic offense;

(iii) for three years if they receive convictions for more than three serious traffic offenses; or

(iv) for 10 years if they receive a conviction for any felony or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;

(d) documented in-service training as per the department's requirements;

(i) in-service training shall be pro-rated for newly hired school bus drivers, substitute school bus drivers, and activity bus drivers for their first year of employment for the number of quarters employed. Quarters during the calendar year are as follows: January 1 to March 31; April 1 to June 30; July 1 to September 30; and October 1 to December 31;

(ii) to remain qualified, school bus drivers, substitute school bus drivers, and activity bus drivers shall complete a total of eight hours in-service training per semester. Semesters during the calendar year are as follows: January 1 to June 30 and July 1 to December 31;

(iii) in-service training shall be documented by the transportation administrator or designee with the date of training, hours trained, trainer's name, printed and signed name of attendees, and topic or topics discussed. Such documents shall be stored in files maintained by the employer;

(iv) drivers who do not complete the required hours of in-service training per semester are disqualified from duty until those hours of in-service training are completed. The department may determine the in-service training topics.

(2) Employee files for school-owned activity vehicle drivers shall include:

(a) a copy of current driver's license;

(b) a current medical examiner's certificate indicating that a physical examination in accordance with DOT and federal motor carrier safety administration requirements was passed;

(i) the DOT physical examination form that is current on the date of the examination must be used; and

(ii) additional physical examinations on the DOT form may be requested by the employer or the department;

(c) a driving record printed annually then verified for eligibility pursuant to the requirements listed in Subparagraph (c) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC.

(3) Employee files for school bus assistants and substitute school bus assistants shall include:

(a) a copy of current first aid and CPR certificate; and

(b) documented in-service training pursuant to the requirements listed in Subparagraph (d) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC.

**T. Planned LEA-sponsored activity trips:** When a planned LEA-sponsored activity trip involves more than 18 people, including the drivers, or would require more than two school-owned activity vehicles to transport students during the same time frame to the same destination, the LEA shall use an activity school bus. Passenger management, as described in Paragraph (7) of Subsection T of 6.41.4.9 NMAC, shall not be an additional responsibility of the driver of the activity bus or a school bus assistant on a planned LEA-sponsored activity trip.

(1) When an activity bus is used for a planned LEA-sponsored activity trip:

(a) the activity bus shall meet the requirements pursuant to 6.40.2 NMAC;

(b) the activity bus shall not carry more than the manufacturer-rated seating capacity;

(c) the employer shall not use a school bus assigned to a school bus route to provide transportation for any planned LEA-sponsored activity trips if doing so will interfere with its operation on its assigned school bus route;

(d) the employer shall not temporarily reassign any students from one school bus route to another school bus route in order to free up a school bus for a planned LEA-sponsored activity trip; and

(e) on an activity bus that includes transporting equipment:

(i) items shall not occupy needed seating space;

(ii) items shall not be placed in the driver's compartment;

(iii) all items shall be properly secured; and

(iv) aisle and exits shall not be blocked.

(2) When a school-owned activity vehicle is used on a planned LEA-sponsored activity trip:

(a) the school-owned activity vehicle shall meet applicable federal motor vehicle safety standards (FMVSS);

(b) the driver operating a school-owned activity vehicle shall meet all requirements for school-owned activity vehicle drivers, pursuant to Subsection O of 6.41.4.9 NMAC;

(c) the school-owned activity vehicle shall not carry more than the manufacturer-rated seating capacity;

(d) the school-owned activity vehicle shall meet the following criteria:



- vans;
- (i) the school-owned activity vehicle shall not be vans or mini-
- (ii) the school-owned activity vehicle shall not seat less than six and no more than nine people including the driver;
- (iii) the school-owned activity vehicle shall have seat belts available for all occupants, and all occupants are required to wear them while the vehicle is in motion;
- (iv) the school-owned activity vehicle shall have available a cargo net or other adequate tie-down for securing items in the vehicle; excluding hitched trailers;
- (v) trailers shall not be hitched to school-owned activity vehicles while the vehicle is transporting students;
- (vi) the school-owned activity vehicle shall not exceed the manufacturer's gross vehicle weight rating (GVWR) as specified on the vehicle license and registration form; the GVWR includes the weight of the passengers and luggage; and
- (vii) the school-owned activity vehicle shall be in compliance with all applicable federal, state, and department regulations, and with child restraint guidelines from the national highway traffic safety administration (NHTSA);
- (e) on a school-owned activity vehicle that includes transporting equipment shall transport equipment pursuant to the requirements listed in items (i), (ii), and (iii) of Subparagraph (e) of Paragraph (1) of Subsection T of 6.41.4.9 NMAC;
- (f) the school-owned activity vehicle shall be replaced in accordance with the LEA's policy which defines the replacement cycle for school-owned activity vehicles.
- (3) The following time limits shall apply to drivers of planned LEA-sponsored activity trips.
  - (a) A driver shall not have more than eight hours continuous driving time and no more than 10 hours total driving time.
  - (b) A driver shall not be permitted to be on-duty more than 15 hours in a 24-hour period.
  - (c) A driver shall have eight consecutive off-duty hours before resuming on-duty time.
  - (d) A driver is considered off-duty if relieved of all duties and responsibilities for the care and custody of the vehicle, its accessories, cargo, and passengers.
- (4) An activity trip ticket that documents and authorizes the activity trip shall be prepared, signed by the LEA, and provided to the driver if the planned LEA-sponsored activity trip requires travel outside of the LEA's geographic boundary.
- (5) LEAs are not required to have an activity trip ticket if a commercial common carrier is used to transport students on a planned LEA-sponsored activity trip. However, the LEA shall maintain a copy of the contract for the transportation services for the planned LEA-sponsored activity trip.
- (6) Drivers shall be informed of and responsible for the following while driving on planned LEA-sponsored activity trips in addition to the applicable responsibilities of drivers pursuant to 6.41.4.11 NMAC:
  - (a) compliance with all federal, state, department and employer policies and regulations;
  - (b) care of and safe and efficient operation of the school bus or school-owned activity vehicle at all times;
  - (c) performance and documentation of a thorough pre-trip inspection of the vehicle and special equipment prior to departure, unless completed and documented by other qualified personnel;
  - (d) conducting an emergency evacuation drill or providing adequate alternate instruction to all passengers prior to departure. An LEA-approved document shall be provided to the driver for the driver and the sponsor to sign in evidence that such has been completed before beginning each planned LEA-sponsored activity trip;
  - (e) ensuring the safety of all passengers while they are in the school bus or school-owned activity vehicle;
  - (f) ensuring all passengers are properly seated with seat belts in use when the driver is operating a school-owned activity vehicle;

(g) maintaining an activity trip ticket when one is required. The driver shall, upon request, show the signed activity trip ticket to any state police officer or other law enforcement officer, DOT officer, or staff member of the department;

(h) notifying the transportation administrator or designee and obtaining their approval prior to incorporating a change if there are any changes in the route or itinerary;

(i) notifying the transportation administrator or designee of all emergencies that arise;

(j) maintaining and submitting to designated employer personnel all records pertinent to the planned LEA-sponsored activity trip including signed documentation that adequate emergency evacuation instruction was conveyed to all passengers;

(k) ensuring that prior to departure and the return journey, the school bus or school-owned activity vehicle is clean, completely serviced, and inspected, noting the condition of the vehicle in writing on the appropriate form and signing the form;

(l) ensuring the school bus or school-owned activity vehicle shall not be fueled while passengers are on board unless there are exceptional circumstances when it is impractical to unload;

(m) ensuring that no students remain on the school bus or school-owned activity vehicle unless the driver or a school sponsor is on board. At the conclusion of the planned LEA-sponsored activity trip, ensure that no one is on the school bus or school-owned activity vehicle; and

(n) ensuring that the sponsors are actively supervising students on the bus.

(7) School sponsors shall be notified of the following responsibilities for each planned LEA-sponsored activity trip:

(a) preparing and submitting activity trip requests in accordance with federal, state and department regulations as well as the LEA's policies;

(b) ensuring there are an adequate number of disciplinary staff;

(c) notifying the transportation administrator or designee of any schedule changes;

(d) assuring that student(s) are at the departure point(s) at the appointed time;

(e) supervising the loading and unloading of the vehicle;

(f) maintaining a student roster and taking roll each time students load onto the vehicle;

(g) assuring the orderly conduct and discipline of students on and off the vehicle;

(h) supervising and maintaining control of student passengers in case of an emergency;

(i) providing for adequate rest stops;

(j) making all arrangements on overnight planned LEA-sponsored activity trips for meals and lodging, including the driver's meals and lodging.

(8) Planned LEA-sponsored activity trips shall be paid from budgeted LEA-sponsored activity funds and not from current fiscal year to-and-from transportation funds.

(9) The LEA shall adopt a policy that addresses out-of-state transportation for planned LEA-sponsored activity trips. LEAs shall use the guidelines for school-owned activity vehicles provided in 6.41.4 NMAC whenever possible

**U. Training:**

(1) Transportation administrators shall provide training for other LEA employees who are responsible for supervision of the school transportation program and school employed drivers.

(2) A minimum of two hours of in-service training is required annually. The contents of the training will be determined by the department.

[6.41.4.9 NMAC - Rp, 6.41.4.9 NMAC, 3/27/2018; A/E, 8/4/2023; A, 1/16/2024]

**6.41.4.10 REQUIREMENTS OF TRANSPORTATION SERVICE PROVIDERS:**

**A. General requirements:** The transportation service providers shall:

(1) cooperate with the LEA administration to provide safe and efficient transportation services for all eligible students;

(2) keep all required vehicle maintenance records;

(3) hire all school bus drivers, substitute school bus drivers, activity school bus drivers, school bus assistants, and substitute school bus assistants in accordance with LEA policies, federal, state, and department regulations, and Section 22-10-3.3 NMSA 1978;

(4) maintain all school bus driver, substitute school bus driver, activity school bus driver, school bus assistant, and substitute school bus assistant files with required documentation in accordance with federal, state and department regulations;

(5) hire mechanics and office support personnel;

(6) provide to all drivers written procedures to be followed:

(a) during inclement weather; and

(b) during school bus evacuation drills;

(7) provide to each driver an LEA-approved written plan of action in case of an emergency covering:

(a) vehicle trouble requiring evacuation;

(b) vehicle trouble not requiring evacuation;

(c) passenger trouble requiring transportation personnel intervention;

(d) passenger trouble requiring police intervention; and

(e) passenger trouble requiring medical intervention.

(8) attend IEP meetings as necessary.

**B. Equipment:** The transportation service provider shall:

(1) maintain all school buses to manufacturer specifications and all safety equipment on school buses to federal, state and department specifications;

(2) report complete and accurate information required by the department's transportation director or designee and the LEA; and

(3) comply immediately with equipment recalls by taking a vehicle that has an equipment recall by a manufacturer, a distributor, a federal or state agency, or the department to an approved location as per the recall notification for modification or repair.

**C. Training:** The transportation service provider shall:

(1) provide pre-service and in-service training for all school bus drivers, substitute school bus drivers, activity bus drivers, and all school bus assistants and substitute school bus assistants in accordance with the department regulations;

(2) provide training for transportation service providers' employees who have supervisory responsibility of school bus drivers. A minimum of two hours of training is required annually. The contents of the training will be determined by the department transportation director.

[6.41.4.10 NMAC - Rp, 6.41.4.10 NMAC, 3/27/2018]

**6.41.4.11 RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:** All drivers and, where applicable, all school bus assistants and substitute school bus assistants shall:

**A. Comply with the following.**

(1) Operate the vehicle in a safe and efficient manner in accordance with federal, state, local statutes and regulations, department regulations, and LEA policies.

(2) Cooperate with the transportation administrator's compliance with 49 CFR Part 382 as conducted by the LEA and transportation service provider.

**B. Perform a pre-trip inspection.**

(1) All school bus drivers shall perform and document a daily thorough pre-trip inspection of the school bus and special equipment, unless completed and documented by other qualified personnel. The inspection shall include, at minimum, inspection of the:

(a) outside of the vehicle:

(i) any fluid leaks, including oil, water, power steering, power brakes, transmission, or differential;

(ii) wheels, tires, lug bolts and nuts for serviceability;

(iii) all exterior lights for serviceability and operation;

(iv) all glass, mirrors, and windshields to be clean and unbroken and mirrors adjusted for the driver;

- (v) exhaust system for leaks, looseness, and secure clamps, except for electric buses;
- (vi) engine compartment for serviceability, hoses, belts, wiring, and proper fluid levels;
- (vii) battery for secure connections and no corrosion;
- (viii) fuel filler cap, except for electric buses;
- (ix) lift system for those vehicles equipped;
- (x) service door, emergency exits, and buzzers; and
- (xi) stop arm and signs;
- (b) inside of the vehicle:
  - (i) all seats and interior lights;
  - (ii) horn, windshield wipers, all gauges, and indicators;
  - (iii) emergency equipment including a first aid kit, fire extinguisher, reflectors, body fluid clean-up kit, and seat belt cutter;
  - (iv) parking brake and service brake;
  - (v) interior mirror;
  - (vi) cleanliness of vehicle;
  - (vii) heaters and defrosters;
  - (viii) air or hydraulic brake check; and
  - (ix) emergency exits and buzzers.

(2) All school-owned activity vehicle drivers shall perform, at a minimum, a thorough pre-trip inspection for operational check of the vehicle and equipment unless completed by other personnel who have completed department-approved pre-service training. The inspection shall, at minimum, include inspection outside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (a) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC and inside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (b) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC. All school-owned activity vehicle drivers shall inspect all gauges, seats, and interior lights of the school-owned activity vehicle.

(3) The driver shall not operate any school bus, activity school bus, or school-owned activity vehicle that does not meet the pre-trip inspection requirements. The driver shall immediately notify the transportation administrator or designee upon failure of the pre-trip inspection and document the reason for the failure.

**C. Use the following basic driving, loading, and unloading procedures for school bus routes.**

(1) Drivers shall obey all traffic laws, ordinances, and rules of the road and not drive the school bus faster than the posted speed limit.

(2) Loading and unloading shall occur, whenever possible, off of the traveled portion of the roadway and so that students do not have to cross the roadway.

(3) Drivers shall load or unload students only at established school bus stops unless an emergency dictates otherwise. School bus stops shall not be changed or the time schedules altered by the school bus driver or transportation service provider without the approval of the transportation administrator or designee. Drivers shall not grant permission for a student to load or unload except at the student's designated school bus stop without written approval from the transportation administrator or designee.

(4) Drivers shall use rear view mirrors to check traffic before arriving at the school bus stop.

(5) Drivers shall reduce the speed of the school bus when approaching the school bus stop.

(6) On morning school bus routes, drivers shall:
 

- (a) bring the school bus to a complete stop eight to 10 feet before the school bus stop, set the parking brake and shift the transmission in neutral or, if equipped, park;
- (b) make a complete stop at all established school bus stops whether students are present or not, unless a parent or guardian or the transportation administrator has notified the driver that the student will be absent;

(c) not wait for students unless they are observed making an effort to reach the school bus stop or unless otherwise specified in a student's IEP; and

(d) use rear view mirrors to check traffic.

(7) When loading, the driver shall check that all students are seated in the school bus before the school bus is put in motion.

(8) When unloading, the driver shall count the students that have exited the school bus. When students exit the school bus, drivers shall ensure the following.

(a) If students are required to cross the roadway, they shall walk eight to 10 feet in front of the school bus and be positioned perpendicular to the right front portion of the school bus where the driver can see them.

(b) The driver shall check rear view mirrors and all traffic lanes to ensure all required traffic is stopped before signaling students to cross the roadway to the left front portion of the school bus.

(c) Before signaling students to proceed the rest of the way, the driver shall check rearview mirrors and all traffic lanes again to ensure all required traffic is stopped.

(d) The driver shall check to be sure that all students have crossed the roadway safely by using the crossover mirrors and perform a final student count.

(e) The driver shall verify that all doors are free of obstructions then close all doors before the school bus is put in motion.

(f) The driver shall use rear view mirrors to check traffic before departing from the school bus stop.

(9) The driver shall not operate the school bus in such a manner as to cause on-board accidents by jerking, stopping suddenly or swerving unnecessarily.

(10) The driver shall not leave the driver's seat without setting the park brake, putting the transmission in neutral or, if equipped, park, stopping the engine, and removing the keys. Exceptions include the following:

(a) school buses with a wheelchair lift that meets 6.40.2 NMAC requiring a vehicle interlock system for school buses built after July 1, 2003, and to deactivate the child check safety system. The driver may leave the key in the ignition with the engine off when deactivating the child check safety system but the service door shall be closed;

(b) school buses equipped with a diesel engine and automatic transmission where the driver shall follow the manufacturer's recommendation for parking in gear.

(11) The driver shall keep the school bus clean, well ventilated, and, when necessary, properly heated.

(12) The driver, if traveling in a convoy, shall follow the lead school bus and shall maintain proper distance between vehicles.

(13) The driver shall report all hazards on the school bus route, whether potential or existing, and all causes for failure to operate on schedule to the transportation administrator or designee.

(14) The driver shall not use the school bus outside regular to-and-from transportation or a planned LEA-sponsored activity trip without the approval of the transportation administrator.

**D. In addition to requirements pursuant to Subsection C of 6.41.4.11 NMAC use the following if the school bus must be loaded or unloaded on the roadway.**

(1) If the school bus must be loaded or unloaded on the traveled portion of the roadway:

(a) The driver shall activate the alternating amber flasher lights not less than 100 feet nor more than 300 feet from a stop in urban areas or not less than 300 feet nor more than 1,000 feet from a stop in rural areas to warn motorists that the school bus is about to stop on the roadway.

(b) The alternating red flasher lights and stop arm shall be activated after the school bus is completely stopped and the service door is opened.

(i) If a school bus is approaching another school bus that has stopped to load or unload students with its alternating amber or red flasher lights activated, the approaching school bus shall mimic the other bus by activating its alternating amber or red flasher lights and shall not load or unload students.

- (ii) Once the school bus loading or unloading students has deactivated its alternating amber or red flasher lights, the approaching school bus shall resume operations.
- (2) If the school bus must be loaded or unloaded on the traveled portion of the roadway with multiple traffic lanes in each direction, highway, or a divided roadway:
  - (a) the school bus shall stop in the right-hand or outside traffic lane;
  - (b) students shall not be loaded or unloaded in a designated right-turn lane or in a lane immediately adjacent to a designated right-turn lane;
  - (c) loading and unloading shall occur only on the side of the roadway on which the student lives.
- (3) The alternating red flasher lights shall be deactivated before the school bus is put in motion.
- (4) The driver shall use good judgment when activating and deactivating the alternating flasher lights so as not to impede traffic unnecessarily.
- E. Load and unload students at schools using the following procedures.**
  - (1) If loading or unloading must occur on the street, alternating flasher lights shall not be activated unless the school bus is stopped on the traveled portion of the roadway.
  - (2) When loading or unloading, the school bus parking brake shall be activated, transmission shall be in neutral or, if equipped, in park, and the engine shall be off. Should the driver be required to leave the driver's seat, the keys shall be removed from the ignition switch. Exceptions to removing the key from the ignition switch:
    - (a) school buses built after July 1, 2003, that are equipped with an interlock for wheel chair lifts; or
    - (b) school buses equipped with a child check safety system. In buses equipped with this system, the service door shall be closed before the driver leaves the driver's seat.
  - (3) When loading, school buses may be parked in a single file as close as possible to avoid students or other people from going between the school buses.
  - (4) When loading, school buses shall be parked prior to dismissal time, if possible. School buses shall be parked in the order that they arrive at the school.
  - (5) The driver shall not back up a school bus on school grounds unless absolutely necessary and then only with assistance from an adult of the driver's choosing.
- F. Operate a school bus on an interstate highway using the following procedures.**
  - (1) All loading or unloading shall be done at points off the interstate highway either at an interchange, service, or frontage road.
  - (2) The school bus shall not cross over to the opposite roadway or make any other similar maneuver except at interchanges and then only in a manner consistent with the proper procedures at any given interchange unless directed otherwise by a law enforcement officer.
  - (3) School buses using portions of the interstate highway shall not stop on or adjacent to the roadway unless there is an emergency or as directed by a law enforcement officer.
  - (4) The school bus shall not stop on the interstate highway nor shall any students or other passengers load or unload on the interstate highway except in an emergency.
- G. Follow the procedures for school buses crossing railroad tracks:** The driver is always responsible for the safe movement of the school bus and in no instance shall a railroad signal, active or non-active, abrogate this precaution. The following procedures shall apply to school buses or activity school buses at railroad crossings.
  - (1) Before crossing any track or tracks of a railroad, the school bus driver shall activate the hazard warning lights and shall bring the school bus to a full and complete stop not less than 15 feet or more than 50 feet from the rail nearest the front of the school bus.
  - (2) On multiple lane roadways, the school bus shall be in the extreme right traffic lane whenever possible.
  - (3) If a stop-and-go traffic light controls the movement of traffic at the railroad crossing, the driver need not stop unless the traffic light indicates to stop.
  - (4) When approaching a railroad crossing, the driver shall carefully observe traffic and reduce the speed of the school bus in advance of stopping.

(5) While completely stopped prior to crossing and until completely across the railroad crossing, the driver shall:

- (a) fully open the service door;
- (b) fully open the window to the driver's immediate left;
- (c) turn off all noisy equipment, radio, and fans;
- (d) direct passengers to be silent if passengers are making noise;
- (e) listen and look in both directions along the track or tracks for approaching trains or other vehicles; and
- (f) keep the transmission of the school bus in first gear by maintaining a speed which does not cause the transmission to shift.

(6) The school bus driver shall not proceed through the railroad crossing or around crossing gates unless directed by law enforcement officer or railroad personnel if:

- (a) there are operating flashing red lights;
- (b) there is an operating bell;
- (c) a crossing gate is closed or in the process of being opened or closed;
- (d) the rear portion of the school bus cannot be positioned more than 15 feet from the rail nearest the rear of the school bus; or
- (e) the view in either direction is unclear or is obstructed in any way until the driver has secured the school bus and performed a visual inspection to verify that no trains or other vehicles are approaching.

(7) After safely and completely crossing the railroad tracks, the driver shall:

- (a) fully close the service door;
- (b) turn off hazard warning lights;
- (c) adjust the window to the driver's immediate left;
- (d) resume use of any noisy equipment, radio, and fans; and
- (e) continue traveling safely.

(8) When traveling near railroad tracks, even if not crossing, the school bus driver shall be aware of hazardous circumstances on the railroad tracks that could present a danger to the school bus. In such situations, the driver shall remain aware and instruct the students to remain silent until there is no longer a danger.

#### **H. Address student safety.**

(1) The driver shall be responsible for the safety and orderly conduct of school bus passengers.

(2) The driver, school bus assistants and substitute school bus assistants shall meet all requirements of student IEPs when transportation is a related service.

(3) The driver shall report all serious discipline cases to the transportation administrator or designee in accordance with the department and the LEA's policies.

(4) The driver shall have the authority to assign any passenger to a seat.

(5) The driver shall not carry on any unnecessary conversations with passengers while driving.

(6) The driver shall not permit the transportation of firearms, knives, explosives, breakable glass, or other dangerous objects, reptiles, or animals, except a service animal authorized by an IEP.

(7) In transporting musical instruments, shop projects, or other school projects, items shall be transported pursuant to the requirements listed in Subparagraph (e) of Paragraph (1) of Subsection T of 6.41.4.9 NMAC.

(8) On the school bus, the driver shall not permit items to block the aisle or exits.

(9) While a school bus is in motion, the driver shall not permit any passengers to occupy any area in front of the passenger seating area. All passengers shall be properly seated.

#### **I. Perform a post-trip inspection.**

(1) The driver shall, as part of each post-trip inspection, ensure that no passengers remain on board.

(2) The driver shall submit a signed, LEA-approved form reporting all faulty or improperly functioning equipment to the transportation administrator or designee, or the transportation service provider.

**J. Participate in emergency evacuation drills for school buses.** All school bus drivers, substitute school bus drivers, activity bus drivers, school bus assistants, and substitute school bus assistants shall participate in the emergency evacuation drills or adequate alternate instruction scheduled by the transportation administrator.

**K. Be familiar with the location and use of the following emergency equipment:**

- (1) hazard warning lights;
- (2) fire extinguisher;
- (3) first aid kit;
- (4) body fluid cleanup kit;
- (5) triangular warning reflectors; and
- (6) seat belt cutter.

**L. Address emergency evacuations and accidents.**

(1) Emergency evacuations shall take place if there is a fire or danger of fire involving the vehicle. The vehicle shall be stopped and evacuated immediately. Passengers shall move a safe distance away from the vehicle and remain there until given further direction.

(2) Emergency evacuations may take place if the vehicle is stopped in an unsafe position. The driver shall immediately determine whether it is safer for passengers to remain in the vehicle or to evacuate the vehicle. The driver shall direct the passengers to evacuate the vehicle if:

- (a) the vehicle has stopped in the path of a train;
- (b) the position of the stopped vehicle may change, thus increasing the danger to passengers; or
- (c) the position of the stopped vehicle is such that there is danger of another vehicle colliding into it.

(3) In the case of any accident, the driver's first responsibility is for the safety of the passengers. The driver shall:

- (a) stop immediately;
- (b) notify police and the LEA administrator and, if appropriate, the transportation service provider;
- (c) remain calm and reassure passengers;
- (d) if necessary to evacuate the vehicle, direct passengers to a safe place away from traffic and not permit passengers to leave the scene of the accident;
- (e) render reasonable assistance to persons injured in the accident;
- (f) remain at the scene of the accident and not move the vehicle unless required by local ordinance or a law enforcement officer;
- (g) if possible, place reflectors appropriately to warn traffic;
- (h) obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;
- (i) make no admission as to liability nor assume responsibility for the accident;
- (j) comply with federal, state, department regulation and LEA policy and procedures in reporting the accident; and
- (k) adhere to any vital emergency medical information provided.

**M. Alternating flasher lights shall not be used when the school bus is:**

- (1) on school grounds to load or unload students;
- (2) completely off the traveled portion of the roadway;
- (3) at a railroad crossing; or
- (4) stopped, except when loading or unloading students on the roadway.

[6.41.4.11 NMAC - Rp, 6.41.4.11 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.12 SCHOOL BUS SAFETY AND EQUIPMENT:** All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2 NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, school bus inspection guide.

**A.** Each school bus shall be equipped with an operable seat belt for the driver that shall be used when the school bus is in motion.



**B.** Each school bus shall have seat belts or a seat harness as required on school buses when required in a student's IEP.

**C.** Each school bus shall have at least one seat belt cutter properly secured in a location within reach of the driver while the driver is belted into the driver's seat pursuant to Paragraph (1) of Subsection YY of 6.40.2.10 NMAC. The seat belt cutter shall be durable and designed to eliminate the possibility of the operator or others being cut during use.

**D.** Each school bus shall carry a first aid kit with contents pursuant to Paragraph (2) of Subsection P of 6.40.2.10 NMAC.

**E.** Each school bus shall carry a body fluid clean-up kit pursuant to Paragraph (3) Subsection P of 6.40.2.10 NMAC.

**F.** Each school bus shall be equipped with at least one UL-approved pressurized dry-chemical fire extinguisher complete with hose. The fire extinguisher shall have a total rating of 2A10BC or greater and meet the requirements of Paragraph (1) of Subsection P of 6.40.2.10 NMAC. The extinguisher shall be securely mounted in the driver's compartment, fully charged and in working condition.

**G.** Each school bus shall be equipped with a minimum of three triangular warning reflectors pursuant to Paragraph (4) of Subsection P of 6.40.2.10 NMAC, and the driver shall be knowledgeable as to their proper placement. Drivers shall use reflectors in the event of prolonged stops on the roadway.

**(1)** On a two-lane road:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the front or rear of the school bus, depending on traffic direction;

**(b)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the rear of the school bus; and

**(c)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the front of the school bus.

**(2)** On a one-way or divided highway, warning reflectors shall be placed on the traffic side of the school bus at 10, 100, and 200 feet from the rear of the school bus and placed so as to direct traffic away from the school bus.

**(3)** If the school bus is disabled within 500 feet of a curve, crest of a hill, or other obstruction:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the rear of the school bus in the direction of the obstruction;

**(b)** a warning reflector shall be placed on the traffic side of the school bus 100 feet from the rear of the school bus in the direction of the obstruction; and

**(c)** a warning reflector shall be placed on the traffic side of the school bus up to 500 feet from the rear of the school bus in the direction of the obstruction.

**H.** The hazard warning lights shall be used only when it is necessary to stop the bus on the shoulder of the roadway or on the roadway. The hazard warning lights shall also be used when the speed of the school bus is less than one-half of the posted speed limit.

**I.** The emergency door(s), windows, and roof hatches shall not be fastened or wired so as to prevent opening from the inside or outside.

**J.** Loose items shall be properly stowed underneath in equipment compartments or securely fastened if carried inside the school bus.

**K.** Trailers shall not be attached to a school bus.

**L.** Trailers shall not be hitched to school-owned vehicles while the vehicle is transporting students.

[6.41.4.12 NMAC - Rp, 6.41.4.12 NMAC, 3/27/2018]

#### **6.41.4.13 CONTINUING REQUIREMENTS FOR DRIVERS, SUBSTITUTE DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:**

**A.** School bus drivers, substitute school bus drivers, and drivers of activity buses shall maintain and provide to the employer a copy of the following:

**(1)** a current CDL with appropriate class and endorsements;

(2) a current DOT medical examiner's certificate in compliance with federal and state CDL licensing requirements;

(3) a driving record obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division and printed annually; and

(4) a current first aid and CPR certificate which has been obtained from a course approved by the department.

**B. School-owned activity vehicle drivers shall maintain and provide to the employer a copy of the following:**

(1) a current driver's license;

(2) a current medical examiner's certificate from a physical recorded on the DOT form;

(3) a driving record pursuant to requirements in Paragraph (3) of Subsection A of 6.41.4.13 NMAC; and

(4) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC.

**C. School bus assistants and substitute school bus assistants shall maintain and provide a copy to the employer of the following:**

(1) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC; and

(2) a physical examination renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional.

**D. In-service training:** To remain qualified, school bus drivers, substitute school bus drivers, school bus assistants, and substitute school bus assistants shall complete a total of eight hours per semester of in-service training that has been approved by the transportation administrator. Persons who do not complete the required hours of in-service training are disqualified from duty until those hours of in-service training are completed.

[6.41.4.13 NMAC - Rp, 6.41.4.13 NMAC, 3/27/2018]

#### **6.41.4.14 USING SPORT UTILITY VEHICLES (SUVS) FOR TO-AND-FROM TRANSPORTATION:**

**A. General requirements. An LEA electing to transport students in an SUV on a to-and-from route shall:**

(1) be limited to transport up to six students who are enrolled in the LEA;

(2) only transport students whose residence is within the boundaries of the LEA, with the exception of those students in foster care or homeless children and youth as required as part of the best interest determination;

(3) only transport students who live five or more miles from the student's or students' school, with the exception of those students in foster care or homeless children and youth as required as part of the best interest determination;

(4) require that the SUV driver be an LEA employee certified as a school-owned activity vehicle driver;

(5) require that the driver meet all federal, state, and department qualifications and licensing requirements. The driver shall:

(a) allow the LEA to obtain the driver's driving record through the New Mexico motor vehicle division, or the national driver register or other states' motor vehicle divisions;

(b) satisfactorily complete a physical examination using the current DOT physical examination form:

(i) physical examination shall be renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional;

(ii) additional physical examinations shall be required at any other time at the request of the LEA or the department's transportation bureau;

(iii) all physical examinations shall be conducted by a licensed medical professional;

(c) meet the requirements of the Controlled Substances and Alcohol Use and Testing in accordance with 49 CFR Part 382;

- (6) require that the driver complete pre-service training as outlined in department guidance. The pre-service training shall be provided only by a school bus driver instructor that has activity vehicle certification or an activity vehicle instructor that has been certified by the department;
- (7) require the SUV driver transporting students on to-and-from routes to obtain two hours of in-service training per semester;
- (8) be required to insure both the SUV and SUV driver through the public school insurance authority;
- (9) establish written procedures for an immediate substitute SUV or school bus should an SUV fail to meet pre-trip inspection requirements; the substitute SUV or school bus shall meet all pre-trip requirements;
- (10) require the SUV driver to immediately report in writing on the appropriate form(s) signed by the SUV driver any faulty or improperly functioning equipment to the transportation administrator or their designee;
- (11) require all passengers to enter and exit on the passenger side of the SUV;
- (12) require the SUV driver to ensure that no student remains in the SUV at the conclusion of the route;
- (13) be required to have the vehicle inspected semi-annually by an authorized dealer including the manufacturer's recommended multi-point inspection. An inspection shall not occur within 90 days from the prior inspection. All inspections shall occur during the school year. Any defects found by the dealer shall be repaired prior to the vehicle being used to transport students. The vehicle shall be considered out of service until all defects are repaired by the dealer. The semi-annual inspections shall be submitted to the department's transportation bureau along with the documentation of all repaired defects;
- (14) require the SUV driver to conduct a daily, thorough pre-trip operational check of the SUV and equipment; the pre-trip shall be documented and shall cover at a minimum:
  - (a) wheels, tires, lug bolts, and nuts for serviceability;
  - (b) all exterior lights for serviceability and operation;
  - (c) all glass, mirrors, windshields (clean, unbroken and mirrors adjusted for the driver);
  - (d) exhaust system for leaks and looseness of connections;
  - (e) fluid leaks under and in the front (oil, water, power steering, transmission, brakes) and in the rear (brakes and differential);
  - (f) engine compartment for serviceability (battery, belts, wiring, hoses, fan);
  - (g) engine compartment for fluid levels (oil, engine coolant, power steering, brake, windshield washer, transmission);
  - (h) fuel filler cap;
  - (i) all gauges, seats, and interior lights;
  - (j) horn and windshield wipers;
  - (k) emergency equipment;
  - (l) cleanliness of SUV;
  - (m) electronic locks; and
  - (n) heaters and defrosters;
- (15) not allow the SUV driver to operate the SUV if it does not meet the pre-trip inspection requirements;
- (16) not allow an employee to operate an SUV for to-and-from transportation if the person's driving record shows:
  - (a) a conviction for driving a vehicle while intoxicated (DWI) or driving under the influence of intoxicating liquor or drugs (DUI) within the previous three years;
  - (b) a conviction for DWI or DUI between three years and 20 years prior to the date of application for employment unless a written verification from a licensed counselor or physician has been provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;
  - (c) a conviction two or more times for DWI or DUI;
  - (d) their driver's license has been suspended or revoked within the previous five years for any serious traffic offense;

- (e) a conviction of more than three serious traffic offenses within the previous three years;
- (f) a conviction of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (17) not allow an employee to operate an SUV for to-and-from transportation if the person's fingerprint-based background check shows:
  - (a) a conviction for any violation of the Controlled Substances Act;
  - (b) a conviction of child abuse pursuant to Section 30-6, NMSA 1978, Crimes Against Children and Dependents; or
  - (c) conviction of any other criminal offense in which a child was a victim as required by the offense; and
- (18) ensure all SUVs shall be alcohol, drug, and tobacco free areas. Prior to or during work periods, all SUV drivers shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's ability to perform required duties.
- (19) ensure that student evacuation drills or adequate alternate instruction are conducted pursuant to Paragraph (3) of Subsection C of 6.41.4.9 NMAC.

(20) adopt a policy defining the replacement cycle for SUVs.

**B. Procedures and criteria to establish routes.** The local superintendent or charter school administrator shall demonstrate a need before providing to-and-from transportation in an SUV.

(1) Those students receiving to-and-from transportation through the use of an SUV must be approved by the superintendent or charter school administrator. The superintendent or charter school administrator must approve annually. In addition, the superintendent or charter school administrator must approve any changes to an SUV route that occur after the annual approval.

(2) On forms provided by the department, the local superintendent or charter school administrator shall submit the following information to the secretary of education or designee and to the department's transportation director or designee for approval before using an SUV to transport students on a to-and-from route:

- (a) a description of the need to transport students in an SUV;
- (b) a list of students to be transported in an SUV;
- (c) the location of the school and location of the students' residence as shown on a map; and
- (d) the local superintendent or charter school administrator must sign the form submitted to the department.

(3) A revised request for the SUV route must be submitted to the department for approval if there are any changes to the initial request.

(4) LEAs may count the students and miles for transportation funding who receive transportation services through the use of an SUV; however, only half of the miles will be counted through the funding formula.

(5) Written notification shall be given to the department's transportation director or designee immediately when the LEA is no longer providing transportation in an SUV to the student or students who had been previously approved.

(6) Students in foster care or homeless children and youth may be transported as otherwise prescribed and required by law or department rule.

**C. Construction standards.** To provide for the safety of students, all SUVs used to transport students on to-and-from routes shall adhere to construction standards requirements.

- (1) All SUVs used to transport students on to-and-from routes shall:
  - (a) be LEA owned;
  - (b) be a minimum six-passenger, full-size, extended-length, SUV;
    - (i) the SUV shall not accommodate more than nine people including the driver; and
    - (ii) the SUV shall not include vans or mini-vans;
  - (c) meet applicable United States department of transportation federal motor vehicle safety standards;

(d) comply with all applicable state statutes and comply with child restraint recommendations from the national highway traffic safety administration;

(e) have operable seat belts which all occupants are required to wear while the SUV is in motion;

(f) bear the words "SCHOOL VEHICLE" and the name of the LEA in reflective letters at least eight inches high on both sides of the SUV;

(g) bear the words "SCHOOL VEHICLE" and the name of the LEA in reflective letters on the rear of the SUV;

(h) be marked with reflective material that is at least one and three-fourths inches in width, placed horizontal and centerline of the SUV extending the length of both sides and rear of the SUV;

(i) be equipped with red LED strobe lights on the front and back of the SUV that shall be used during loading and unloading; and

(j) be equipped with electronic locks and child safety locks on all doors; all locks shall be engaged when the SUV is in motion.

(2) All SUVs used to transport students on to-and-from routes may:

(a) be equipped with a maximum speed limiter and shall be set at 75 miles per hour;

(b) have a two-way radio communication system;

(c) have an operable recording video camera;

(d) be equipped with a back-up camera; and

(e) be painted national school bus glossy yellow, in accordance with the colorimetric specification of national institute of standards and technology (NIST) federal standards no. 595a, color 13432, except that the hood should be either that color or lusterless black, matching NIST federal standard no. 595a, color 37038.

**D. Safety equipment.** All SUVs used to transport students on to-and-from routes shall have:

(1) a first aid kit with contents pursuant to 6.40.2 NMAC, New Mexico School Bus Construction Standards;

(2) a seat belt cutter within the driver's reach while belted;

(3) operable seat belts available to all passengers;

(4) a fire extinguisher mounted inside the SUV;

(5) a reflective safety vest that must be worn by the driver when the driver is exiting the SUV;

(6) a cargo net to secure all items not under students' control; and

(7) a minimum of three triangular warning reflectors;

(a) the SUV driver shall be knowledgeable of the warning reflectors' operation and proper placement;

(b) the warning reflectors shall be used in the event of prolonged stops on the roadway as follows:

(i) one warning reflector at a distance of approximately 100 feet in front and one reflector approximately 100 feet in back of the disabled SUV in the center of the traffic lane occupied by the disabled SUV;

(ii) one warning reflector at the traffic side of the disabled SUV, not less than 10 feet from the front or rear of the disabled SUV;

(iii) if the SUV is disabled within 500 feet of a curve, crest of a hill, or other obstruction to view, the SUV driver shall place the warning reflector in that direction to afford ample warning. The warning reflector must in no case be less than 100 feet or more than 500 feet from the disabled SUV.

**E. Route requirements.** All to-and-from transportation shall adhere to route requirements.

(1) Loading and unloading shall occur, whenever possible, off of the roadway.

(2) Students shall not cross the roadway for loading or unloading purposes.

(3) The SUV driver shall load and unload at established route stops only unless an emergency dictates otherwise.

- (4) The student shall load or unload only at the student's designated route stop unless the driver has written approval from the transportation administrator or designee.
- (5) The SUV driver shall ensure all doors are closed and locked before putting the SUV in motion.
- (6) The SUV driver shall keep the SUV clean, well ventilated, and properly heated when necessary.
- (7) The SUV driver shall obey all traffic laws, ordinances, and rules of the road.
- (8) The SUV driver shall report all hazards, whether potential or existing, on the route and all causes for failure to operate on schedule to the transportation administrator or designee.

**F. Loading and unloading on route.** All to-and-from transportation shall adhere to loading and unloading requirements.

- (1) The SUV driver shall use mirrors to check traffic when approaching the stop.
- (2) The SUV driver shall reduce the SUV's speed.
- (3) The SUV driver shall activate the strobe lights not less than 100 feet nor more than 300 feet from a route stop in urban areas and not less than 300 feet nor more than 1,000 feet from a route stop in rural areas to warn motorists that the SUV is about to stop.
- (4) On morning routes, a complete stop shall be made at all established route stops whether students are present or not, unless a parent or guardian or transportation administrator has notified the driver that the student will be absent. The SUV driver shall not wait for students unless they are observed making an effort to reach the route stop or unless otherwise specified in the student's IEP.
- (5) When loading students, the SUV shall be brought to a complete stop, the transmission put in park and the emergency brake activated.
- (6) When unloading students, the SUV shall be brought to a complete stop, the transmission put in park and the emergency brake activated.
- (7) When the SUV driver leaves the driver's seat, the keys shall be removed from the ignition switch.
- (8) When all students have been completely and safely loaded or unloaded, the strobe lights shall be turned off.
- (9) The SUV driver shall check mirrors and make a thorough live sight inspection of all traffic before resuming travel.

**G. Loading and unloading at schools.** All to-and-from transportation shall adhere to requirements when loading and unloading at schools.

- (1) The SUV driver shall load and unload students in the same location that loading and unloading of school buses occur.
- (2) The SUV shall be parked in place for loading prior to dismissal of school. If loading or unloading on the street, the SUV shall be stopped parallel to the curb. Strobe lights shall not be activated unless the SUV is stopped on the traveled portion of the roadway.
- (3) The vehicle shall be brought to a complete stop, the transmission put in park, and the emergency brake activated before loading or unloading students.
- (4) When the SUV driver leaves the driver's seat, the keys shall be removed from the ignition switch.
- (5) The driver shall not back up the SUV on school grounds unless absolutely necessary.

**H. Operating on interstate highways.** All to-and-from transportation shall adhere to operating requirements on interstate highways.

- (1) The SUV driver shall not make any stop except in an emergency nor shall any student load or unload while the SUV is on the interstate. All loading or unloading shall be done at points off the interstate.
- (2) The SUV driver shall not drive the SUV onto an opposite roadway or make any other similar maneuver except at interchanges and then only in a manner consistent with the proper procedures at any given interchange.

**I. Railroad crossings.** The driver shall use extreme caution when approaching and crossing highway-grade railroad crossings.

**J. Continuing standards for drivers:** An SUV driver shall no longer be eligible to transport students:

- (1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;
- (2) for five years receive a suspension or revocation of their driver's license for any serious traffic offense;
- (3) for three years receive convictions for more than three serious traffic offenses;
- (4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC; or
- (5) if they do not complete the previous semester's required in-service training; to become eligible again, they must complete the training.

**K. Driver files.** LEAs shall maintain SUV driver files that include the following:

- (1) annual driving record check;
- (2) copy of current medical examiner's certificate from the physical;
- (3) copy of current and valid driver's license;
- (4) pre-service training record;
- (5) documentation of required in-service training pursuant to item (iii) of Subparagraph (d) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC and Paragraph 7 of Subsection A of 6.41.4.14 NMAC;
- (6) proof that the driver is enrolled in a random drug and alcohol testing program; and
- (7) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC.

[6.41.4.14 NMAC - Rp, 6.41.4.14 NMAC, 3/27/2018]

**HISTORY OF 6.41.4 NMAC:**

6.41.4 NMAC, Standard for Providing Transportation for Eligible Students; filed 12/31/1998 - Repealed and Replaced with 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students, effective 3/27/2018.

**PRE-NMAC REGULATORY FILING HISTORY:** The material in this regulation was derived from that previously filed with the State Records Center and Archives under State Board of Education Regulation 95-1 Standards for Providing Transportation for Eligible Students, filed February 2, 1995; and State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations, filed July 12, 1983, State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations Amendment #1, filed December 5, 1988; and State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations Amendment #2, filed January 24, 1990; and State Board of Education Regulation 77-6 Governing the Transportation of School Age Children Participating in School Sponsored Activities, filed September 13, 1977; State Board of Education Regulation 77-12 School Bus Driver's Manual, Revised Edition, filed January 16, 1978; and State Board of Education Regulation 77-12 Amendment #1 Special Education Supplement to the School Bus Driver's Handbook, filed August 21, 1978; and State Board of Education Regulation 71-9 School Bus Driver's Handbook, filed September 22, 1971; and State Board of Education Regulation 68-4 Regulations, Operating Procedures and Information for School Bus Drivers, filed March 12, 1968.

**HISTORY OF REPEALED MATERIAL:** 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students; filed 12/31/1998 - Repealed effective 3/27/2018.

# **Classroom/Hands-on Instruction**



## **Section 1-C**

### **Pre-trip (Vehicle Inspection)**

**2-1/2 Hours of Instruction**



## **INSTRUCTOR OVERVIEW**

### **Materials Needed:**

1. 65–71 passenger conventional school bus
2. Wheel chocks.
3. Checklist for trainee to use.

### **Guidelines for Instruction:**

1. This portion of the training is set up for use with a Conventional Type C School Bus. If the driver will be driving a Type D bus (pusher or puller), still conduct the training on a Type C (Conventional) bus, then use a Type D bus to illustrate the characteristics particular to Type D buses.
2. Buses vary as to which side a component may be attached or from where it might be visible. As much as possible, however, train new drivers using the following Pre-trip information.
3. Stress the importance of conducting a proper and thorough Pre-trip inspection to reduce the possibility of having a break-down while driving a route or activity trip.
4. The following pages may be reproduced for purposes of providing handouts to trainees.

#### **INSTRUCTOR NOTE:**

**Applicant MUST CHOCK THE REAR WHEELS prior to beginning the Pre-trip.**

#### **INSTRUCTOR NOTE:**

**Instruct the trainee to be specific in identifying the items being inspected. With the engine off, trainee will point to or touch the specific item. Never allow the trainee to perform an unsafe act such as removing the radiator cap if the engine is hot.**

## **IN VEHICLE INSPECTION**

### **INSTRUCTOR NOTE:**

**Be sure to explain and demonstrate to the trainee how to perform ALL four (4) parts of the air brake check.**

### **INSTRUCTOR NOTE:**

**Trainee should have the means to time the Air Leakage Test. If the trainee needs the instructor to time the event, it must be requested by the trainee.**

### **INSTRUCTOR NOTE:**

**Trainee should fan the service brake down to 90 psi prior to beginning the air brake check if air tanks are at 120 (psi) or greater.**

### **AIR BRAKE CHECK**

1. Air Gauge and Governor Cutoff Check:
  - Ensure that wheel chocks are in place.
  - Start engine and inspect that the air gauge is working.
  - Builds pressure to governor cutoff (approximately 120-140 psi – must be stated).
  - Identifies and states the actual psi cutoff when governor activates.
2. Air Leakage Rate Test:
  - Shut off the engine and return key to the “on” position.
  - Release the parking brake.
  - Apply service (foot) brake, wait for gauge to stabilize, hold foot brake for one (1) full minute. Air loss must not be more than 3 psi.- must be stated.
3. Air Warning Device(s) Test:
  - With engine still off and key in the “on” position, depress and release service brake multiple times (fan the service brake) to release air pressure.
  - All low air warning devices (light, buzzer, and/or flag) must activate before air pressure drops below 55 psi or level specified by the manufacturer – must be stated.
  - Identifies and states the actual psi of each warning device when activated.
4. Emergency Brake Test:
  - Continue to fan the service brake.
  - The parking brake valve should close (pop out) between no less than 20 psi and no more than 45 psi. – must be stated.
  - Identifies and states the actual psi of the activation of the emergency brake.

### **INSTRUCTOR NOTE:**

**Have trainee repeat the Air Brake Check until they can perform it flawlessly.**

**TRAINEE:**

- Requests that the instructor remove the wheel chocks while air pressure is building.

**PARKING BRAKE TEST**

**Check:**

- Start the engine.
- Let the air pressure build to governor cutoff.
- Depress the service brake.
- Shift the transmission into a forward gear.
- Apply slight pressure on the accelerator.
- Bus should not move which confirms the parking brake is holding.

**SERVICE BRAKE TEST**

**Check:**

- Release the parking brake.
- Drive forward at 5 mph.
- Apply the service brake to bring the bus to a smooth and complete stop.
- Inspects to see that the bus does not pull to either side and stops with no delay or unusual noises or vibrations.
- Secure the bus.

**INSTRUCTOR NOTE:**

**“Hydraulic Brakes” may be used on smaller Type A buses. Train the following information after the trainee has received their CDL.**

**HYDRAULIC BRAKE CHECK PROCEDURE**

Pump the brake pedal three times; hold it down for five seconds. The brake pedal should not move during the five second period.

If equipped with hydraulic brake reserve (back-up) system, with key off, apply the brake and listen for the sound of the reserve system electric motor.

## **LIGHTING INDICATORS** (on dashboard)

### **Check:**

- Left turn signal.
- Right turn signal.
- Four-way emergency indicators (Hazard warning lights).
- High beam for headlights.
- ABS.
- DEF (if equipped).
- Both amber and red flashing light indicators.
- Strobe light indicator (if equipped).

## **EMERGENCY EQUIPMENT**

### **Check:**

- Fire Extinguisher
  - Properly charged.
  - Securely mounted with a bracket.
- Reflective Triangles
  - Containment box securely attached.
  - Three (3) red, reflective triangles present.
- Circuit Panel
  - Identify circuit breakers (If located outside the bus mention that this will be done during “Side of Bus” inspection).
  - Inspects for spare electrical fuses (if used).

## **WINDSHIELD AND TRAFFIC MONITORING DEVICES**

### **Check:**

- Windshield is clean with no obstructions such as items on the dash or signs/stickers on the windshield.
- No damage such as cracks or flaws to the glass.
- All mirrors are clean and properly adjusted from the inside for driver.
- Rear and side view monitoring devices or cameras are clean and in working condition.

## **WIPERS / WASHERS**

### **Check:**

- Arms securely attached.
- Rubber blade is attached; not damaged; wipes cleanly.
- All speeds are operational.
- Washer fluid discharges when activated.

## **HEATER / DEFROSTER**

### **Check:**

- Identifies, describes, and demonstrates all heaters and defroster.
- All heater blower speeds are operational.
- All defroster speeds are operational.
- Place hand in dash area to feel for air flow of defroster.

## **HORN**

### **Check:**

- Air and/or electric horn is operational.

## **SCHOOL BUS ONLY**

### **INSTRUCTOR NOTE:**

If entering or exiting the bus, the trainee must be facing forward and maintain firm contact with the handrail.

## **PASSENGER ENTRY AND LIFT**

### **Check:**

- Entry Door
  - Glass is clean; not broken.
  - Door is not damaged.
  - Operates smoothly and closes securely from the inside.
- All handrails are secure.
- Step well light lens is present, not damaged (Mention that its operation will be checked later during “Lights Operation Check”).
- Entry steps are clear with no obstructions in step well area.
- Treads are not loose, damaged, or worn.
- Passenger Lift (if equipped).
  - Inspected for leaks, damage, or missing parts.
  - Explain how the lift should be inspected for correct operation.
  - Lift must fully retract and be securely latched.

### **TRAINEE:**

- Puts key in the ignition and turns the key to the “On” position.
- Confirms service door is shut.
- Explains they would only leave the driver’s seat with the key in the ignition and in the “On” position to check the emergency exits and to address child check system.
- Checks the following while proceeding to the rear of the bus:

## **EMERGENCY EXITS (REAR/WINDOWS / ROOF)**

### **Check:**

- All emergency exits are labeled, not damaged.
- Operate smoothly and close securely from the inside.
- Demonstrate how at least one (1) emergency exit functions and confirm that its exit and warning devices work properly.
- Describe how all other emergency exits operate and check to ensure that warning devices are working.
- Mention that the operation of the rear door emergency exit will be checked while doing “Rear of Bus” inspection.

### **INSTRUCTOR NOTE:**

**Be sure to stress the importance of seat cushions being securely fastened to seat frames. Unfastened seat cushions compromise the safety factor achieved through compartmentalization and could cause serious injury or death in the event of a collision.**

### **INSTRUCTOR NOTE:**

**Ensure trainee understands to check seat bottom securement from the aisle side of the seat towards the rear of the cushion. They should never stick their hands into the crack of the seat to perform the check.**

## **PASSENGER SEATING**

### **Check:**

- Seat bottoms are secure to frame (check by pulling up on aisle side of the seat toward the rear of the cushion).
- Seat backs are secure to frame.
- No broken seat frames. Frame is secure to the floor.

## **PASSENGER MONITORING DEVICES**

### **Check:**

- Internal and external mirrors are clean; not cracked or broken.
- No bent mirror brackets - securely attached, no missing parts.
- All mirrors are properly adjusted for the driver.
- If equipped, inspects passenger monitoring devices or cameras. Lenses are clean and unobstructed.
- Inspects crossover mirrors (Mention that these will be checked while doing “Front of Bus” inspection).

## **LIGHTS OPERATIONS CHECK**

**INSTRUCTOR NOTE:** If equipped, do **NOT** teach automatic light check system.

### **TRAINEE:**

- Requests that the instructor assist with checking the operation of ALL exterior lights beginning with the front of the bus and continuing around the bus. Trainee indicates to instructor which lights are being activated.

### **FRONT LIGHTS**

#### **Check:**

- Activate head lights and high beams.
- Check that clearance lights are operational.
- Activate amber student lights.
- Activate red student lights.
- Activate left turn signal.
- Activate right turn signal.
- Activate the four-way emergency warning lights (hazards).

### **TRAINEE:**

- Directs instructor to the driver's side of the bus.

### **SIDE LIGHTS**

#### **Check:**

- Clearance lights are operational.
- Stop arm extends and lights are alternately flashing both front and back.
- Left turn signal is operational.

**TRAINEE:**

- Directs instructor to the back side of the bus.

**BACK LIGHTS**

**Check:**

- Clearance lights are operational.
- Amber student lights are operational.
- Red student lights are operational.
- Left turn signal is operational.
- Right turn signal is operational.
- Four-way emergency warning lights (hazards) are operational.
- Brake and taillights are operational. Come “on” when brakes are applied and turn “off” when brakes are released.
- Strobe light (if equipped). Needs to be identified here if not previously called out during inspection of emergency exits.

**TRAINEE:**

- Directs instructor to the passenger side of the bus.

**SIDE LIGHTS**

**Check:**

- Clearance lights are operational.
- Right turn signal is operational.

**STEP WELL LAMP**

**Check:**

- Operational

**TRAINEE:**

- Directs instructor to board the bus; turn off any activated lights and, if equipped, addresses the child check safety system.



### **FIRST AID KIT**

Check:

- Present, identified by label.
- Securely mounted.
- Seal has not been broken which may indicate missing items.

### **BODY FLUID CLEAN-UP KIT**

Check:

- Present, identified by label.
- Securely mounted.
- Seal has not been broken which may indicate missing items.

#### **INSTRUCTOR NOTE:**

Although the seat belt cutter is not required for CDL Driver Training, it is still required for drivers to know where it is located in case of an emergency.

#### **SEAT BELT CUTTER**

Check:

- Properly secured.
- Located within reach of the driver while the driver is belted into the driver's seat.

#### **TRAINEE:**

- The trainee must state when they have completed the inspection of the "Interior of Bus".

**\*\*\* IMPORTANT \*\*\***

#### **INSTRUCTOR NOTE:**

ONCE THE APPLICANT STATES THAT THEY HAVE COMPLETED THE INTERIOR INSPECTION AND EXITS THE BUS, THEY CANNOT RETURN TO INSIDE ELEMENTS OF THE PRE-TRIP INSPECTION.

## **EXTERIOR VEHICLE INSPECTION**

### **INSTRUCTOR NOTE:**

For the external inspection, the trainee will only inspect the passenger side of the bus. Items unique to the other side (i.e., battery box, stop arm, etc.) will still need to be called out as indicated below.

## **FRONT OF THE BUS / ENGINE AREA**

### **LENSES**

Check:

- All lenses are present, not broken, clean, proper color.

### **INSTRUCTOR NOTE:**

After lenses are inspected, have the trainee check the brackets on the crossover mirrors as previously indicated.

### **TRAINEE:**

- After lenses and crossover mirrors are inspected, trainee will open the hood without assistance to inspect engine area.

### **FLUID LEVELS**

Check:

- Engine Oil
  - Identifies the location of the dipstick and verbalizes how to check oil level (engine off, bus sitting level, remove dipstick, wipe clean, reinsert, and remove; verify level is between add and full marks; securely replace dipstick).
- Coolant - **CAUTION:** Do NOT remove radiator cap!!
  - Container securely attached.
  - Coolant level is between minimum and maximum marks on the container.
- Power steering fluid
  - Explains how to check fluid level.
  - Checks that hose leading from reservoir to power steering pump is secure and not cracked or leaking.

- Brake fluid (hydraulic brakes only)
  - Explains how to check fluid level.
  - Checks lines leading from the reservoir for leaks.

### **FLUID AND AIR LEAKS**

Check:

- Looks for puddles on the ground under the bus - Engine oil, transmission fluid, power steering fluid, coolant, washer fluid.
- Looks for dripping fluid around and on the underside of engine and transmission.
- Hoses and air lines are securely connected; condition; no leaks.

### **STEERING SYSTEMS**

Check:

- Steering box / hoses
  - Box is not leaking.
  - Securely mounted, all bolts and nuts are present.
  - No fluid leaks at the hose connections or in the hoses themselves.
- Steering linkage
  - No missing components such as nuts, bolts, cotter keys
  - Connecting links, arms, and rods from steering box to the wheel are not worn or cracked.
  - Joints and sockets are not worn or loose.

## **STEERING AXLE**

### **INSTRUCTOR NOTE:**

**The trainee should be prepared to perform the same inspection, as described in this section, on any of the bus axles.**

### **TIRES**

Check:

- **I**nflation
  - Proper way to check inflation is with a tire gauge.
  - All valve stems are accessible.

- **Condition**
  - No cuts or damage that expose ply cord in the tread and sidewalls.
  - No bulges or bumps on sidewalls, worn spots on tread.
  - Looks for mismatched diameters in dual tires.
  - Valve stems not damaged or broken.
  - Valve stem caps are present.
- **Depth of tread**
  - Minimum of 4/32" tread depth in major tread grooves on steering axle tires (2/32" on all other tires).
  - Proper way to check is with a tread depth gauge.

## **RIMS**

### **Check:**

- No repair welds.
- Not bent, cracked, or damaged.
- No rust trails or cracks radiating from lug holes.
- No distorted holes (elongation indicates that the wheel ran for a period of time with loose lug nuts).

## **LUG NUTS**

### **Check:**

- All studs and lug nuts are present.
- Studs are not cracked or broken.
- All lug nuts are tight (rings on the rim ["halos"], rust trails, or shiny threads – would indicate a lug nut may be loose).

## **SPRINGS / MOUNTS & AIR BAGS & SHOCKS**

### **Check:**

- Springs
  - No missing, shifted, cracked, or broken leaf springs.
  - Mounts are not cracked, broken, or missing any parts.
- Air Bags
  - Air ride suspension is secure.
  - Not damaged or leaking.
- Shocks
  - Securely attached.
  - Not damaged or leaking.
- Bus is sitting level (front to rear and side to side).

## **BRAKE LINES OR HOSES & LEAKS**

Check:

- Lines or hoses to brakes are not leaking, cracked, worn, or frayed.
- All hose or line couplings are secure.

## **BRAKE CONTAMINATES**

Check:

- No signs of contaminants (seeping oil or grease) on brake lining or pad as well as brake drum or disc that can affect braking capabilities.

### **TRAINEE:**

- Prior to beginning the “Side of Bus” inspection, trainee will close and secure the hood.

## ***SIDE OF BUS***

### **INSTRUCTOR NOTE:**

Once the trainee has closed the hood, and while they are on the driver’s side of the bus securing the latch, have the trainee point out the items indicated below, and any other inspection items listed in Pre-trip Instructions that are unique to the driver’s side of the bus.

## **BATTERY / ELECTRICAL SYSTEM**

Check:

- Batteries are secure, connections are tight with no sign of excessive corrosion.
- All electrical system cable and lines are secure and not cracked or worn.
- Battery box and door are secure.

## **CIRCUIT PANEL (if available)**

Check:

- Identify circuit panel.

## **STOP ARM**

Check:

- Securely mounted, no loose, damaged, or missing parts
- Extends fully when operated.
- Lights are operational.
- Lenses present, clean, not cracked, broken, or faded (red)
- If air operated - no audible air leaks.

### **INSTRUCTOR NOTE:**

**Once the trainee has inspected the unique items on the driver's side of the bus, have them move to the service door side of the bus to complete the "Side of Bus" inspection.**

## **LENSES AND REFLECTORS**

Check:

- Light lenses or covers on the side of the bus are present, not broken, clean, and of the proper color.
- Reflectors on the side of the bus are present, not broken (or peeling), clean, and of the proper color.
- Reflective tape is present, clean, not peeling or faded.

## **TRAFFIC MONITORING DEVICES**

Check:

- Mirrors are clean and mounted securely.
- Mirror brackets are not bent or missing any parts.
- If equipped, rear and side view monitoring devices or cameras must be clean to view from inside.

## **FUEL TANK / DEF TANK**

### **INSTRUCTOR NOTE:**

**Emphasize the importance of checking for signs of tampering with the fuel system. If tampering is evident, DO NOT START THE ENGINE. Contact Transportation IMMEDIATELY!!!!!!**

Check:

- Fuel Tank
  - Tank is securely mounted.
  - Fuel cap is present and tight.
  - No leaks from tank or lines.
- DEF Tank
  - Tank is securely mounted.
  - Fuel cap is present and tight.
  - No leaks from tank or lines.

### **FRAME(S)**

Check:

- No cracks or broken welds, holes, or other damage to the frame.
- No bends in longitudinal frame members.
- No holes to the floor of passenger area of the bus.
- Cross members not missing, loose, broken.

## **REAR OF BUS**

### **LENSES & REFLECTORS**

Check:

- Light lenses or covers on the rear of the bus are present, not broken, clean, and of the proper color.
- Reflectors on the rear of the bus are present, not broken (or peeling), clean, and of the proper color.
- Reflective tape is present, clean, not peeling or faded.

### **REAR EMERGENCY EXIT**

Check:

- Door opens smoothly and latches securely from the outside.

#### **INSTRUCTOR NOTE:**

**The Checklist, below, should be made available to the trainee during the Pre-trip Inspection portion of instruction.**

## Class B or Class C Checklist Passenger or School Bus

### In-Vehicle/Engine Start

- ☐ \*air or \*hydraulic brake check
- ☐ parking & trailer brake check
- ☐ service brake check
- ☐ lighting indicators
- ☐ emergency equipment
- ☐ windshield & traffic monitoring devices
- ☐ wipers & washers
- ☐ heater & defroster
- ☐ horn(s)

### Passenger and School Bus Only

- ☐ passenger entry & lift
- ☐ emergency exits
- ☐ passenger seating
- ☐ passenger monitoring devices

### School Bus Only

- ☐ student lights (front & back)
- ☐ stop arm(s) & safety arm
- ☐ first aid & body fluid kits

### Lights Operations Check

- ☐ all external lights

### Front of Vehicle/Engine Area

- ☐ lenses
- ☐ fluid levels
- ☐ fluid & air leaks
- ☐ steering systems

### Steering Axle

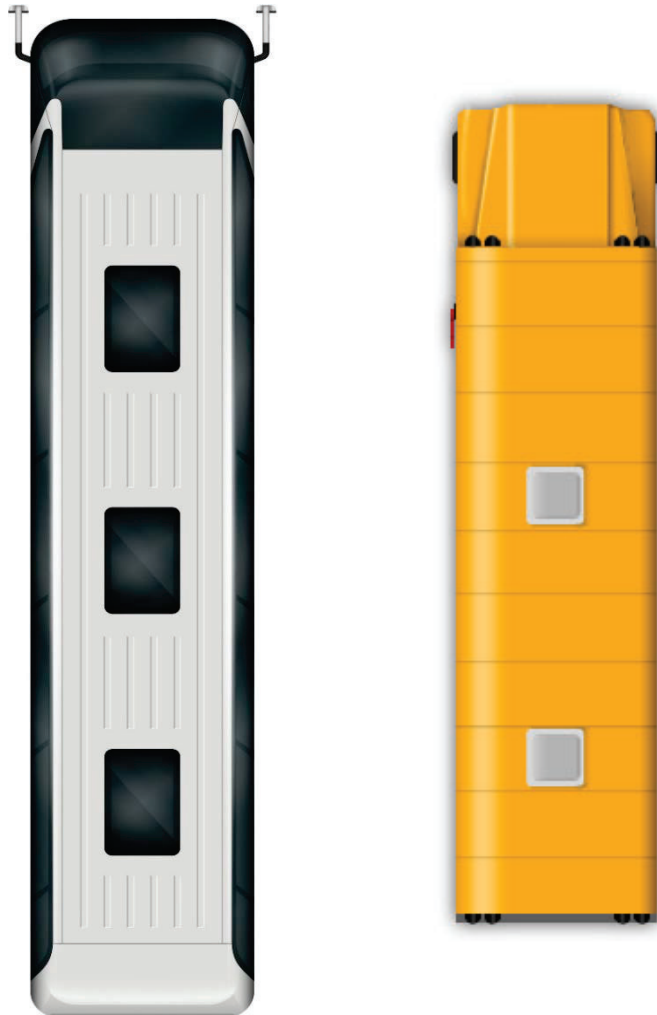
- ☐ tires
- ☐ rims
- ☐ lug nuts
- ☐ springs/mounts & air bags & shocks
- ☐ brake lines or hoses & leaks
- ☐ brake contaminates

### Side of Vehicle

- ☐ lenses & reflectors
- ☐ traffic monitoring devices
- ☐ battery
- ☐ fuel tank(s)/DEF tank
- ☐ frame(s)

### Rear of Vehicle

- ☐ lenses & reflectors



\* Automatic failure if not performed correctly

**You are only required to inspect the items on the CDL Vehicle Inspection checklist.** You may use this checklist for your test and check off items as you have completed them, **NO** additional markings or writing may be placed on this list. You **MUST** name, point to and/or touch and fully explain what you are inspecting each safety critical item for. If you do not do so, you will not get credit for the item(s).



# **Classroom Instruction**



## **Section 1-D**

# **New Mexico School Bus Driver Security Training Program**

**1 Hour of Instruction**

PLEASE INSERT THE STATE-APPROVED  
NEW MEXICO SCHOOL BUS DRIVER SECURITY  
TRAINING PROGRAM

Program consists of:

- Course Outline
- Instructor Guide
- Participant Guide
- PowerPoint presentation

**MATERIALS NEEDED:**

A computer with PowerPoint and internet access. If teaching a group, a means to display the information.

# **Classroom Instruction**



## **Section 1-E Passenger Management**

**1 Hour of Instruction**

PLEASE INSERT THE EMPLOYER'S  
PASSENGER MANAGEMENT  
TRAINING INFORMATION

# **Classroom/Hands-on Instruction**



## **Section 1-F**

# **Transporting Students with Disabilities**

**1 Hour of Instruction**

**\*\*\*ALWAYS REMEMBER\*\*\***

**“A CHILD IS A CHILD BEFORE THEY ARE A CHILD  
WITH DISABILITIES”**

## **CONFIDENTIALITY**

1. Discussion of students should be carefully monitored and avoided outside of the work area. Be mindful and considerate of the student's and the family's feelings.
2. The full name of the student name and their phone number should not be used over the two-way radio.
3. The Transportation office may provide paperwork to a school bus driver or school bus assistant regarding a student's condition that may be kept on the bus; it must be kept confidential.
4. In addition, any information on medical cards and medical alert cards is confidential and should not be given out or openly discussed.

## **DEFINITIONS OF DISABILITIES**

APHASIA – a condition that robs a person of the ability to communicate by affecting a person's ability to speak, write, and understand language.

ATTENTION DEFICIT DISORDER (ADD)/ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) – a disorder that includes a combination of persistent problems such as difficulty sustaining attention, hyperactivity and impulsive behavior. Children may also struggle with low self-esteem and troubled relationships.

AUTISM – a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3. Irregularities with communication, engagement in repetitive activities, and stereotype movements, resistive to environmental change or change in routines and unusual responses to sensory experiences are some common symptoms.

BRAIN INJURED CHILD – a child with this may show disturbance in perception, thinking, and emotional behavior. These disturbances may occur alone or in combination.

CEREBRAL PALSY – a condition resulting from neurological damage which interferes with normal control of the motor system. Symptoms include impaired movement associated with abnormal reflexes, floppiness or rigidity of the limbs and trunk, abnormal posture, involuntary movements, unsteady walking, problems swallowing, eyes not focused on the same object, or some combination of these.

**DOWN SYNDROME** – a child with this may have mild to moderate cognitive impairment, delayed language development, and both short- and long-term memory may be affected.

**EMOTIONAL DISORDER (ED)** – a child whose behavior poses a danger to themselves or others.

**GUILLAIN-BARRE SYNDROME** (gee-YAH-buh-RAY) – extreme muscular weakness which may progress to paralysis. Complications may include breathing difficulties, irregular heart rhythms, blood pressure fluctuation, and bladder and bowel function problems.

**HEARING IMPAIRMENT** – sensory neuro loss resulting in slight to profound hearing loss; speech difficulties may result.

**HYDROCEPHALUS (A CLINICAL TYPE)** – an enlarged cranium is a clinical sign of this condition. Symptoms include headache, sleepiness, lethargy, nausea, poor coordination, seizures and incontinence.

**MENTAL AGE (MA)** – the level of a person's mental ability expressed in terms of norms based on the median mental age of a group of persons having the same chronological age; thus, if a child's mental ability is equal to that of the average nine-year old, he has a mental age of nine years, regardless of his actual chronological age.

**MINIMAL BRAIN DYSFUNCTION** – a child with this will have behavior difficulties ranging from mild to severe affecting language, inhibition of impulses, and motor control.

**MULTIPLE SCLEROSIS (MS)** – a progressive disease of the central nervous system. Wide ranging systems include tremor and shaking of limbs, paralysis and poor balance.

**MUSCULAR DYSTROPHY (MD)** – involves the deterioration and wasting away of muscle tissue on the outside of the body frame. Usually begins in the shoulders and hips and progresses out to the hands and feet. Children usually walk until age 8 or 9 when weakness forces them into a wheelchair. For Duchene's, the most common type, the life span is 14 to 18 years.

**OSTEOGENESIS IMPERFECTA (Brittle Bone Disease)** – may suffer from multiple fractures if minor pressure or stress is imposed.

**PERCEPTUAL COMMUNICATIVE DISORDER (PC)** – a child may be aggressive, irritable, hyperactive, very distracting, too silly, pushy, etc.



**SERIOUSLY EMOTIONALLY/BEHAVIORALLY DISTURBED (SE/BD)** – a child with this condition may exhibit one or more of the following characteristics: an inability to build or maintain satisfactory interpersonal relationships with peers or teachers; inappropriate types of behavior or feelings under normal circumstances, such as general evasive mood of happiness or depression; a tendency to develop physical symptoms or fears associated with personal problems.

**SPEECH/LANGUAGE IMPAIRMENT** – a communication disorder such as stuttering, impaired articulation, language or voice impairment.

**SPINA BIFIDA** – a genetic condition present at birth. The infant is born with a spinal lesion, or an opening in the spine. Though the lesion can be closed, there is little or no feeling below the opening.

**VISUALLY IMPAIRED** – one whose sight is limited.

## **CONDITIONS THAT MAY REQUIRE EMERGENCY MEDICAL ATTENTION**

**ANAPHYLACTIC SHOCK** – this is a major medical emergency. Extreme allergic reaction to bee stings, medicines, etc. The smooth muscles in the respiratory system close off so the victim is not able to get air in and out of lungs.

**ASTHMA** – can be serious medical emergency. An asthma attack can sometimes be brought on by excitement. Passenger needs good ventilation while in transit.

**CYSTIC FIBROSIS** – these people may have breathing and heart problems. If they sweat a lot, they will suffer serious salt depletion which is a medical emergency.

**DIABETES** – an insulin reaction is a serious medical emergency. Symptoms are anxiety, headache, blurred vision, hunger, abdominal pains, profuse perspiration, tremulousness, disorientation, slurred speech, and seizures. If the person appears to be going into insulin shock, some form of easily digestible sugar should be given such as candy.

**EPILEPSY** – a chronic functional nervous disorder, characterized by episodes of unconsciousness or convulsions or both.

**HEART, CONGENITAL MALFORMATION** – plan for emergency transit or assistance if heart fails. Impaired walls or valves of heart cause malfunction and progressive damage.

HEMOPHILIA – disease of the blood where it fails to clot and abnormal bleeding occurs. When a head or neck injury is sustained, this becomes a top medical priority.

Passenger may stop breathing or rapidly sustain brain damage.

JUVENILE ARTHRITIS – will not have good protective reflexes when they fall; slower blood clotting time as well as possible heart failure.

KIDNEY & URINARY TRACT DISEASES – if the passenger is on dialysis they should be not be given any fluids and may be on a special diet. Be aware of shunt drainage tubes that may not be exposed.

LEUKEMIA – may have tendency to vomit while on chemotherapy. Tend to be anemic and bleed easily. Bones may be more fragile.

SHUNT – a tube in the head, neck or other part of the body that drains excess fluid. Serious medical problems may arise if shunt is bumped or pressure is applied to the area.

TRACHEOTOMY (TRACH) – if the tube becomes plugged, person will not be able to breath. Try to get them to cough up. If possible, keep passenger away from area where there is likely to be a lot of dust or debris in air. If artificial respiration is required, breathe into the tracheal tube and close mouth and nose.

## **UNIVERSAL PRECAUTIONS**

This is an aggressive, standardized approach to infection control. Avoid contact with body fluids by means of wearing nonporous articles such as medical gloves, goggles or face shields. Treat all human blood and body fluids as if they are known to contain HIV, HBV or other blood borne pathogens.

Use Universal Precautions when exposed to the following:

- Blood
- Semen
- Vaginal secretions
- Cerebrospinal fluid
- Synovial fluid
- Pleural fluid
- Body fluid with visible blood
- Any unidentifiable body fluid
- Saliva

Other actions that can be taken that provide protection:

- Wear protective gear when cleaning up body fluids
- Receive Hepatitis B immunization
- Use BIOHAZARD bags or containers or both
- Wash your hands immediately following exposure, even if gloves were used. All buses have body fluid kits. Disposable towels should be used when possible.

## **BLOOD BORNE PATHOGENS**

Blood borne pathogens are microorganism that are present in human blood and can cause disease in humans. They may be transmitted with any exposure to blood or other potentially infectious fluids.

Two pathogens of significance are Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

A number of blood borne diseases other than HBV and HIV exist, such as Hepatitis C, Hepatitis D, and syphilis.

## **COMMUNICABLE DISEASES**

Communicable diseases are a course of illness which is transmittable to others by direct contact with an affected individual or the individual's discharges.

Always wash your hands.

Be careful, knowledgeable, and be prepared concerning the handling of students who may have infectious diseases.

- Strep throat
- Pink eye
- Impetigo
- Ring worm
- Lice

- Scabies
- Diarrheal Diseases
- Mononucleosis

## **DO NOT RESUSCITATE**

Discuss employer's Policies and Procedures with regard to DNR as well as 6.41.4.8 NMAC:

**6.41.4.8 RESPONSIBILITIES OF THE LOCAL BOARD OF EDUCATION OR CHARTER SCHOOL ADMINISTRATOR:** Each local board of education or charter school administrator is responsible for adopting transportation policies, which ensure a safe, timely, and efficient system of transportation for all eligible students, including children in foster care and homeless children and youth, within its jurisdiction. School transportation services for eligible students shall be provided by use of a school bus, per capita feeder route, or SUVs or a combination of school bus, per capita feeder route, or SUVs. Additional options for transportation of children in foster care or homeless children and youth may be explored while ensuring the safety of students. Therefore, each local board of education or charter school administrator shall establish policies in the following areas.

**B. Student services:** : Transportation is provided to students who are eligible for transportation pursuant to Sections 22-16-2 and 22-16-4, NMSA 1978. Students who do not obey the state and local LEA regulations governing student transportation may have their transportation services revoked by the LEA. Each LEA shall adopt:

(8) a policy covering a do not resuscitate request from the parents or guardians specific to the student while the student is being transported on a school bus, school-owned activity vehicle, or SUV.

## **OPERATION AND CARE OF SPECIALIZED EQUIPMENT**

### **A. Wheelchairs**

1. MANUAL – Pushed by self or other.
2. ELECTRIC – Battery powered. Wheelchairs in which the batteries project above the level of the seat and which are not securely connected to the wheelchair frame.

Examples:

- Mobility carts for children.
- Wheelchairs with reclining backrests.
- Wheelchairs that fold to be placed on a car seat.
- Lightweight "stroller" types – Wheelchairs with many tube ends projecting above seat height, and a weak component between wheels and seat. Wheelchairs with a plastic seat suspended on a single post. Scooter type with a front projection. Wheelchairs with a very low backrest.

## **B. Wheelchair Lifts**

1. Line-up bus lift door with sidewalk, driveway, walkway
2. Team effort--1 inside/1 outside--work together
3. Greet family and student
4. Load chair onto lift according to lift manufacturer recommendations -- (student facing toward the bus or student's back toward bus)
5. Turn off power on electric chairs. Engage brakes.
6. Communicate with student. (Are you ok? Going up. Going down, etc.)
7. Hold the armrest of chair
8. Give the student reassurance; show the family you are a professional who knows how to do the job.
  - a. Once inside, help student place the chair and give oral directions. Tape marks on the floor to let students know where to stop.
  - b. Wheelchairs shall be forward facing.
  - c. Turn off the power on electric chairs.
  - d. Always use a 4 point tie down system.

9. Both front and rear tie down sites should be just below the seat at welded sites. Tie down sites must **not be** on removable parts of the wheelchair such as armrests, leg rests, and removable wheels.

### C. Wheelchair Placement and Securement

**INSTRUCTOR NOTE:** When training a school bus assistant, do **not** teach the hands-on portion of training in this section. There is a separate section that addresses that training.

**Special note:** Emphasize that correctly securing a wheelchair is extremely important for the safety of the passenger. Injury or death may occur from improper securement.

1. With the occupant facing the front of the bus, center the wheelchair between the floor tracks or plates. Apply the wheel locks or, if motorized, turn off the power.
2. Attach the rear straps first:
  - Track fitting end should be in a slot just to the inside of each rear wheel.
  - Attach the other end to the wheelchair as close as possible to the corner junction of the seat cushion and seatback. For the best securement, the straps should form about a 45-degree angle between the floor tracks or plates and where the straps attach to the wheelchair.
  - Secure both sides.
3. Attach the front straps:
  - Track fitting end should be at least 3" outside each front wheel.
  - Attach the other end to a structural member of the wheelchair.
  - Remove any slack.
  - Secure both sides.
4. Check the securement:
  - Release the brakes.
  - Check for movement.
  - Tighten if necessary.
  - Reapply the brakes.
5. Driver shall provide a final check of wheelchair and seatbelt securements.
6. Headrests should be utilized to minimize risk of neck injury.

7. Remove lap trays and store them securely on the bus.
8. Tie down straps should never be crossed or twisted.
9. Keep tie down straps in matched sets. Do not mix and match.

#### **D. Occupant Restraint Types**

1. INTEGRATED RESTRAINT SYSTEM – One which anchors the occupant restraint to either the wheelchair or the wheelchair tie down system.
2. INDEPENDENT RESTRAINT SYSTEM - One which is anchored to the vehicle separately from the wheelchair.
  - a. The lap belt should be positioned across the pelvic bone, not across the abdomen.
  - b. The shoulder strap should be positioned directly over the shoulder, and the length of the strap should be minimized.
  - c. Lap belt should be at 45-degree angle across the occupant's pelvis. When using an integrated system (in which the occupant restraint is attached to the rear tie downs of the wheelchair securement system), the rear tie down site must be selected with this in mind.
  - d. No sense in securing wheelchair to the bus if you don't secure student to wheelchair.

**\*Cleaning and care for all tie downs, occupant restraints, and lifts are essential to keep them in working order. Follow the manufacturer's directions on how to care for these items.**

## **E. Child Safety Seats**

**INSTRUCTOR NOTE: A student's IEP will dictate when a student is to be secured in a child safety seat.**

1. Infant seat
2. Convertible or Infant/Toddler seat
3. High back booster
4. Booster seat
5. Build in or integrated seat
6. Harness/safety vest

## **F. Child Safety Seat Guidelines**

1. Secure child safety seat according to manufacturer's directions.
2. Pull top of safety seat forward, if seat can be pulled more than 3 inches from back of seat, the safety seat could topple over forward and injure the child in a quick brake situation and injure the child in the seat.
3. Place hands on both sides of safety seat and try to tip the seat over.

**INSTRUCTOR NOTE: If there is a lot of movement side to side, the safety seat could tip over during a turn and injure the child in the seat.**

4. Children with tracheotomies should avoid using safety seats with a harness/tray shield combination or an armrest. These could clog trach tube.
5. Children with poor neck/head control should use a safety seat that reclines slightly in the forward facing position. Soft padding can be used to help with alignment of head.
6. Support may be provided with rolled blankets or towels.



7. Ask yourself
  - a. Is the child facing the right direction for both age and weight?
  - b. Is the shoulder harness snug, does it stay tight on their shoulders?
  - c. Is the seat belt in the right place and pulled tight? (The seat-belt that secures the safety seat to car/bus seat.)
8. Seat belts attaching the safety seat to the bench seat should be checked daily to ensure the tightness of the seat belt. Seatbelt slippage can occur over time.
  - a. Safety seats should be cleaned between students if more than one student uses a safety seat. Cleaning should be done weekly with a bleach and water solution.
  - b. Use manufacturer's directions for cleaning.

**PLEASE INSERT  
ANY ADDITIONAL MATERIAL OR INFORMATION  
THE EMPLOYER MAY PROVIDE  
FOR SPECIFIC STUDENT NEEDS.**

# **Classroom Instruction**



## **Section 1-G**

### **Drug and Alcohol Awareness**

**1 Hour of Instruction**

Each employer must provide and discuss educational material regarding the requirements of the employer, 6.41.4 New Mexico Administrative Code (NMAC), and the Federal Motor Carrier Safety Administration (FMCSA) Regulation 49 Code of Federal Requirements (CFR) Part 382 as they pertain to drug and alcohol awareness and their duties as a driver.

### **REQUIREMENTS OF THE EMPLOYER:**

Insert Employer information.

#### **6.41.4 NMAC:**

##### **6.41.4.9 RESPONSIBILITIES OF THE LEA**

###### **A. General requirements:**

(12) All school buses, activity school buses, and school-owned activity vehicles shall be alcohol, drug, and tobacco free areas. The LEA shall ensure that, prior to or during work periods, all drivers, school bus assistants, and substitute school bus assistants shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

(13) The transportation administrator shall ensure compliance with 49 CFR Part 382 by maintaining documentation including proof of contract and pools of driver names. Drivers who possess a CDL shall constitute a pool of names and the school-owned activity vehicle drivers shall constitute a separate pool of names for random drug and alcohol testing.

**M. Process for pre-employment screening of initial commercial driver's license (CDL) driver applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

(1) The employer shall verify the following documentation is in each driver applicant's file:

(f) a printout of the driver applicant's current driving record through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle divisions. Verification includes the driver applicant's eligibility to be a driver. The driver applicant shall not be eligible if their driving record shows the driver applicant has:

(i) been convicted of driving while intoxicated (DWI) or driving under the influence (DUI) of intoxicating liquor or drugs within three years of the date of application for employment;

(ii) been convicted of a DWI or DUI between three years and 20 years prior to the date of application for employment unless the person provides written verification from a licensed counselor or physician that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;

**Q. Continuing standards for drivers:** Any individual who currently drives a vehicle transporting students shall no longer be eligible to transport students:

(1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;

(4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC,

*which is:*

(2) The applicant shall not qualify if they have:

(a) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;

(b) a conviction for any violation of the Controlled Substances Act;...

#### **6.41.4.9 RESPONSIBILITIES OF THE LEA (continued)**

**S. Required documentation for files:** In addition to the required pre-employment screening documentation pursuant to 6.41.4.9 NMAC, the documentation below shall be maintained in the employee's file.

(1) Employee files for school bus drivers, substitute school bus drivers and activity bus drivers shall include:

(c) a driving record printed annually then verified for eligibility. The driver's current driving record shall be obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division. The driver shall no longer be eligible:

(i) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;

#### **FMCSA:**

Five reasons for testing:

- ✓ 382.301 – Pre-employment
- ✓ 382.303 – Post accident
- ✓ 382.305 – Random
- ✓ 382.307 – Reasonable suspicion
- ✓ 382.309 – Return to duty

**INSTRUCTOR NOTE:** Discuss federal and employer consequences of a positive random and a refusing to be tested.

**COMMERCIAL DRIVER LICENSE MANUAL:**

- CDL Licensing Information (page before Table of Contents); review “Implied Consent” with trainee.
- Page 1-7 under 1.3.2

# **Classroom/Hands-on Instruction**



## **Section 1-H**

### **Observation**

**2 Hours of Instruction**

#### **6.41.4.9 RESPONSIBILITIES OF THE LEA:**

**M. Process for pre-employment screening of initial commercial driver's license (CDL) driver applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

**(1)** The employer shall verify the following documentation is in each driver applicant's file:

**(e)** a completed New Mexico school bus driver pre-service training record per the current SBDI manual provided by the department;

**(v)** observation time shall include riding in a school bus with a licensed school bus driver driving on a school bus route or in observation of other school bus driver applicants driving under the supervision of an SBDI. Observation time shall also include actual school bus route orientation with a licensed school bus driver;

**INSTRUCTOR NOTE:** It is recommended that observation time be documented by noting the date, time spent observing, the driver's name and what type of route was observed. To provide variety, include routes of all grade levels, routes that have special education students, and routes where a variety of student behavior may be observed. Below is a sample that may be used to create your own observation documentation.

Trainee's name: \_\_\_\_\_

Date	Report Time	Route #	Observation Time	Driver Observed	Route Type	Driver / Trainee's Initials - when completed -
05/23/2018	6:50 a.m.	3	1 hour 45 minutes	John Doe	Elementary	
05/24/2018	2:25 p.m.	5	1 hour 20 minutes	Jane Doe	SpEd	



# **Classroom/Hands-on Instruction**



## **Section 1-I**

### **First Aid and CPR**

SELECT FROM THE FOLLOWING  
NATIONALLY RECOGNIZED AND STATE-APPROVED  
PROGRAMS:

National Safety Council  
Red Cross  
American Safety & Health Institute  
American Heart Association  
Local Fire Department  
School/District Nurse

**\*\*ON-LINE COURSES ARE NOT ACCEPTABLE\*\***

<p><b><u>INSTRUCTOR NOTE:</u></b> Do <u>not</u> teach unless certified.</p>
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# **Classroom/Hands-on Instruction**



## **Section 1-J**

### **Safety Equipment**

**1 Hour of Instruction**

## **INSTRUCTOR OVERVIEW**

### **Materials Needed:**

1. Fire extinguisher rated 2A10BC (hose optional)
2. First aid kit
3. Three reflective triangles
4. Handouts for trainees

**INSTRUCTOR NOTE:** Any of the following pages may be reproduced for use as handouts.

### **OBJECTIVES:**

1. Provide trainee instruction on the location and use of the emergency equipment. The equipment may be in various locations on different types and sizes of school buses.
2. Provide trainee instruction on emergency evacuation drills and procedures and explain the different types of evacuations.

**6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT:** All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2 NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, school bus inspection guide.

**C.** Each school bus shall have at least one seat belt cutter properly secured in a location within reach of the driver while the driver is belted into the driver's seat pursuant to Paragraph (1) of Subsection YY of 6.40.2.10 NMAC. The seat belt cutter shall be durable and designed to eliminate the possibility of the operator or others being cut during use.

**D.** Each school bus shall carry a first aid kit with contents pursuant to Paragraph (2) of Subsection P of 6.40.2.10 NMAC.

#### **6.40.2.10 NMAC      BUS BODY STANDARDS**

##### **P.    EMERGENCY EQUIPMENT**

##### **2. First-aid kit**

- a. The bus shall have a removable, moisture-proof, and dust-proof first aid kit in an accessible place in the driver compartment.
- b. It shall be properly mounted and identified as a first aid kit.
- c. The location for the first aid kit shall be marked.
- d. Contents of first aid kit shall be in compliance with the following standards. A first-aid kit for all school buses in New Mexico is described as follows:

**INSTRUCTOR NOTE: Review all items so that the trainee is familiar with the contents of the kit.**

- ✓ 2 – 1 inch x 2 ½ yards adhesive tape rolls
- ✓ 24 – sterile gauze pads 3 inches x 3 inches
- ✓ 100 – ¾ inch x 3 inches adhesive bandages
- ✓ 8 – 2 inch bandage compress
- ✓ 10 – 3 inch bandage compress
- ✓ 2 – 2 inches x 6 yards sterile gauze roller bandages
- ✓ 2 – non-sterile triangular bandages approximately 40 inches x 36 inches x 54 inches with 2 safety pins
- ✓ 3 – sterile gauze pads 36 inches x 36 inches
- ✓ 3 – sterile eye pads
- ✓ 1 – rounded-end scissors
- ✓ 1 – pair of medical examination gloves
- ✓ 1 – mouth-to-mouth airway

#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**E.** Each school bus shall carry a body fluid clean-up kit pursuant to Paragraph (3) Subsection P of 6.40.2.10 NMAC.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

##### **3. Body Fluid clean-up kit**

- a. Each bus shall have a removable, moisture-proof, and dust-proof body fluid clean-up kit accessible to the driver.
- b. It shall be properly mounted and identified as a body fluid clean-up kit.
- c. The location for the body fluid clean-up kit shall be marked.
- d. Contents of body fluid clean-up kit shall be in compliance with the following standards. A body fluid clean-up kit for a school buses in New Mexico is described as follows:

**INSTRUCTOR NOTE: Review all items so that the trainee is familiar with the contents of the kit.**

- ✓ 1 - Disposable bag with securement device
- ✓ 1 - Scoop
- ✓ 1 - Scraper
- ✓ 1 - Disinfectant (absorbent powder)
- ✓ 1 - Surface wipe (paper towels)
- ✓ 1 - Pair of medical examination gloves (minimum)

#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**F.** Each school bus shall be equipped with at least one UL-approved pressurized dry-chemical fire extinguisher complete with hose. The fire extinguisher shall have a total rating of 2A10BC or greater and meet the requirements of Paragraph (1) of Subsection P of 6.40.2.10 NMAC. The extinguisher shall be securely mounted in the driver's compartment, fully charged and in working condition.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

##### **1. Fire extinguisher**

The bus shall be equipped with at least one UL-approved pressurized, dry chemical fire extinguisher.

- Extinguisher shall be mounted in a bracket, located in the driver compartment and readily accessible to the driver and passengers.
- A pressure gauge shall be mounted on the extinguisher and be easily read without moving the extinguisher from its mounted position.
- The fire extinguisher shall have a total rating of 2A10BC or greater. The operating mechanism shall be sealed with a type of seal which will not interfere with the use of the fire extinguisher.

## **CLASSIFICATIONS OF FIRES AND FIRE EXTINGUISHERS**

### **Classifications of Fires**

Accepted standard practices separate fires into three general classes.

**Class A** – Fires of ordinary combustible material where the “quenching” and “cooling” effects of water (or solutions containing large quantities of water) is of importance. Examples: fires in wood, textiles, fabrics, rubbish, etc.

**Class B** – Fires of flammable liquids, petroleum products, etc., where the blanketing or extinguishing agent is of first importance. Examples: fires in gasoline, oils and greases in tanks or containers, open vats or running freely on floors or ground.

**Class C** – Fires involving electrical equipment where the use of a “non-conductor” extinguisher is of first importance. Examples: fires involving electrical switchboards, motors, or wiring.

### **Dry-powder Extinguisher (CO-2 Pressurized)**

The dry-powder type of extinguisher consists of a charge of specially prepared dry powdered sodium bicarbonate with a cartridge of inert gas, such as carbon dioxide, to provide the expelling force. Discharge is in the form of a cloud of powder together with gas.

The range of the cloud may extend up to 25 feet horizontally depending on size of extinguisher and type of nozzle. In contact with fire, the powder gives off additional carbon dioxide gas with its smothering effect. Discharge should be directed at the base of the flames. On flammable liquid fires, best results are obtained when the discharge is directed in a sweeping motion as with carbon dioxide extinguisher.

Dry chemical extinguishers are effective on small fires of Class B, on electrical fires of Class C, and may be effective on small surface fires of Class A. Again, it is best to be upwind whenever possible so as to get greater coverage and protection for the operator.

### **Dry Chemical Extinguisher (Air Pressurized)**

There is another type of dry chemical extinguisher which is commonly used. Again, they are filled with dry powder, finer than face powder in some cases. A gauge is mounted at the top of the extinguisher indicating the air pressure. The gauges are usually divided into two areas of green and red indicating low and high pressure. If the needle on the indicator stays in the green area, it is properly charged.



### Getting Fire Extinguishers Serviced

Fire extinguishers should be serviced each year preferably before school starts. The servicing must be done by a properly licensed person.

### **FIRE EXTINGUISHER OPERATING DIRECTIONS**

*Follow the directions on the extinguisher or use the following:*

1. Remove extinguisher from bracket.
2. If possible, stand upwind from burning material to prevent standing in smoke and heat.
3. Hold extinguisher in UPRIGHT position. Because of the cylinder's construction, extinguisher should not be laid on side to operate.
4. Remove safety lock pin by breaking seal.
5. Push lever down to break seal in cartridge.
6. Squeeze nozzle handle. Direct the flow of chemical to the base of the fire.
7. Do not walk onto unburned material that could catch fire in a back flash and cause injury to yourself.
8. Use fire extinguisher at will and release and re-squeeze nozzle as needed.
9. Replace safety pin.
10. Replace or recharge immediately after use.

**INSTRUCTOR NOTE:** Regardless of the length of time it was discharged or how much chemical was discharged, a fire extinguisher must be recharged or replaced after use.

#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**G.** Each school bus shall be equipped with a minimum of three triangular warning reflectors pursuant to Paragraph (4) of Subsection P of 6.40.2.10 NMAC, and the driver shall be knowledgeable as to their proper placement. Drivers shall use reflectors in the event of prolonged stops on the roadway.

**(1)** On a two-lane road:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the front or rear of the school bus, depending on traffic direction;

**(b)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the rear of the school bus; and

**(c)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the front of the school bus.

**(2)** On a one-way or divided highway, warning reflectors shall be placed on the traffic side of the school bus at 10, 100, and 200 feet from the rear of the school bus and placed so as to direct traffic away from the school bus.

**(3)** If the school bus is disabled within 500 feet of a curve, crest of a hill, or other obstruction:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the rear of the school bus in the direction of the obstruction;

**(b)** a warning reflector shall be placed on the traffic side of the school bus 100 feet from the rear of the school bus in the direction of the obstruction; and

**(c)** a warning reflector shall be placed on the traffic side of the school bus up to 500 feet from the rear of the school bus in the direction of the obstruction.

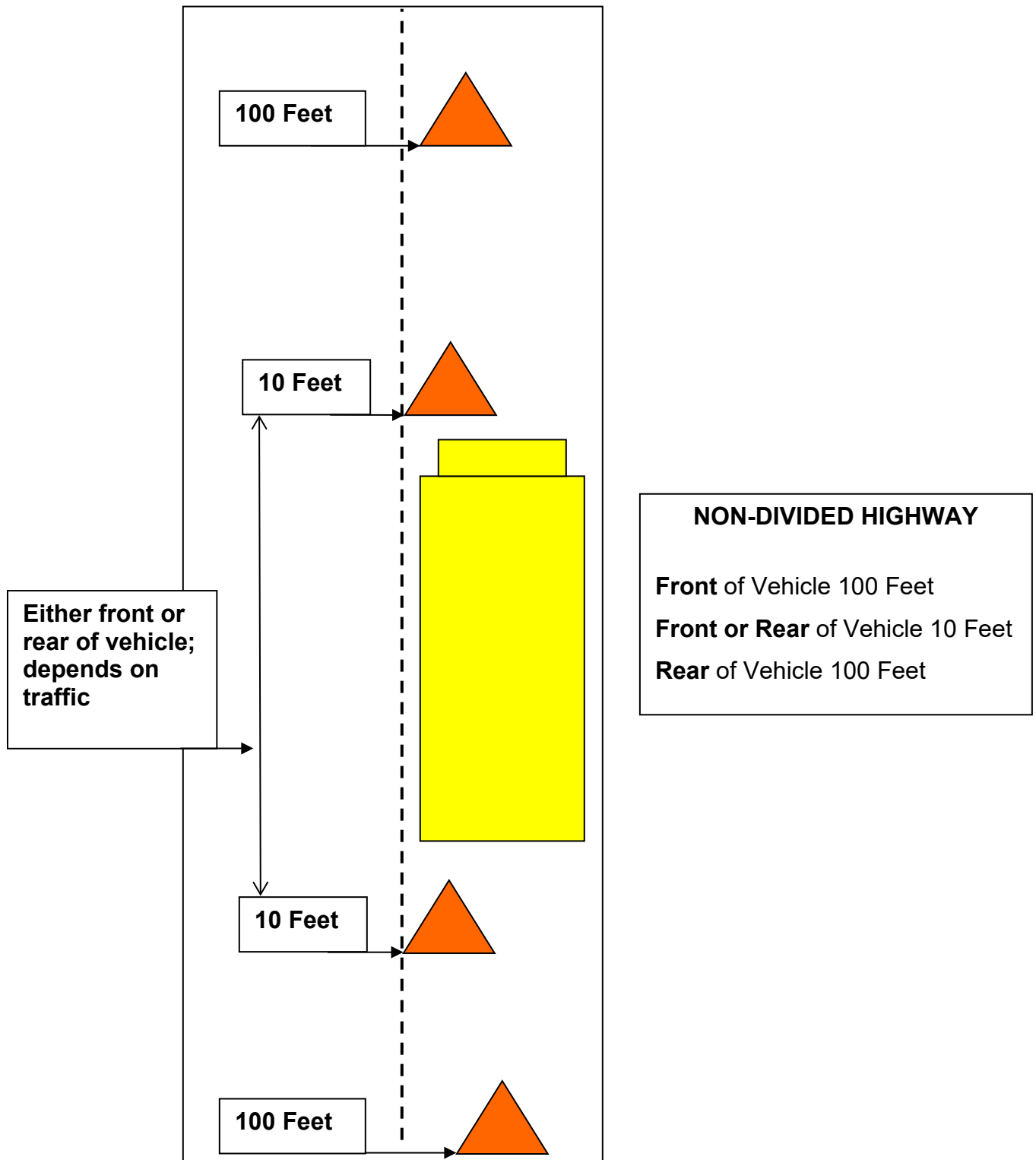
#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

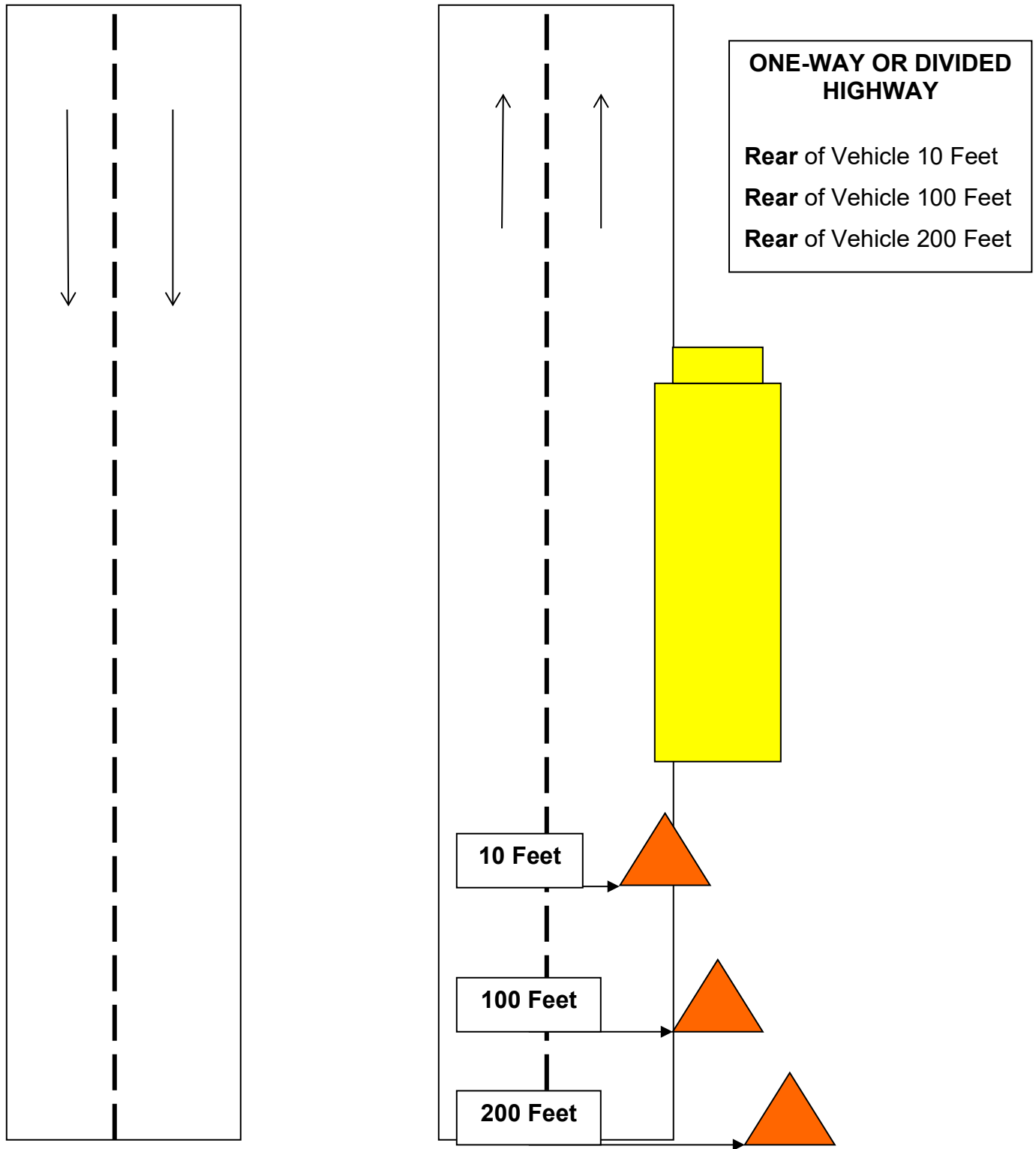
##### **4. Warning devices**

- a. Each school bus shall contain at least three (3) reflectorized triangle road-warning devices mounted in an accessible place.
- b. These devices must meet requirements in 49 CFR 571.125 (FMVSS) and must be mounted in an accessible location in the driver compartment.

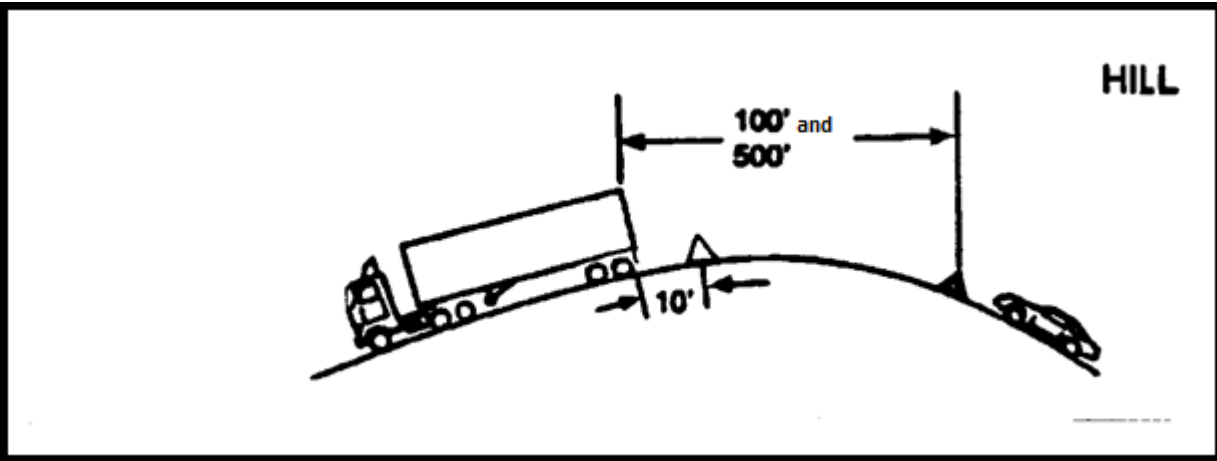
## REFLECTOR TRIANGLE PLACEMENT



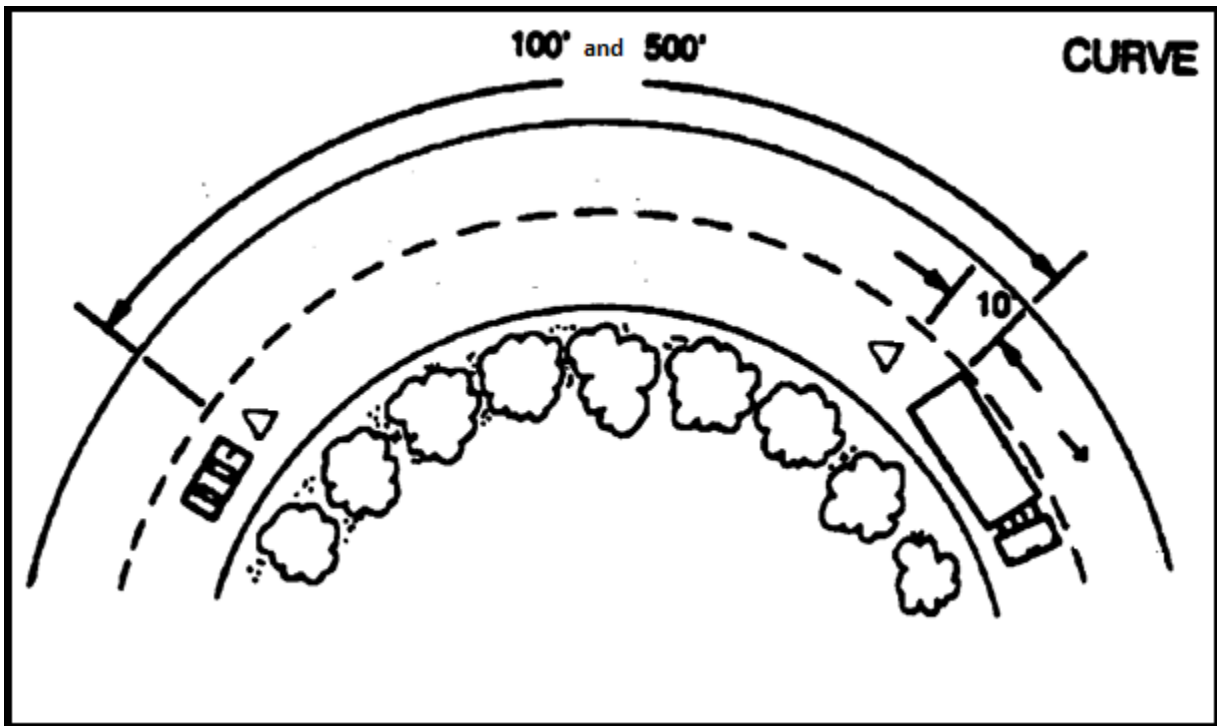
## REFLECTOR PLACEMENT



Proper placement of the triangles when vehicle is disabled on a hill.



Proper placement of triangles when vehicle is disabled on a curve.



### **CURVE/HILL**

**Rear of Vehicle 10, 100 and 500 Feet**

#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**H.** The hazard warning lights shall be used only when it is necessary to stop the bus on the shoulder of the roadway or on the roadway (disabled). The hazard warning lights shall also be used when the speed of the school bus is less than one-half of the posted speed limit.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

5. Any of the emergency equipment may be mounted in an enclosed compartment, provided:
  - a. The compartment is labeled in not less than one inch letters, stating the piece(s) of equipment contained therein.
  - b. The enclosed compartment shall be located in the driver compartment.
6. Fusees (a large-headed flare capable of staying lit in a strong wind) are not permitted.

**INSTRUCTOR NOTE:** The following language is directed to the LEA but trainees should be made aware of what is expected of them as a driver in regards to conducting evacuation drills.

#### **6.41.4.9 NMAC RESPONSIBILITIES OF THE LEA:**

##### **C. Plan of action for emergencies:**

- (1) The LEA or the transportation service provider shall provide to each driver a written plan of action in case of an emergency covering:
  - (a) vehicle trouble requiring evacuation;
  - (b) vehicle trouble not requiring evacuation;
  - (c) passenger trouble requiring transportation personnel intervention;
  - (d) passenger trouble requiring police intervention; and
  - (e) passenger trouble requiring medical intervention.
- (2) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in a school bus shall:
  - (a) be documented;
  - (b) be conducted once per semester;

- (c) include all school bus drivers and substitute school bus drivers;
- (d) include all school bus assistants and substitute school bus assistants;
- (e) exempt students when they are limited in their capability to participate; and
- (f) include the following types of evacuation drills:
  - (i) occupants exit through the rear emergency door;
  - (ii) occupants exit through the front service door;
  - (iii) occupants in the front half of the school bus exit through the front service door and occupants in the back half of the school bus exit through the rear emergency door. If any emergency door is located mid-bus, it shall be considered the rear emergency door; and
  - (iv) occupants receive instructions on the proper use of roof hatches.

(4) Adequate alternate instruction shall be verbal instruction on the location and operation of emergency exits and shall be presented by the driver to all vehicle occupants.

#### **T. Planned LEA-sponsored activity trips**

(6) Drivers shall be informed of and responsible for the following while driving on planned LEA-sponsored activity trips in addition to the applicable responsibilities of drivers pursuant to 6.41.4.11 NMAC:

- (d) conducting an emergency evacuation drill or providing adequate alternate instruction to all passengers prior to departure. An LEA-approved document shall be provided to the driver for the driver and the sponsor to sign in evidence that such has been completed before beginning each planned LEA-sponsored activity trip;

## **EVACUATION GUIDELINES**

### **6.41.4.11 NMAC RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS**

**INSTRUCTOR NOTE:** In deciding whether or not to evacuate the school bus, keep in mind that the primary responsibility for the driver is the safety and well-being of the passengers. Knowing the proper procedures as well as the different types of evacuations will help in making a good, well informed decision that is in the best interest of the passengers. The following are some guidelines that will help in making an informed decision in any situation.

#### **L. Address emergency evacuations and accidents.**

(1) Emergency evacuations shall take place if there is a fire or danger of fire involving the vehicle. The vehicle shall be stopped and evacuated immediately. Passengers shall move a safe distance away from the vehicle and remain there until given further direction.

(2) Emergency evacuations may take place if the vehicle is stopped in an unsafe position. The driver shall immediately determine whether it is safer for passengers to remain in the vehicle or to evacuate the vehicle. The driver shall direct the passengers to evacuate the vehicle if:

- (a) the vehicle has stopped in the path of a train;
- (b) the position of the stopped vehicle may change, thus increasing the danger to passengers; or
- (c) the position of the stopped vehicle is such that there is danger of another vehicle colliding into it.

**INSTRUCTOR NOTE: REMEMBER that in the above situations, it is safer for the students to evacuate than remain on the bus.**

(3) In the case of any accident, the driver's first responsibility is for the safety of the passengers. The driver shall:

- (a) stop immediately;
- (b) notify police and the LEA administrator and, if appropriate, the transportation service provider;
- (c) remain calm and reassure passengers;
- (d) if necessary to evacuate the vehicle, direct passengers to a safe place away from traffic and not permit passengers to leave the scene of the accident;
- (e) render reasonable assistance to persons injured in the accident;
- (f) remain at the scene of the accident and not move the vehicle unless required by local ordinance or a law enforcement officer;
- (g) if possible, place reflectors appropriately to warn traffic;



(h) obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;

(i) make no admission as to liability nor assume responsibility for the accident;

<b><u>INSTRUCTOR NOTE:</u></b> Emphasize the importance of not admitting liability.
---

(j) comply with federal, state, department regulation and LEA policy and procedures in reporting the accident; and

(k) adhere to any vital emergency medical information provided.

## **TYPES OF SCHOOL BUS EVACUATION DRILLS**

### **EVACUATING THROUGH THE SERVICE DOOR OR REAR/SIDE**

*Use this method to evacuate a school bus in an emergency when only one exit (service door or rear/side) is accessible.*

1. Open the service door if accessible. Stand and get the students' attention.
2. Inform the students that evacuation will be through the service door or the rear/side.
3. Remind students to leave all belongings behind and to listen carefully to all directions.
4. Assign at least one (1) dependable student to lead students a minimum of 100 feet away from the bus. Instruct the students to remain there until help arrives.
5. Remind the students to remain calm. Start evacuating the bus and continue until everyone is safely off.
6. Confirm that all students are off of the school bus.
7. **If possible**, take the student roster and first aid kit when exiting the bus.
8. Join the students and stay with them to ensure their safety until help arrives.

## **EVACUATING THROUGH THE SERVICE DOOR AND REAR/SIDE**

*Use this method to evacuate a school bus in an emergency when both the service door and the rear/side are accessible.*

1. Open the service door. Stand and get the students' attention.
2. Inform the students that evacuation will be through both the service door and the rear/side. Inform the students which row is the dividing point. Students in front of the dividing point exit through the service door. Students behind the dividing point exit through the rear/side.
3. Remind students to leave all belongings behind and listen carefully to all directions.
4. Assign at least two (2) dependable students (one for the front and one for the rear) to lead students a minimum of 100 feet away from the bus. Instruct the students to remain there until help arrives.
5. Remind the students to remain calm. Start evacuating the bus and continue until everyone is safely off.
6. Confirm that all students are off of the school bus.
7. **If possible**, take the student roster and first aid kit when exiting the bus.
8. Join the students and stay with them to ensure their safety until help arrives.

## **EVACUATING THROUGH ROOF VENTS AND EMERGENCY WINDOWS**

*Use this method **ONLY** in severe accidents when exit doors are blocked or inaccessible or the bus has overturned.*

1. Instruct students on operation of roof hatches and emergency windows.
  - ROOF HATCH – Turn RED knob and push it in or the handle and push the vent door out.
  - EMERGENCY WINDOW – Pull up on RED handle and push out.
2. Caution students to be extremely careful when exiting (the ground may not necessarily be close).

### **FURTHER GUIDELINES:**

- ❑ Remember that **the driver's FIRST responsibility** is for the safety of all the passengers.
- ❑ If evacuating the bus was necessary and help is on the way, administer first aid to injured passengers.
- ❑ If the bus is on fire:
  - **Do Not** attempt to extinguish the fire unless necessary to facilitate evacuation of the school bus (such as extinguishing small fires that block the aisle or exits.)
- ❑ In the event you are physically unable to move or have been rendered unconscious, have a pre-selected, approved, and reliable student or students trained on how to properly secure the bus:
  - a. Apply Parking Brake
  - b. Shift transmission to NEUTRAL or PARK
  - c. Turn OFF the engine
  - d. Open the service door
  - e. Lead passengers a minimum of 100 feet away from the bus to a safe location.

**Most importantly before making a decision to evacuate, remember that in some cases it could be safer to keep students on the bus.**

**In the final analysis, each driver must make the determination whether to evacuate the bus or not. Above all, make a well informed decision relying on training, common sense and good judgment.**

## **EVACUATING STUDENTS WITH SPECIAL NEEDS**

The purpose of lifting a student properly is to keep from causing injury to the student or self when moving them.

### **BASIC RULES:**

1. Tell the student what you are going to do.
2. Estimate the weight of the student. **NEVER** lift a person or student by yourself who weighs more than half your weight.
3. Ask for help if you have any doubts about your ability to lift the student.
4. Plan ahead. How you will lift the student and where you will go?
5. For good balance, stand with both feet firmly planted about shoulder width apart with one foot slightly in front of the other.
6. Always bend from the knees, not the back, use your thigh muscles rather than your back muscles to do the lifting.
7. When lifting and carrying, keep the student close to your own body.
8. Shift the position of your feet to move. Do not twist your body. Take small steps to turn.

### **SINGLE PERSON LIFT:**

1. Follow the Basic Rules 1-8. Most strains, fatigue, and back injuries are caused by lifting using the wrong muscles.
2. Keep equal weight on both feet and lower yourself to the level of the student by bending your knees before lifting.
3. Once in position, put one arm around the upper back and the other under both knees.
4. Hold the student close to your body, bend at the knees and lift with your leg muscles.

## **TWO PERSON LIFT:**

1. Follow the Basic Rules 1- 8.
2. To lift from a wheelchair:
  - a. To save time and congestion, leave the chair where it is secured and carry the student to the exit.
  - b. One person stands in front of the student. The other person stands at the back to the side of the student.
  - c. The person in back removes the arm rest if easily detachable.
  - d. The person in front folds up the footrest and removes the seatbelt and any other positioning device.
  - e. The person in front, bending from the knees, lowers him/herself to place his/her arms under the students' knees.
  - f. The person in back places his/her arms under the student's armpits, reaching forward to grasp both of the student's wrists, firmly. Your right hand should grasp the student's right wrist, your left hand to the students left wrist.
  - g. Lift together on the count of three; remember to use your legs to lift.
  - h. Walk to the area where the student is to be placed and lower him/her on the count of three. Remember to bend from your knees.

## **TO LIFT FROM A BUS SEAT:**

1. Use the same procedures as above, but first, slide the student to the edge of the bus seat near the aisle before lifting.
2. The weight of the student will determine whether a one or two person lift is used.

**BLANKET DRAG:**

1. Fold a blanket in half, place on floor as close to the child as possible.
2. Follow the basic rules 1 – 8 then lower the student to the blanket.
3. For one person lift, place the students head toward the direction of the exit, lift the blanket from the head end and slide to safety.

**NO BLANKET DRAG:**

If a blanket is not available, jackets or coats may be used.

1. The person doing the drag should position themselves at the student's head, squat down, and place hands, palm up, under student's arms.
2. Put elbows together so that the student's head can rest against forearms.
3. Gently drag the student to the nearest exit.

# **Classroom Instruction**



## **Section 1-K**

### **MAP - 21**

#### **1/2 Hour of Instruction**

## **MAP-21**

**MAP-21 has been relocated to the rear portion of this manual.**



# **Classroom Instruction**



## **Section 1-L**

# **Defensive Driving Course**

**6 Hours of Instruction**

PLEASE USE THE

“COACHING THE SCHOOL BUS DRIVER”

or

“COACHING THE SCHOOL BUS DRIVER 2”

DEFENSIVE DRIVING

TRAINING PROGRAM

from Coaching Systems, LLC.

**MATERIALS NEEDED:**

A TV connected to a VHS/DVD player or a computer with the ability to play a disc. If teaching a group, a means to display the information.

**INSTRUCTOR NOTE:** Ensure a certificate of course completion is included in the driver’s file and that the hours trained is indicated.

**INSTRUCTOR NOTE:** In addition to training the required program, cover the following information.

## **DISTRACTED DRIVING**

To avoid a crash:

- ✓ **Keep eyes on the road**
- ✓ **Keep hands on the wheel**
- ✓ **Monitor mirrors**
- ✓ **Keep mind on the task and safe operation of the school bus**

## **EXTREME DRIVING CONDITIONS**

Trainees should be taught and comprehend the following:

### **❖ Curve Procedures**

- ❑ Frequently check traffic and lanes during the curve
- ❑ Reduce speed by braking and, if necessary, lowering the gear **before** entering the curve so that further braking is not required in the curve
- ❑ Maintain speed during the curve
- ❑ Keep all wheels in the driving lane
- ❑ Make no strong accelerations
- ❑ After concluding curve, resume travel in appropriate gear

### **❖ Downgrade or Upgrade Procedures**

- ❑ Move into or stay in right-hand lane
- ❑ Select a safe speed before entering grade
- ❑ Select proper gear
- ❑ Increase following distance
- ❑ If downgrade, brake properly (brake until below safe speed, release brake; repeat as necessary)
- ❑ Frequently check traffic
- ❑ Hazards: use appropriately. If upgrade, use hazards if speed is  $\frac{1}{2}$  of the posted speed limit
- ❑ After concluding grade, resume travel in appropriate gear

❖ **High Winds**

- ❑ Follow employer's policies.

❖ **Skid Control/Recovery**

Driving a school bus can be a challenging task. Through proper training and practice, school bus drivers develop the necessary knowledge and skills to safely transport children to and from school every day. But, how does one prepare for a dangerous situation such as skidding? The following are answers to five common questions about skidding.

**What is skidding?**

Skidding occurs when the tires of a vehicle fail to get traction on a surface and start spinning or sliding. Research shows that skidding is a major contributing factor in one out of four serious accidents. It is also estimated that skidding is responsible for approximately 10,000 deaths and 300,000 injuries every year.

**What causes skidding?**

Although slick, muddy, or icy roads can all contribute to the possibility of skidding, contrary to popular belief they are not the main causes of skidding. Driving a vehicle too fast for the existing conditions is actually the chief reason most people skid. The following driver errors can cause skidding:

- Over breaking – Breaking too hard and locking up the wheels
- Over steering – Turning the wheels more sharply than the vehicle can turn
- Over accelerating – Supplying too much power to drive the wheels, causing them to spin
- Driving too fast – Driving too fast for existing road conditions

**What are the types of skids?**

There are two main types of skidding: fishtailing and plowing.

Fishtailing – Also known as over steering, fishtailing occurs when, upon turning the vehicle, the rear wheels lose traction, “spinning out”, causing the rear of the vehicle to slide from side to side.

Plowing – Also known as understeering, plowing occurs when the front wheels have lost traction causing the vehicle to make a much wider turn than intended. Usually this is the result of taking a turn too fast for the road conditions.

### **What should I do if the vehicle skids?**

The first thing to remember if your vehicle starts skidding is – **DON'T PANIC** – try to remain calm and do the following:

1. Take your foot off the accelerator and the brakes. This will allow the vehicle to slow down so that you can regain some control. Brakes are useless until some traction is regained.
2. Gently steer in the direction you want the vehicle to go. As the vehicle turns back in the right direction, be prepared to steer in opposite direction in order to stay on the right path.
3. As traction and control is regained, gently apply the brakes if the front wheels are skidding, or gently accelerate if the rear wheels are skidding. This will help regain even more traction.

### **How can skidding be prevented?**

- ✓ Drive smoothly – Be gentle and progressive when steering, accelerating, and braking.
- ✓ Slow down, especially on unfamiliar roads.
- ✓ Increase the stopping distance in case a vehicle in front unexpectedly stops.
- ✓ When approaching a bend, take extra precaution.
- ✓ Pay attention and consider the potential unsafe actions of other drivers.
- ✓ In poor weather conditions, be extra careful.

Even the best, most conscientious drivers will sometimes experience emergency situations. When these situations do occur, there are only a few seconds to react. By the time a person thinks about what to do, it's too late. The proper preparation could make all of the difference, especially when the lives of others are in your hands.

## ❖ **Tire Blowouts**

**INSTRUCTOR NOTE:** Trainees must know what to do in advance of a tire blowout because there won't be time to figure things out when it happens. Rehearse the following steps with trainees several times so that their reactions will be the right ones.

CMV drivers dread tire blowouts for good reason because they can cause loss of control. However, loss of control happens because the CMV drivers didn't know how to deal with the situation and panicked. The ability to safely handle the school bus will depend on knowing what to do beforehand, remaining calm during the emergency, and the road and traffic situation when the blowout occurs. The following information will work provided you have sufficient road space ahead of you and the situation doesn't require quick stopping.

### **1 – Power**

Always have some power in reserve so that you can accelerate when needed (in other words, always drive a little below the speed limit).

### **2 – Don't brake**

Although hitting the brakes is the common reaction to an emergency because you want to slow down, it is the wrong thing to do when a tire blows out, especially if it's a front tire. Keep your foot off the brake because hitting the brakes is what causes rapid loss of control. When you have a front tire blowout, you will feel a force pulling the school bus in the same direction as the side with the blown out tire. Braking will pull the school bus even harder in this direction.

### **3 – Accelerate**

Acceleration lifts the front of the school bus and will take weight off the blown out tire which reduces the side pull. This makes steering easier with the intact tire.

### **4 – Steer with both hands**

With your foot on the accelerator, steer as necessary to remain in your lane and gradually move over to the shoulder. Accelerate only enough to steer, and then allow the school bus to come to a stop while letting up on the accelerator. Keep both hands on the steering wheel because it will jerk toward the side with the blowout.

## HIGHWAY-RAIL GRADE CROSSINGS

### EMERGENCY NOTIFICATION SYSTEM (ENS)

# Get HELP!


## Use the Blue ENS Sign




### Keeping Railroads and the Public Safe

The mission of the Federal Railroad Administration (FRA) is to enable the safe, reliable and efficient movement of people and goods for a strong America, now and in the future.

For more information visit us at [www.fra.dot.gov](http://www.fra.dot.gov)

Connect with us **USDOTFRA**




U.S. Department of Transportation  
**Federal Railroad Administration**

### In Case of Emergency


- **Locate** the blue and white Emergency Notification System (ENS) sign at the grade crossing.
- **Call for help!** Call the railroad's emergency contact number listed on the blue sign.
- **Communicate** your location, by providing the identification number (see below) and state the nature of the emergency to the dispatcher.

The ENS sign includes:



- 1 Each railroad's emergency contact number,
- 2 The U.S. Department of Transportation (USDOT) National Crossing Inventory Number, which identifies the exact location of the crossing to the railroads.

Emergencies and safety concerns at the grade crossing should be reported by using the information on the ENS sign.





## ABOUT THE FEDERAL RAILROAD ADMINISTRATION (FRA)

Our mission is to enable the safe, reliable and efficient movement of people and goods for a strong America, now and in the future.

### Get to Know the FRA

- Created in 1966 as part of The Department of Transportation Act
- One of ten agencies that make up USDOT
- Led by an administrator, appointed by the President of the United States and confirmed by the United States Senate. FRA has eight regional offices across the nation
- Employs a diverse workforce to accomplish its mission

### Protecting People and Railroads

The FRA is the chief safety regulator for all passenger and freight railroads nationwide. We accomplish our mission through:

- A rigorous oversight and inspection program based on strategic use of data
- Advancing proactive approaches for early identification and mitigation of risk
- Capital Investments and a robust research and development program

The FRA advances market-based rail improvements. Today, we manage a portfolio that includes grants and loans, laying a solid foundation of sustainable, long-term rail improvements.



### Emergency Notification System

To improve highway-rail crossing safety, the FRA now requires each railroad to have an Emergency Notification System (ENS), allowing emergency response center staff to identify crossing locations and railroad contacts for reporting safety problems and emergency situations.

- Look for a blue-and-white emergency notification sign.
- The ENS sign should be posted near the crossing and clearly visible. It includes the name of the railroad, the railroad's emergency contact number, and the USDOT National Crossing Inventory Number.
- Using the information on the ENS sign is the quickest way to notify the railroad.

A USDOT National Crossing Inventory Number is a unique number that is assigned to each grade crossing and can be used to obtain valuable information.

The National Law Enforcement Terminal Systems (NLETS) has joined the FRA to make a mirror image of FRA's highway-rail grade crossing database. Using the USDOT National Crossing Inventory Number, and NLETS will provide the first responder's agency instant access to FRA's database.

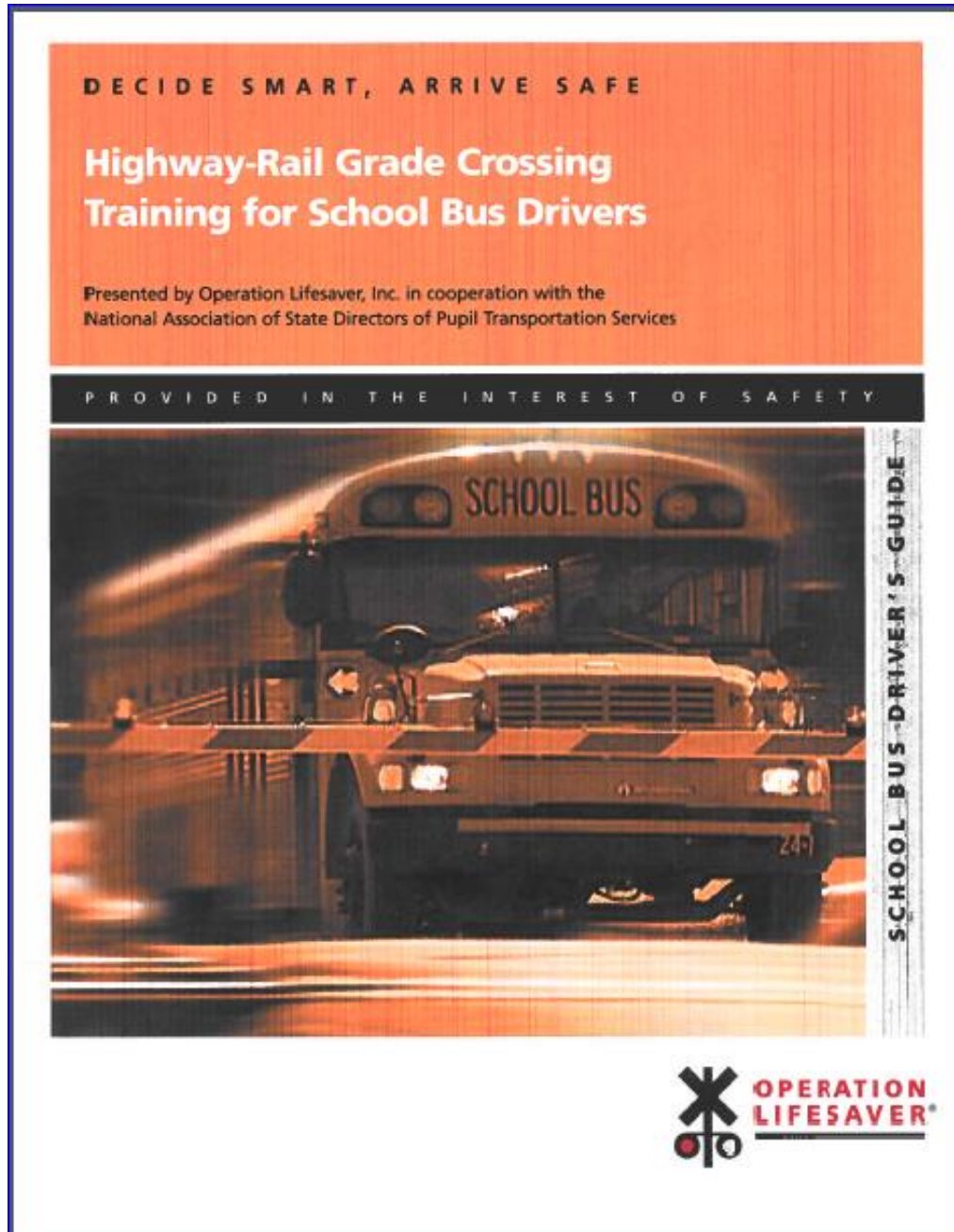
### More Resources

FRA has created the "Rail Safety for Emergency Responders" informational video series. Visit <https://www.fra.dot.gov/Page/PD850> or contact Michail Grizkewitsch at [michail.grizkewitsch@dot.gov](mailto:michail.grizkewitsch@dot.gov) for further information.

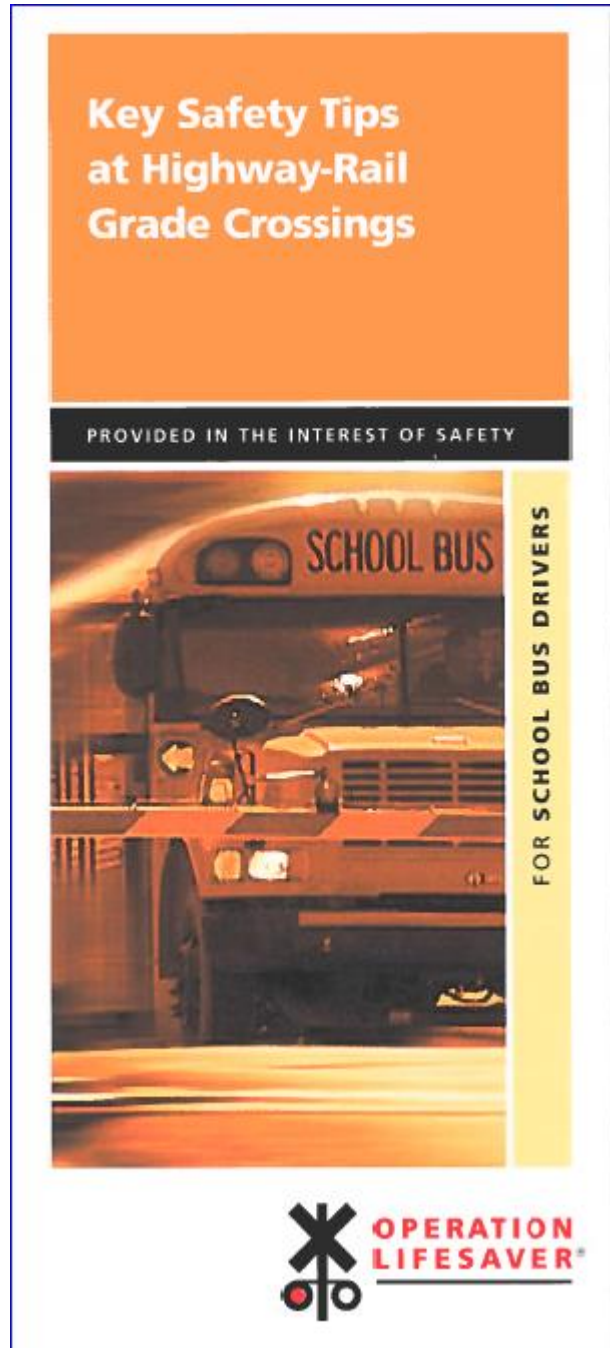


Also included in the Defensive Driving training from Operation Lifesaver®:

1. Decide Smart, Arrive Safe **video** as found on the PED website.
2. Decide Smart, Arrive Safe **8-page brochure** to be used in conjunction with the video.



3. Key Safety Tips at Highway-Rail Grade Crossing **tri-fold pamphlet.**



# **Classroom/Hands-on Instruction**



## **Section 1-M**

### **Mirrors**

**2 Hours of Instruction**

## **SECTION OVERVIEW**

### **Materials Needed:**

1. 65-71 passenger conventional school bus with air brakes
2. Large parking lot or open area
3. 25-30 traffic cones
4. 25'-100' tape measure
5. For ease of training, permanent markings for cone placement. Ask permission before marking.

**INSTRUCTOR NOTE:** If different types of 65-71 passenger school buses are available (square nosed vs. angled), it would help in demonstrating how blind spots are different based on body style. If not, it is permissible to utilize a Type D (flat nose) bus in conjunction with this training session to illustrate the difference in blind spots from one type of bus to another.

### **OBJECTIVES:**

1. Trainee will learn proper driver's seat adjustment, steering wheel hand placement, and proper steering method.
2. Determine their Over-the-Hood reference point
3. Trainee will learn where the blind spots and danger zones are around the bus.
4. Trainee will learn proper mirror adjustment and how to use mirrors to minimize the risk of incidents.

**INSTRUCTOR NOTE:** All Objectives will be used in Reference Point Driving.

**INSTRUCTOR NOTE: Park the bus in a large enough open area to accommodate all of the cones that will be placed around it (see Diagram B).**

### **PROPER SEAT ADJUSTMENT**

Have the trainee sit in the driver's seat. The seat must be adjusted so that the trainee does not have to unnaturally extend (overextend) their leg to fully apply the service brake or accelerator. At this point have them buckle the seat belt. Emphasize the importance of wearing a seat belt at all times.

1. Seat height: Raise or lower seat to where the trainee's feet rest flat on the floor of the bus.
2. Position of seat to steering wheel: Ask the trainee to hold the steering wheel at the 5 o'clock position with their right hand. Adjust the seat forward or back until the right elbow is approximately 2-3 inches from the seat back.

### **STEERING WHEEL HAND PLACEMENT**

1. Have the trainee grip the steering wheel, placing their hands at either 10 & 2 o'clock position or 9 & 3 o'clock position. Their elbows **should** touch the sides of their body. This provides an extra measure of bracing in the event of an emergency such as a front tire blowout.
2. The trainee should have their thumbs either on top or outside of the steering wheel.

### **PROPER STEERING METHOD**

Use the PUSH-PULL method of steering: One hand pulls, the other pushes. The "hand over hand" method is not acceptable because the driver's hands may catch in clothing, a watch, a bracelet, etc., which are hazards to steering.

## **EXERCISE DIRECTIONS: OVER-THE-HOOD REFERENCE POINT**

**INSTRUCTOR NOTE:** Be sure the trainee remembers their Over-the-Hood reference point; it will be used in the Reference and Behind-the-Wheel Section.

1. Have the trainee sit in the driver's seat with it properly adjusted and safety belt fastened.
2. Place the end of the tape measure directly under the center of the front bumper. Reel out the tape measure about 25 feet along the ground straight out in front of the bus and place a cone on the ground at this spot.
3. Instruct the trainee to fixate their vision at the center edge of the bus hood – this area is the over-the-hood reference point.
4. Move the cone toward the bus – keeping it close to the ground – and along the tape measure.
5. Instruct the trainee to indicate to you when the base of the cone lines up with the center edge of the bus hood.
6. When the location has been determined, inform the trainee the measurement. This is the over-the-hood reference point.

### **Explanation of Exercise:**

A driver can use the over-the-hood reference point to determine how far away they are from a fixed object in front of the bus – such as a stopped car or the first rail at a railroad crossing.

## **IDENTIFYING BLIND SPOTS and “DANGER ZONES”**

A driver completes the pre-trip inspection and finds that everything is in safe operating order. ***Or is it?*** What about the mirrors? Better sit in the driver’s seat and check them. The following exercises will help the trainee understand the importance of having the mirrors properly adjusted and then using them.

**INSTRUCTOR NOTE:** The following is an exercise to help trainees understand exactly how large of a blind spot is in the front and front sides of the bus when mirrors are not used. Diagram A shows an example of how the cones will be arranged after the exercise is completed.

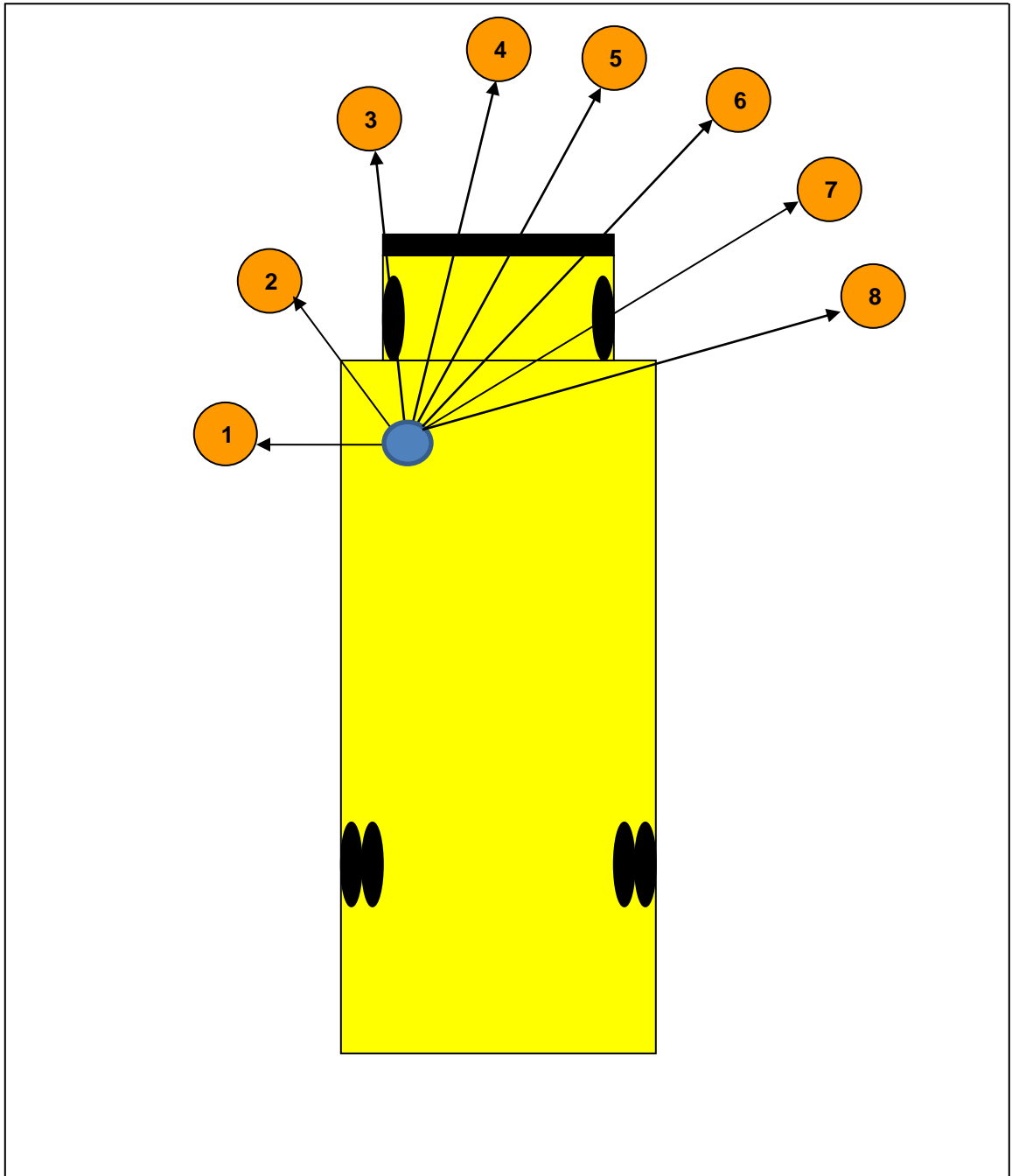
## ***SEEING IS BELIEVING...***

### **EXERCISE DIRECTIONS: FRONT AND FRONT-SIDE BLIND SPOTS**

1. Park the bus in a large open area.
2. Have the trainee sit in the driver’s seat. If more than one trainee, have the shortest one do this exercise. Begin with proper seat adjustment.
3. The instructor or another trainee – standing outside the driver window with a cone near the ground – asks the trainee turn their head to the left and look out the driver window focusing their attention at the bottom of the window but looking at the ground. Have the trainee indicate when they can see the base of the cone (**Cone 1 in Diagram A**) at the bottom of the window as the cone is slowly moved outward from the bus body.
4. Continue this method of cone placement as in Diagram A (**Cones 2-8**). The trainee should not use any mirrors for this exercise.

**INSTRUCTOR NOTE:** This exercise demonstrates how large the blind spot is in the front and front sides of the bus without the use of mirrors. All of the area between the bus and the cones is a blind spot. If a child is in front of the bus and has bent down to pick up something, would a driver see the child without using the mirrors? **NO!!** Emphasize the need to use mirrors.

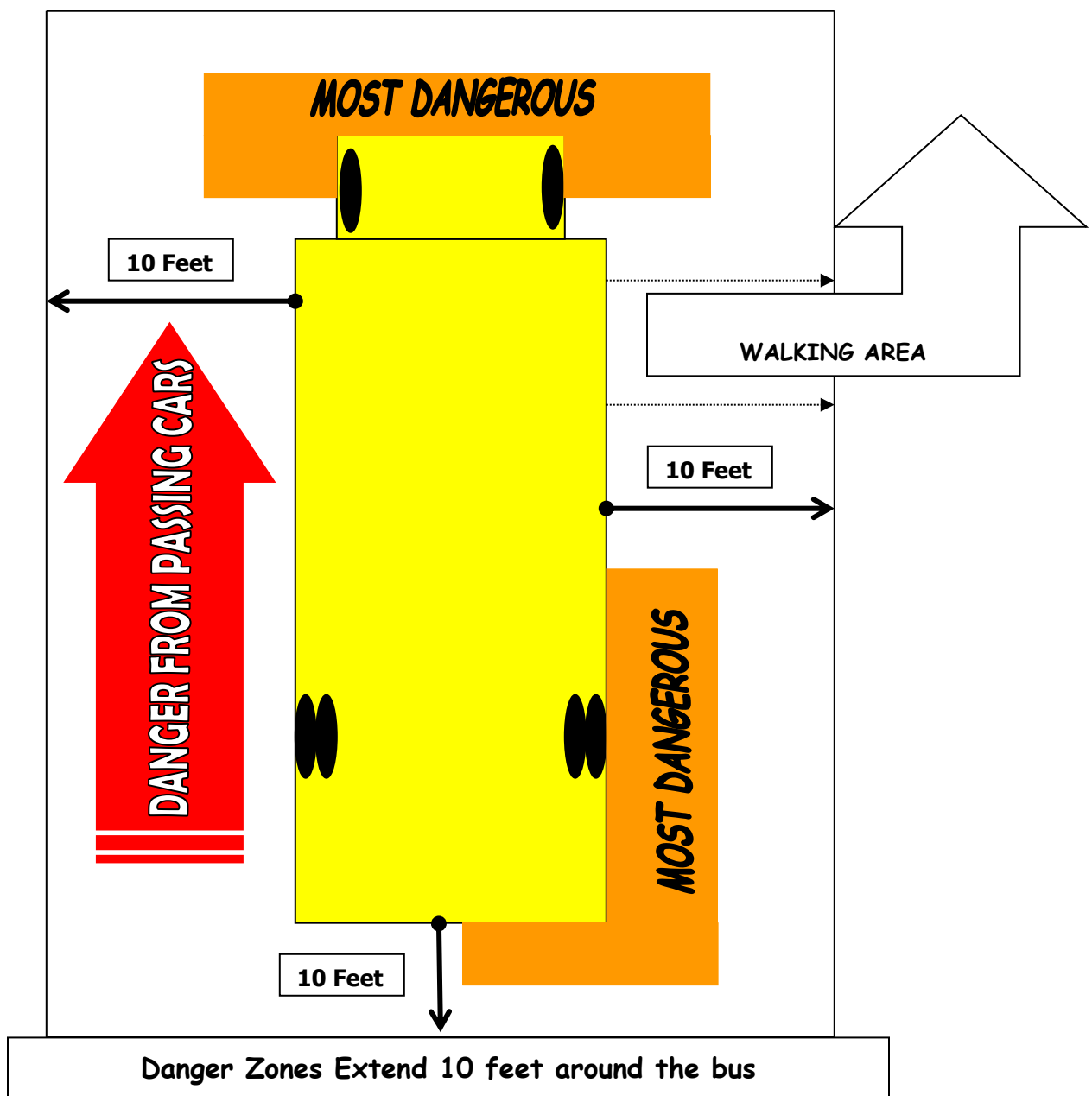
**Diagram A – Front and Front-side Blind Spots**





**INSTRUCTOR NOTE:** Trainees must be taught the importance of training students how to keep out of the danger zone when around school buses and the techniques for doing so. Ensure that the trainee understands that – once they become a school bus driver – they need to remind students that have to cross in front of the bus to walk 8-10 feet in front and that those students that walk along the side the bus are cleared from the Danger Zone before the bus moves.

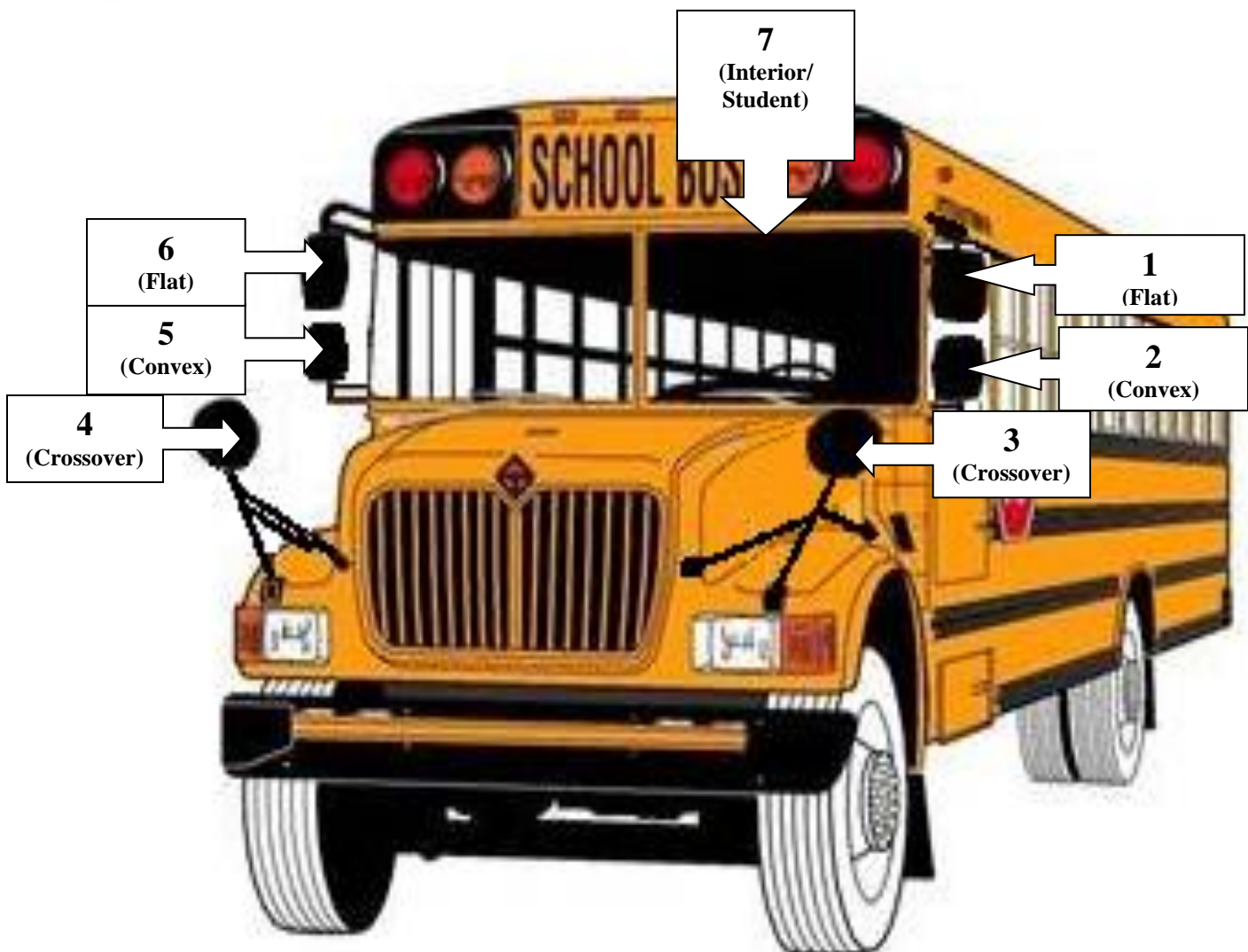
## DANGER ZONES



**INSTRUCTOR NOTE:** It may be helpful to identify mirrors by number.

**INSTRUCTOR NOTE:** Federal Motor Vehicle Safety Standards (FMVSS) 111 requires that mirrors provide seven (7) specific views.

### Mirror Numbering



## **EXERCISE DIRECTIONS: PROPER MIRROR ADJUSTMENT**

**INSTRUCTOR NOTE:** Set up the training exercise using Diagram B.

### **How to Properly Adjust Flat and Convex Mirrors:**

The top (flat) mirrors (#1 and #6) should reflect the top back corner of the bus in the inside top corner of the mirror. The mirrors should give site to the driver up to 200 feet behind the bus on each side.

The bottom (convex) mirrors (#2 and #5) should reflect a small amount of the side of the bus from the mounted mirror to the back of the bus, the rear tires touching the ground and at least one traffic lane. The trainee should also be able to see Cones A and V in Diagram B.

### **How to Properly Adjust Crossover Mirrors:**

Mirrors and mirror brackets should be at a 45 degree angle from the bus hood (see Diagram C).

### **Check the adjusted mirrors.**

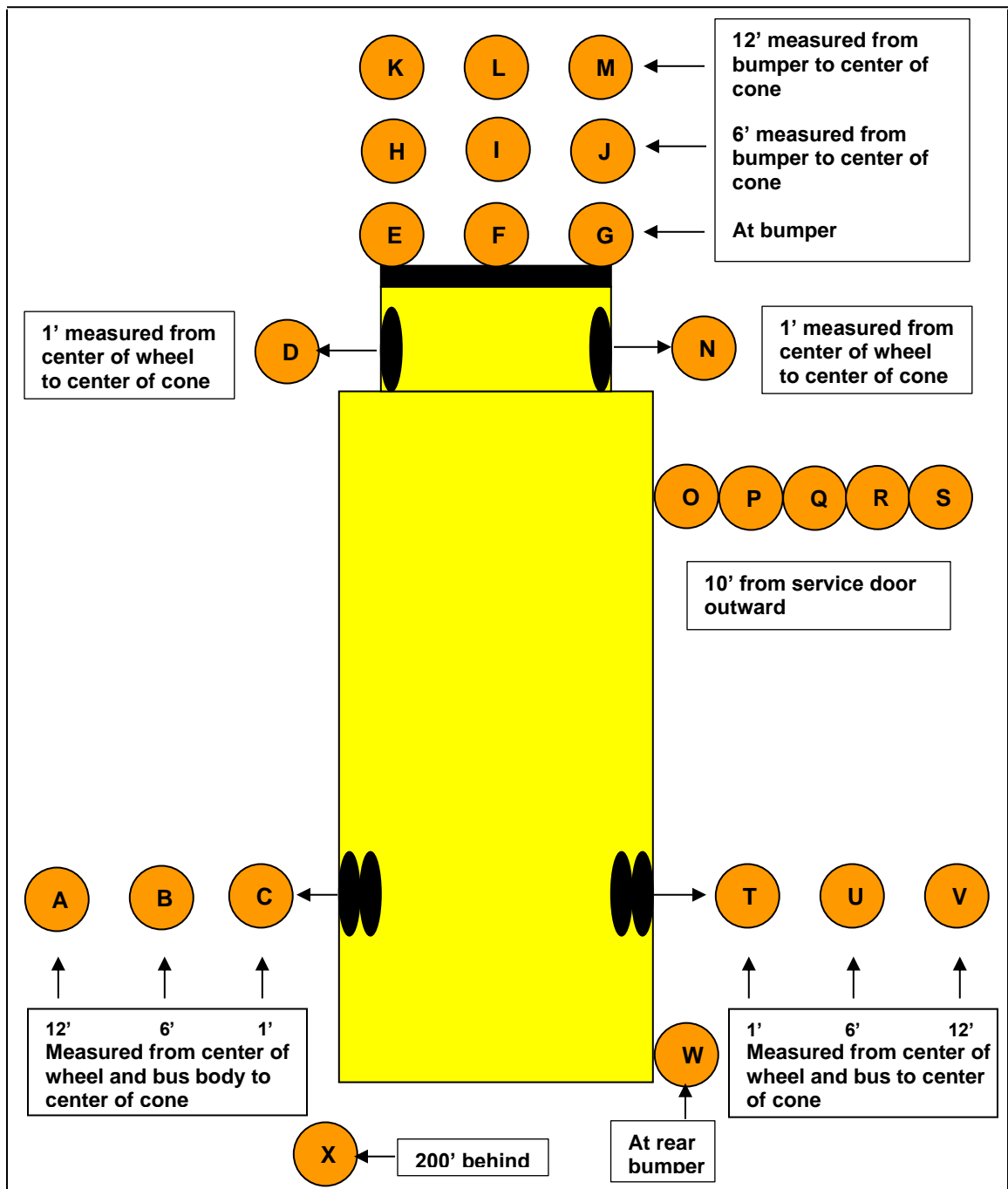
**INSTRUCTOR NOTE:** Standing at the driver's window, confirm with the trainee that each cone in Diagram B is visible. Teach the trainee to move their body (rock-and-roll) in the driver's seat to enable them to see all areas of the danger zones in the mirrors. If they remain stationary while checking mirrors, they could miss something in the Danger Zones!!

\*\*\* **REMEMBER:** Mirrors cause blind spots! \*\*\*

**INSTRUCTOR NOTE:** Because of the number of students killed by snagging clothing, drawstrings, and backpack straps getting caught in the service door or handrails, Diagram B has additional cones set at the service door outward to 10 feet. If the cone at 10 feet (Cone S in Diagram B) cannot be seen, slightly adjust the right cross-over mirror while maintaining the view of the cones in front of the bus.

## Diagram B – Mirror Check Station

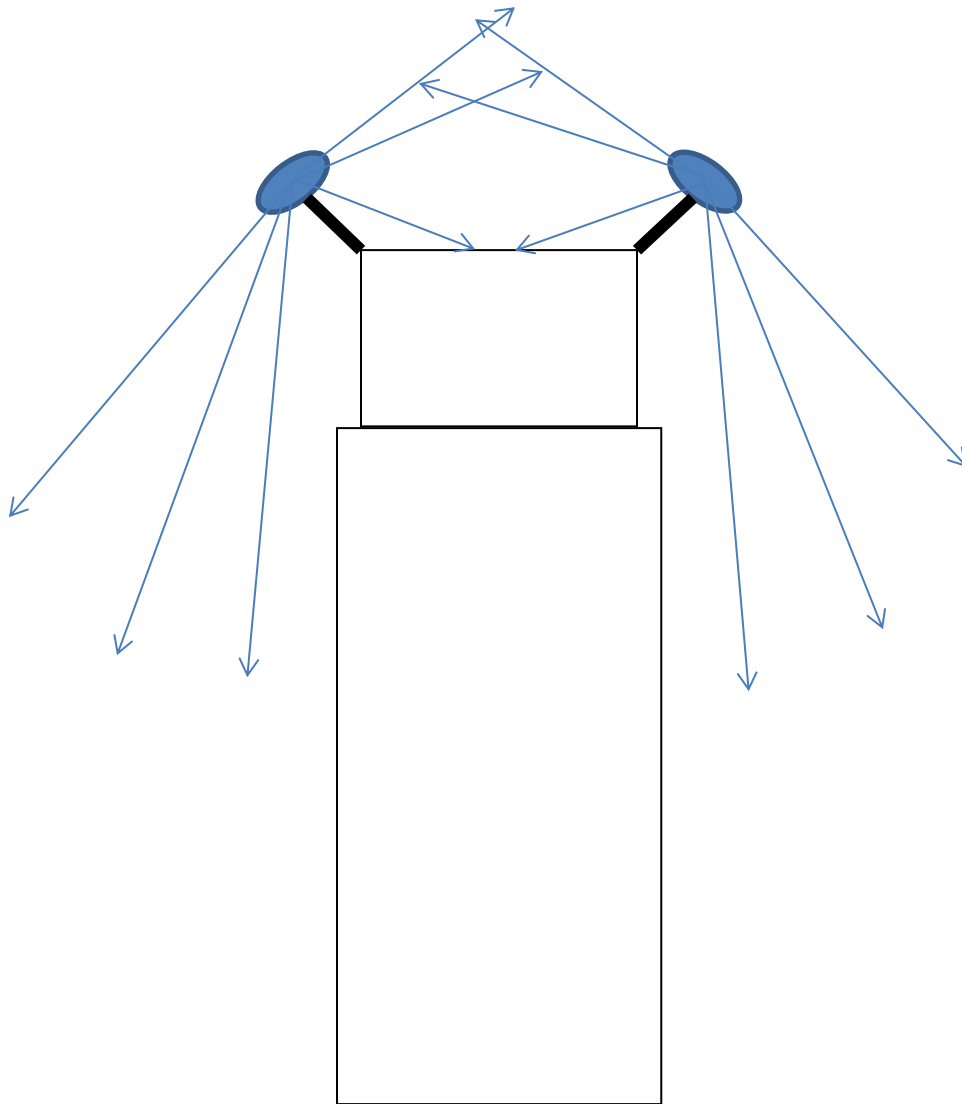
**INSTRUCTOR NOTE:** FMVSS 111 requires that a view of 200 feet to the rear of the bus be maintained when mirrors are adjusted correctly.



### DIAGRAM C – CROSSOVER MIRRORS

**INSTRUCTOR NOTE:** FMVSS 111 requires crossover mirrors to cover only an area of 12 feet forward from the front bumper. What if a person's Over-The Hood Reference point is 15 feet? That leaves 3 feet blind to the driver if the mirrors are not used where a child could be.

**\*\*\* EMPHASIZE USING PROPERLY ADJUSTED CROSSOVER MIRRORS. \*\*\***



**CORRECTLY ADJUSTED**

# **Classroom/Hands-on Instruction**



## **Section 1-N**

### **Reference Point Driving & 2022 Modernized System**

### **5 Hours of Instruction**

## **SECTION OVERVIEW**

**INSTRUCTOR NOTE:** The main purpose of this section is to provide trainees with the maneuvering skills they will need to safely drive a school bus by correctly using mirrors and reference points thereby reducing the risk of a crash. Instruct the trainee to use the “Get-Out-And-Look” (GOAL) any time they are unsure of the position of the bus.

**INSTRUCTOR NOTE:** It is highly recommended that you familiarize yourself with each exercise and maneuver prior to instructing them.

**INSTRUCTOR NOTE:** Review the bus plate information with the trainee. Also discuss approximate height is 122-128 inches, and approximate width is 96 inches, approximate ground clearance is 10-5/8-10-3/4 inches, approximate overhang is 4-1/2 feet, with a Gross Vehicle Weight Rating of at least 26,001 or more pounds., typical axle weight of 10,000 lbs. for the front and 23,000 lbs. for the rear.

### **MATERIALS NEEDED:**

1. 65-71 passenger conventional school bus with air brakes.
2. Large parking lot or open area
3. 20-30 traffic cones
4. 25'-100' tape measure
5. For ease of training, permanent markings for cone placement. Ask permission before marking.
6. 10' piece of string
7. 50' piece of string or grease pencil
8. 1 coin or small cone

**INSTRUCTOR NOTE:** Depending on the size of training class, it may be helpful to use a second bus.

## **OBJECTIVES:**

Trainee will learn how to:

1. Determine their depth perception.
2. Perform maneuvers to understand the following:
  - ✓ Pivot Point (for executing proper left and right hand turns)
  - ✓ Forward and Backward Serpentine
  - ✓ Reference Point Backing
  - ✓ Tail Swing
  - ✓ Backing into a Stall (Alley Dock) – Passenger and Driver side
  - ✓ Parallel Parking – Passenger and Driver side

## **EXERCISE DIRECTIONS: DEPTH PERCEPTION**

**INSTRUCTOR NOTE:** Become familiar with all of the steps involved before teaching this. It takes three people to do this exercise. Be sure the trainee remembers their depth perception reference point. If more than one trainee, explain the meaning of the exercise once all trainees have completed it.

1. Give the trainee (Person 1) and another person (Person 2 – another trainee, another driver, or a helper) a piece of string 10 feet in length.
2. Have Person 1 hold one end of the string around their finger and up to the end of their nose and so that the string is touching their nose. Nothing should block their line of sight down the string.
3. Have Person 2 hold the opposite end of the string. The string must be still (holding it tight helps) and level to the nose of Person 1 which should make it parallel to the ground.



4. Ask Person 1 how many strings they see. The answer will almost always be two.
  - a. If Person 1 indicates they see only one string, ask them which side the string appears to be coming from.
    - i. If they say “from the left side,” it indicates that the right eye is dominant, because the string is too far left of that eye. The left eye is not being used. This is known as “suppression.”
    - ii. If they say “from the right side,” it indicates that the left eye is dominant (converse of above).
  - b. If Person 1 indicates they see two strings but they come and go, this situation causes errors in distance judgment while driving. The person should be advised to see an eye doctor for further diagnosis.
  - c. If Person 1 indicates they see two strings, then at some point the two strings will appear to cross. Find that location by:
    - i. Placing your finger about midway down the length of the string – but not touching the string – and move it away from Person 1.
    - ii. Asking Person 1 to indicate when your finger reaches the point where the strings appear to cross.
    - iii. Noting the distance remaining from that point to the end of the string being held by Person 2.
  - d. Repeat this procedure for each trainee in the class.

**Explanation of Exercise:**

If Person 1 sees the string appearing to cross at the opposite end of the ten foot string, then they are seeing 10 feet for 10 feet and their depth perception is exact.

If Person 1 sees the string appearing to cross one foot from the end of the ten foot string, then their depth perception is off by 10%; two feet, 20%; three feet, 30% and so forth.

Why is it important to understand depth perception? How does it affect driving?

Understanding depth perception will help a driver judge distance when approaching a stationary object such as a vehicle that has stopped in front of them, when turning in front of an approaching vehicle, the first rail at a railroad crossing and when having to back a bus. How far away is that object? It could be closer if the depth perception is off. The trainee should keep this in mind when driving.

\*\*\*\*\* **MANEUVERS** \*\*\*\*\*

**INSTRUCTOR NOTES:**

1. Instruct the maneuvers in the order shown on the following pages.
2. It may be helpful to the trainee if you drive through the maneuver yourself first. Have the trainee view from a position so that they can watch what you are doing.
3. Explain to the trainee that “securing the bus” means:
  - a. Setting the Park brake. Instruct that the Park brake is always FIRST on, LAST off.
  - b. Shifting the transmission to Neutral.
  - c. Turning off the engine.
  - d. Removing the key.
4. NEVER approach the bus until you are sure the bus has been properly secured and there is no possibility of unintended movement.
5. Reinforce the skills learned in each maneuver through repetition.
6. Trainees must be able to successfully execute each maneuver before advancing to the next; ALL maneuvers must be mastered before moving on to the Behind-the-Wheel Section of training.
7. The following maneuvers may be used as in-service training.

**FINDING THE PIVOT POINT**

**INSTRUCTOR NOTE:** Set up the maneuver by placing four cones in a large square with approximately 50 feet between cones. The trainee will need to drive straight a short distance and then sharply turn to pivot the rear wheel around the next cone.

When making a turn, the front wheels turn instantly but the back wheels must travel some distance before they begin to change direction. ***The pivot point is where this change begins.*** You may also hear this referred to as “off tracking”. Because buses will have different handling characteristics, the pivot point may be different – even if it is the same model of bus.

Have the trainee sit in the driver’s seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed. Have the trainee drive the bus around the four cones in the same direction several times until they understand where the pivot point is on the rear wheel. In other words, the trainee

needs to determine when the steering wheel should be turned in order to pivot around – get close but not hit – the cone. They should steer the rear wheel near the cones; between 12 and 18 inches away. When the trainee does well with one direction, set the bus for them in the opposite direction and have them drive the course several times.

Have the trainee secure the bus and honk the horn twice to indicate the maneuver has been completed.

## **FORWARD and BACKWARD SERPENTINE**

### **INSTRUCTOR NOTES:**

1. **Explain the maneuver in the classroom, using the diagram.**
2. **Be sure the trainee understands the steps associated with the maneuver before performing it.**

**INSTRUCTOR NOTE: Set up the maneuver using the diagram. Measure the length of the bus – bumper to bumper – and add 6 feet. Place the center cone first. Place one cone forward of the center cone and one cone rearward of the center cone.**

Although this type of maneuver will not necessarily be encountered in real world situations, it allows for more practice and mastery of pivot points – especially when backing since it is a more challenging maneuver to master. The skill learned will help the trainee to master the "backing into a stall" maneuver more easily.

1. Position and park the bus so that it lines up 18 inches to the **RIGHT** (or **LEFT**) side of the 1<sup>st</sup> cone and parallel to all three cones.
2. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
3. Instruct the trainee as follows for Forward Serpentine:
  - a. Drive forward slowly steering the bus so that the distance between the **LEFT** (or **RIGHT**) rear wheel of the bus and the 1<sup>st</sup> cone is approximately 18 inches. When the pivot point of the **LEFT** (or **RIGHT**) rear wheel and

the 1<sup>st</sup> cone line up, stop. Hard steer to the **LEFT** (or **RIGHT**) and then continue driving the bus forward, pivoting it around the 1<sup>st</sup> cone.

- b. Watch for the 2<sup>nd</sup> (middle) cone to become visible in the **LEFT** (or **RIGHT**) crossover mirror. When it does, adjust the steering so that the bus becomes parallel to all three cones.
- c. Continue driving forward and steering the bus so that the **RIGHT** (or **LEFT**) rear wheel is approximately 18 inches to the **LEFT** (or **RIGHT**) of the 2<sup>nd</sup> (middle) cone. When the pivot point of the **RIGHT** (or **LEFT**) rear wheel and the 2<sup>nd</sup> cone line up, stop. Hard steer to the **RIGHT** (or **LEFT**) and then continue driving the bus forward, pivoting it around the 2<sup>nd</sup> cone.
- d. Watch for the 3<sup>rd</sup> (last) cone to become visible in the **RIGHT** (or **LEFT**) crossover mirror. When it does, adjust the steering so that the bus becomes parallel to all three cones.
- e. Continue driving forward and steering the bus so that the **LEFT** (or **RIGHT**) rear wheel is approximately 18 inches to the **RIGHT** (or **LEFT**) of the 3<sup>rd</sup> (last) cone and the bus becomes parallel to all three cones. Continue forward slowly until the back bumper is past the 3<sup>rd</sup> cone. Stop.

4. Instruct the trainee as follows for Backward Serpentine:

**INSTRUCTOR NOTE:** Shifting the transmission into reverse, activating the 4-way hazard flashers and honking the horn twice are good safety procedures to use in preparation for backing.

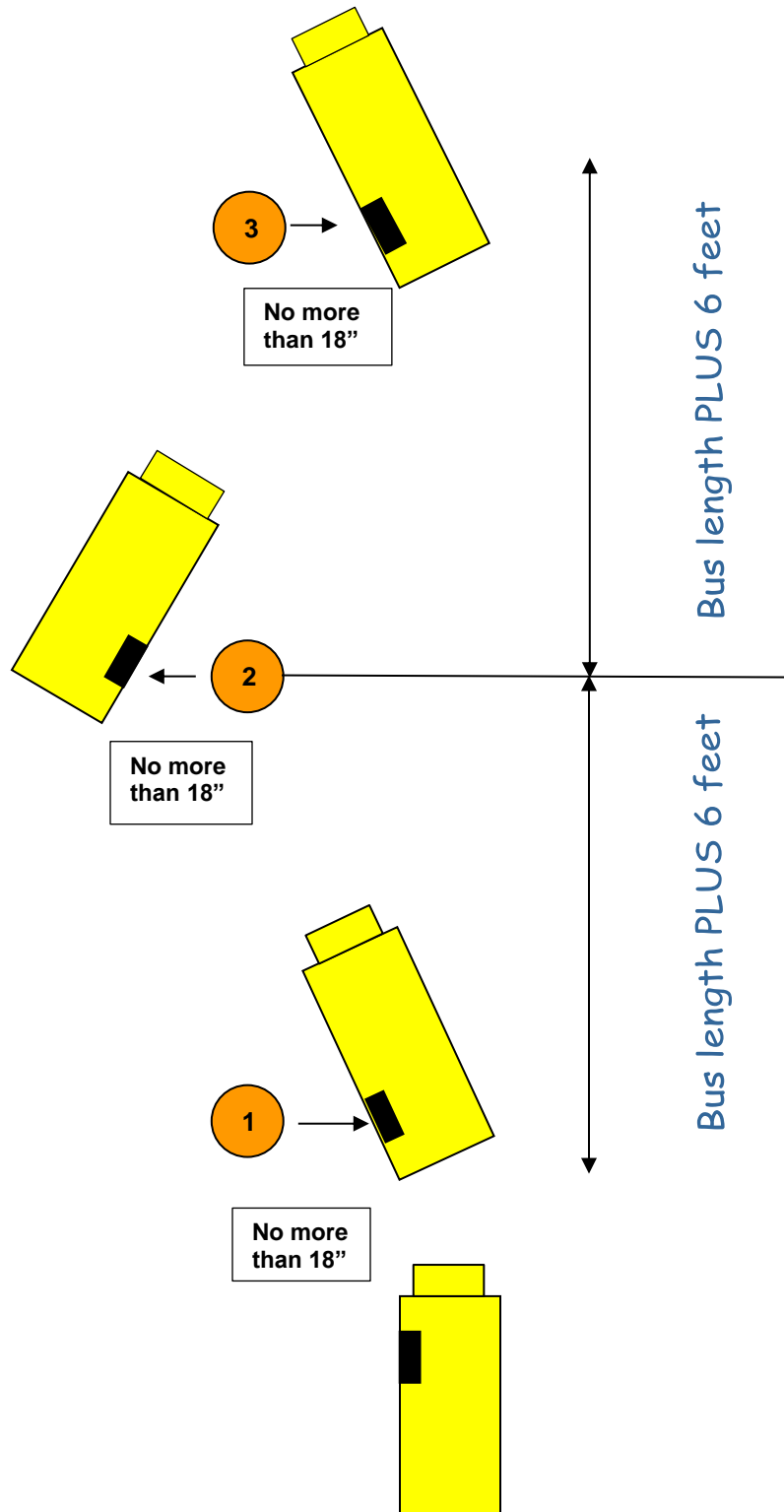
- a. Shift the transmission into reverse, activate the 4-way hazard flashers and honk the horn twice.
- b. Drive backward slowly and steering the bus so that the **LEFT** (or **RIGHT**) rear wheel is approximately 18 inches to the **RIGHT** (or **LEFT**) of the 3<sup>rd</sup> cone. When the pivot point of the **LEFT** (or **RIGHT**) rear wheel and the 3<sup>rd</sup> cone line up, stop. Hard steer **LEFT** (or **RIGHT**) and continue backing the bus slowly, pivoting it around the 3<sup>rd</sup> cone.
- c. Watch for the 2<sup>nd</sup> (middle) cone to become visible in the **RIGHT** (or **LEFT**) side mirrors. When it does, stop. Adjust the steering so that the **RIGHT** (or **LEFT**) rear wheel is approximately 18 inches from the 2<sup>nd</sup> cone. When the pivot point of the **RIGHT** (or **LEFT**) rear wheel and the 2<sup>nd</sup> cone line

up, stop. Hard steer **RIGHT** (or **LEFT**) and continue backing slowly, pivoting around the 2<sup>nd</sup> cone.

- d. Watch for the 1<sup>st</sup> cone to become visible in the **LEFT** (or **RIGHT**) side mirrors. When it does, stop. Adjust the steering so that the **LEFT** (or **RIGHT**) side rear wheel is approximately 18 inches from the 1<sup>st</sup> cone. When the pivot point of the **LEFT** (or **RIGHT**) rear wheel and the 1<sup>st</sup> cone line up, adjust the steering so that the bus becomes parallel to the row of cones. Continue backing until the front wheel and the 1<sup>st</sup> cone line up. Stop.
- e. Secure the bus and honk the horn twice to indicate the maneuver has been completed.

**INSTRUCTOR NOTE:** Have the trainee practice this maneuver several times so they understand using the mirrors and pivot points. As the trainee becomes more experienced, the distance between the cones can be decreased - move the outer cones toward the center cone - thereby making the maneuver more challenging.

**DIAGRAM: FORWARD and BACKWARD SERPENTINE**



## **REFERENCE POINT for BACKING**

Pursuant to PED regulation **6.41.4.11.E.(5) NMAC**: The driver **SHALL NOT** back a bus on **school grounds** unless absolutely necessary, and then **ONLY** with the assistance from an adult of the driver's choosing.

**INSTRUCTOR NOTE**: Instruct the trainee to remember their reference point for backing.

**INSTRUCTOR NOTE**: Set up the maneuver: Place Cone A one foot away from the left side of the back bumper of the bus. Place Cone B at the center edge of the back bumper of the bus (this marks the original position of the bus).

If the trainee's depth perception was off by as little as 10%, remember:

- They will be off when estimating the available space to the rear of the bus by as much as 10% of the length of the vehicle. On a 35 foot bus that is equivalent to 3-1/2 feet.
- Therefore, it may appear to them that there is enough room and back more than room allows. If this is the case, they could hit an object behind the bus.
- It's safer to use reference point for backing.

Using a reference point for backing a bus is a simple and effective way to help prevent accidents.

1. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
2. Make sure the trainee can see Cone A in the left side FLAT mirror (#1) without leaning.
3. Instruct the trainee to look for an identifiable point on the side of the bus which lines up with the **BASE** of Cone A. **THIS POINT ON THE BUS WILL BE THEIR REFERENCE POINT FOR BACKING.**

**INSTRUCTOR NOTE:** A good example of an identifiable point on the bus would be the edge of the wheel well or something on the stop sign. Regardless of what point is chosen, be certain the trainee can still identify the point once the bus is moved forward.

4. When the trainee is certain that they have found their reference point for backing, instruct them to do the following:
  - a. Slowly drive the bus forward about 5 feet and stop;
  - b. Shift the transmission into reverse, activate the 4-way hazard flashers, honk the horn twice and slowly begin backing.
  - c. Back until the reference point for backing and the **BASE** of Cone **A** line up.
  - d. Secure the bus and honk the horn twice to indicate the maneuver has been completed.

**INSTRUCTOR NOTE:** The rear bumper should be directly over Cone B.

**INSTRUCTOR NOTE:** This maneuver should be repeated several times until the trainee masters the use of the reference point for backing. You may also try placing Cone A on the right side of the bus. This could be helpful, since not all obstacles may be visible in the left mirror.

## **TAIL SWING**

**INSTRUCTOR NOTE:** Set up the cones (see Side View of the diagram): Place the center of one cone at the edge of the bus at the right back wheel behind the mud flap; the center of another cone at the corner of the right back bumper.

One of the main causes of school bus accidents is tail swing. The bus is too close to objects – either on the right side or the left side – when making turns. This maneuver will demonstrate the use of a reference point when making left turns.



### **Instructions:**

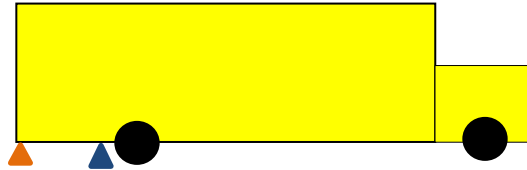
1. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
2. Have the trainee start the engine, shift the transmission to a forward gear, and release the park brake.
3. Have the trainee turn the steering wheel hard **LEFT** and slowly drive forward watching for your signal to stop – about one foot.
4. Signal the trainee to stop the bus.
5. Place the center of a cone at the corner of the bumper.
6. Continue in this manner until the cone being placed meets up with the cone that was at the back tire.
7. Have the trainee secure the bus and join you.
8. Measure the distance from the center of the cone at the back wheel to the center of the last cone placed after the bus was driven forward; it's usually about three feet. That means anything within that three feet will be hit when turning left.
9. Measure from the service door outward that same distance plus one foot (in this example, 4 feet) and place a cone. The base of the cone that is facing the bus should measure four feet from the side of the bus.
10. Have the trainee sit in the driver's seat again with the service door shut.
11. Slide your finger down the service door and have the trainee indicate to you when your finger lines up with the base of the cone. Mark that spot on the door (small piece of tape, grease pencil).

**Explanation:** If an object (a car's tire where it touches the pavement or the base of a pole) is within that 4 foot area, it will be hit by the tail swing of the bus.

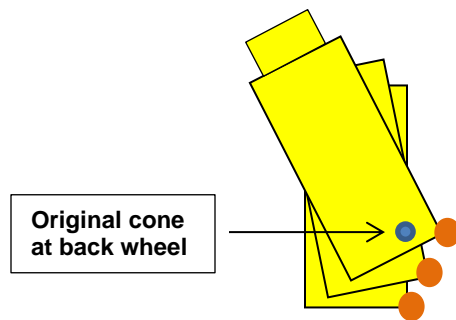
**INSTRUCTOR NOTE:** Demonstrate how tail swing can hit an object within this area. Reposition the bus. Place a cone or stack of cones within three feet of the bus just behind the service door. Set up the demonstration and drive it again, but this time continue forward until the rear of the bus has made contact with the cone or stack of cones.

### **DIAGRAM: TAIL SWING**

**Side View:**



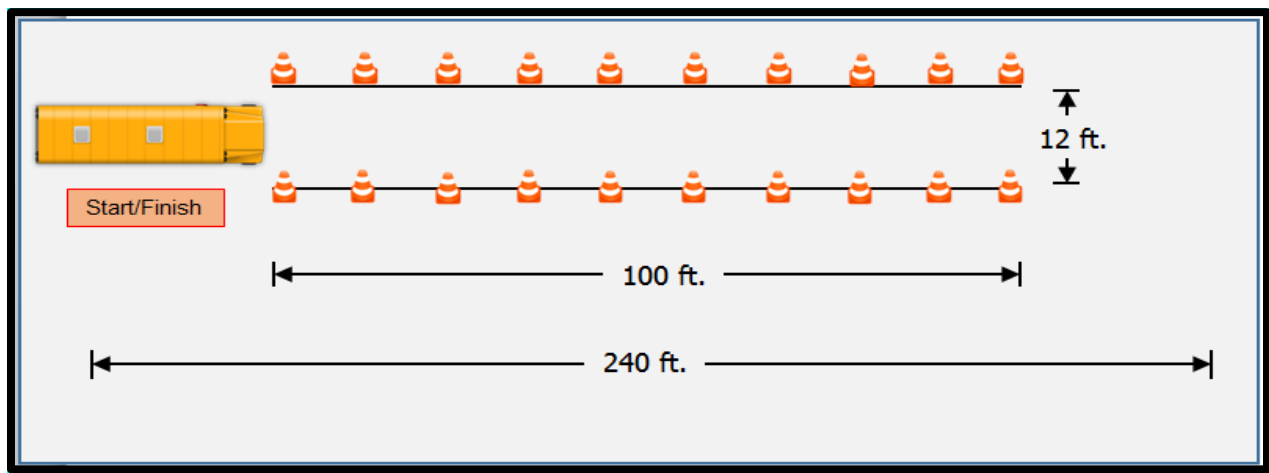
**Top View:**



## **STRAIGHT LINE BACKING**

**INSTRUCTOR NOTE:** Set up the cones and the bus according to the diagram below.

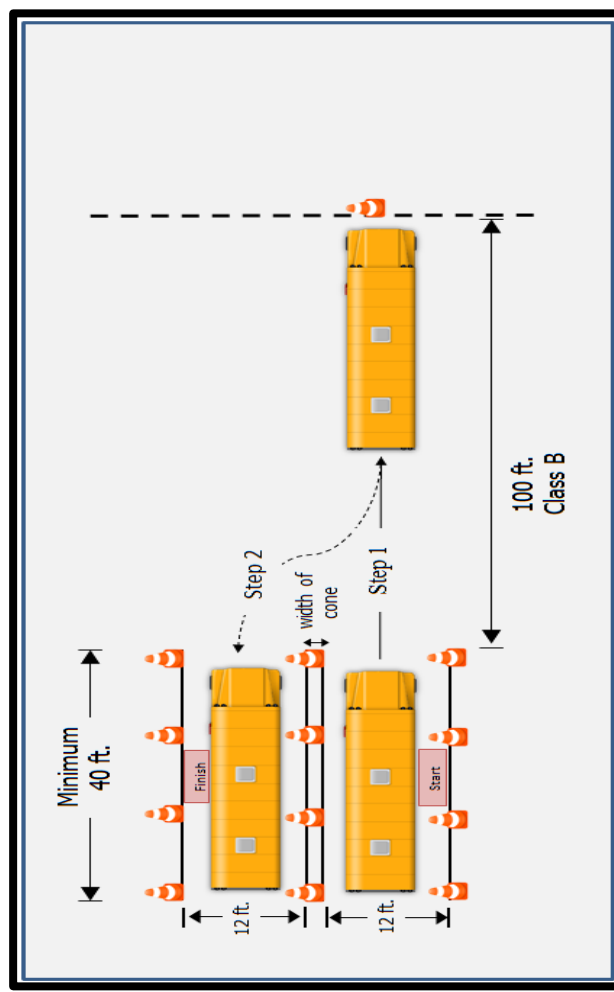
Instruct the trainee as follows: Drive the bus straight forward until the rear bumper passes the last cone. Drive the bus in reverse and do not allow any part of the bus body (excluding mirrors) or tires to encroach (go over) the base of any cone. If that happens, start the maneuver over from the starting point. When the maneuver has been successfully completed, secure the bus and honk the horn twice.



## **OFFSET BACKING - LEFT**

**INSTRUCTOR NOTE:** Set up the cones and the bus according to the diagram below.

Instruct the trainee as follows: Drive the bus straight forward to the cone. Then drive the bus in reverse and to the opposite (left) lane until the front bumper is past the first set of cones. Do not allow any part of the bus body (excluding mirrors) or tires to encroach (go over) the base of any cone. If that happens, start the maneuver over from the starting point. Do not “rock” – drive the bus forward and backward – until it can be driven in reverse straight into the lane; that is not performing the maneuver correctly. When the maneuver has been completed successfully, secure the bus and honk the horn twice.



## **OFFSET BACKING - RIGHT**

**INSTRUCTOR NOTE:** Set up the cones and the bus according to the Offset Backing – Left diagram except begin with the bus in the left lane. Move the forward/outer cone to the center of the left lane.

Instruct the trainee as follows: Drive the bus forward to the cone. Then drive the bus in reverse and to the opposite (right) lane until the front bumper is past the first set of cones. Do not allow any part of the bus body (excluding mirrors) to encroach (go over) the base of any cone. If that happens, start the maneuver over from the starting point. Do not “rock” – drive the bus forward and backward – until it can be driven in reverse straight into the lane; that is not performing the maneuver correctly. When the maneuver has been completed successfully, secure the bus and honk the horn twice.

## **BACKING INTO A STALL (ALLEY DOCK) – PASSENGER SIDE**

**INSTRUCTOR NOTE:** Set up the maneuver using the diagram. Position the bus approaching Cone A, one foot to the left, and parallel to Cones A and B and park it. The directions given for this maneuver are as if the trainee will be backing into the stall from the passenger side of the school bus.

**INSTRUCTOR NOTE:** **SPECIAL NOTE:** Encourage the trainee to secure the bus and get out – during any of the following maneuver and at any time – and walk around the bus to physically see the position of the bus in relation to the cones.

### **Instructions:**

1. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
2. Instruct the trainee to slowly drive forward so that the front tire will continue to be about one foot away from Cones **A** and **B** and remain parallel to them.
3. Stop when the center of the right front wheel lines up with Cone **B**.

**INSTRUCTOR NOTE:** This reference point may need to be adjusted slightly because the turning radius of each bus can be different – even in the same model of bus.

**INSTRUCTOR NOTE:** It is important that the bus be completely stopped when the wheels are turned. Moving forward while turning the wheels will alter the approach by several feet, requiring jockeying the bus into position, meaning driving forward and backing several times. This negates the entire principal of using reference points.

4. Turn the wheels all the way to the **LEFT**, maintaining constant pressure. The steering wheel can be turned even more after moving forward a short distance.

5. Drive forward slowly toward the Row **C** line of cones watching the **RIGHT** side mirrors (#5 & #6) that the tail swing does not make contact with Cone **A** – including the base.
6. Stop when the front bumper is about one foot away from the base of the cones of Row **C** – not including the crossover mirror.

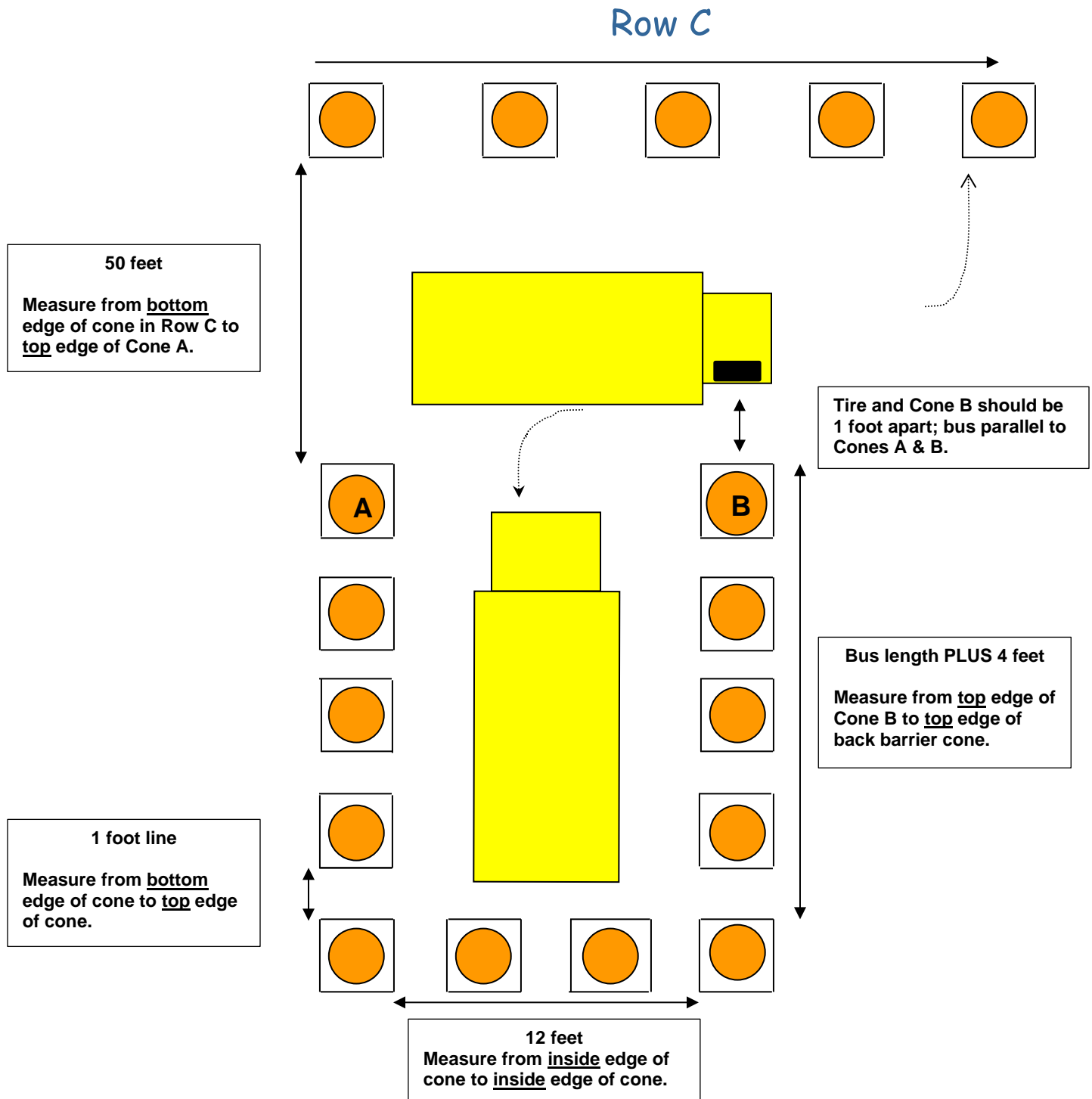
**INSTRUCTOR NOTE:** The bus should now be at about a 45 degree angle between the Row **C** line of cones and the stall or alley.

7. Shift the transmission into reverse gear, activate the 4-way hazard flashers and honk the horn twice.
8. Begin backing the bus slowly and ***tightly*** pivoting the rear tire around Cone **B**.
9. Continue backing into the stall making appropriate steering adjustments and being careful not to encroach on any cones – including the base.
10. Bring the bus within **ONE** foot of the rear barrier of cones.

**INSTRUCTOR NOTE:** Remind the trainee to use their reference point from the “Reference Point for Backing” maneuver.

11. Secure the bus and honk the horn twice to indicate the maneuver has been completed.

# **DIAGRAM: BACKING INTO A STALL (ALLEY DOCK) – PASSENGER SIDE**





## **BACKING INTO A STALL (ALLEY DOCK) – DRIVER SIDE**

**INSTRUCTOR NOTE:** Set up the maneuver using the diagram. Position the bus parallel to and at least two feet left of the Row C cones and park it. The directions given for this maneuver are as if the trainee will be backing into the stall from the driver's side of the school bus.

### **Instructions:**

1. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
2. Instruct the trainee to slowly drive forward while remaining parallel to the Row C cones and at least four feet away from them.
3. Stop when Cones **A** and **B** of the alley can be seen in the left convex mirror.
4. Shift the transmission into reverse gear, activate the 4-way hazard flashers and honk the horn twice.
5. Begin backing the bus slowly, **tightly** pivoting the left rear tire around Cone **A**.
6. Continue backing into the stall making appropriate steering adjustments and being careful not to encroach on any cones – including the base.
7. Bring the bus within **ONE** foot of the rear barrier of cones.

**INSTRUCTOR NOTE:** Remind the trainee to use their reference point from the “Reference Point for Backing” maneuver.

8. Secure the bus and honk the horn twice to indicate the maneuver has been completed.



## **PARALLEL PARKING – PASSENGER SIDE**

**INSTRUCTOR NOTE:** Set up the maneuver using the diagram. Position the bus left of Cone B and parallel to both Cones A and B and park it. The directions for this maneuver are given as if the trainee will be backing into the parking space from the passenger side of the bus.

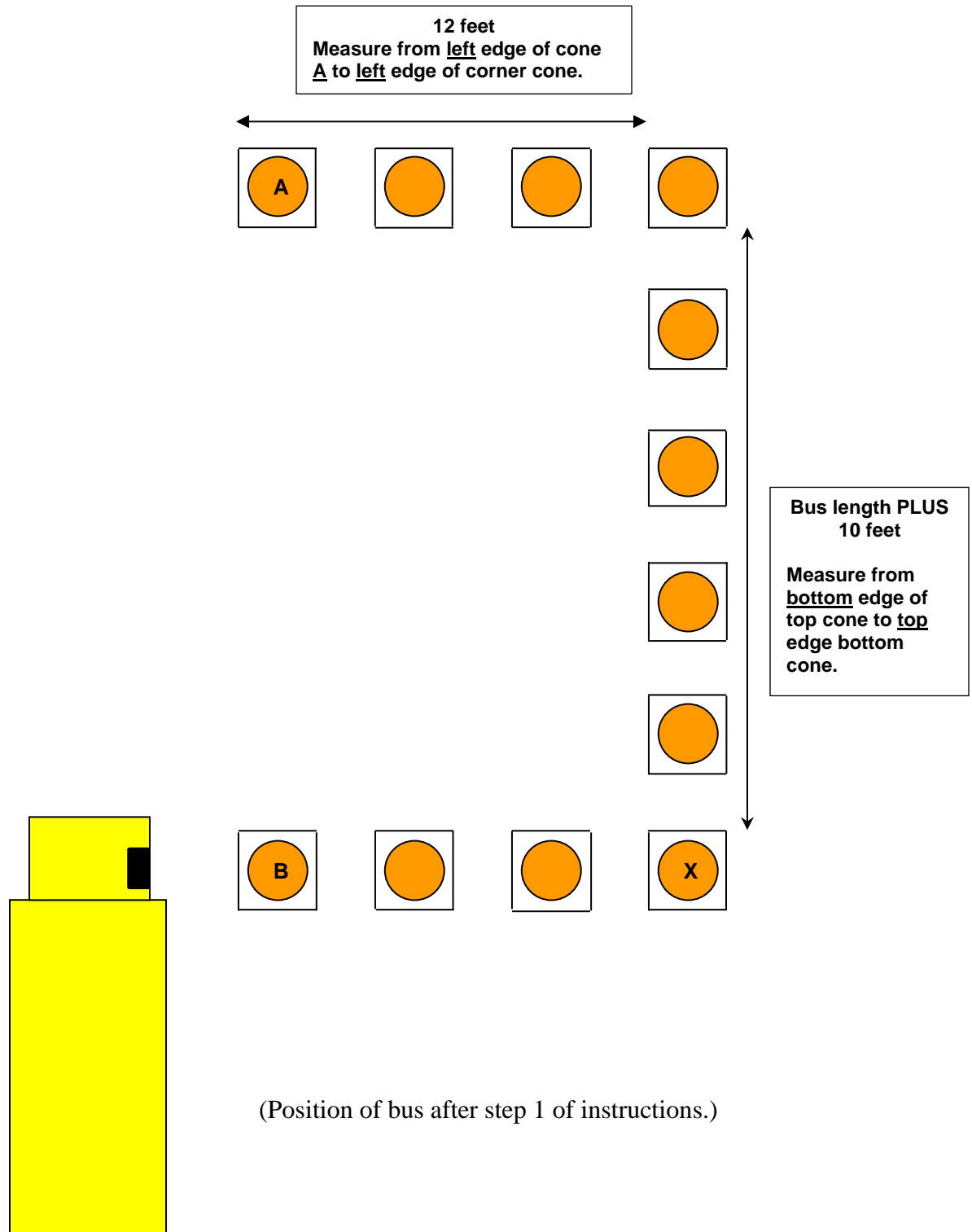
### **Instructions:**

1. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
2. Instruct the trainee as follows:
  - a. Slowly drive forward while remaining parallel to Cones **A** and **B** and about one foot away from them.
  - b. Stop when the right rear wheel's pivot point is lined up with Cone **A**.
  - c. Turn the wheels all the way to the **RIGHT**, maintaining constant pressure.
  - d. Shift the transmission into reverse gear, activate the 4-way hazard flashers and honk the horn twice.
  - e. Begin backing the bus slowly. The steering wheel can be turned even more after moving backward a short distance.
  - f. Monitor only the **LEFT** side mirrors (#1 and #2).
  - g. Stop when the corner cone (Cone **X** in the diagram) becomes visible.
  - h. While stopped, straighten the wheels.
  - i. Begin backing the bus slowly while continuing to see Cone **X** in the **LEFT** side mirrors (#1 and #2).
  - j. Stop when Cone **A** appears in the forward service door window.

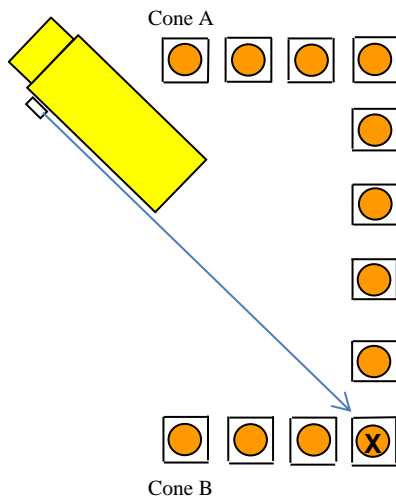
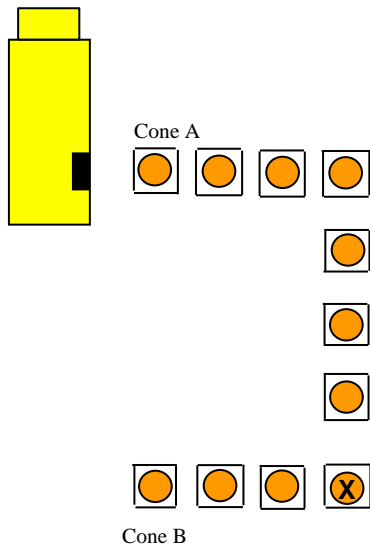
**INSTRUCTOR NOTE:** This reference point may need to be adjusted slightly because the turning radius of each bus can be different – even in the same model of bus.

- k. While stopped, turn the wheels all the way to the **LEFT**, maintaining constant pressure. Begin slowly backing. Again, the steering wheel can be turned even more after moving backward a short distance.
- l. Continue slowly backing the bus and monitoring the **RIGHT** crossover mirror, making appropriate steering adjustments to avoid the base of Cone **A** with the tire and the bumper.
- m. When clear of Cone **A**, watch the cones behind the bus using the **LEFT** side mirrors (#1 and #2). The cones will begin to **disappear**.
- n. Stop when only Cone **B** remains visible.
- o. Straighten the wheels.
- p. Secure the bus and honk the horn twice to indicate the maneuver has been completed.

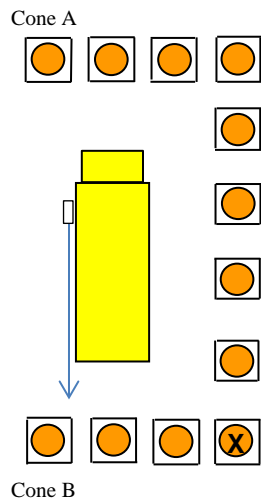
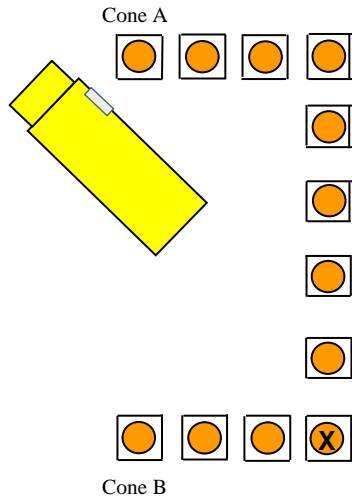
**DIAGRAM: PARALLEL PARKING – PASSENGER SIDE**



**DIAGRAM: PARALLEL PARKING – PASSENGER SIDE (continued)**



**DIAGRAM: PARALLEL PARKING – PASSENGER SIDE (continued)**



## **PARALLEL PARKING – DRIVER SIDE**

**INSTRUCTOR NOTE:** Set up the maneuver using the diagram or, if after *Parallel Parking – Passenger Side*, simply reverse the direction of the bus. Position the bus to the right of Cone A and parallel to both Cones A and B and park it. The directions for this maneuver are given as if the trainee will be backing into the parking space from the driver side of the bus.

### **Instructions:**

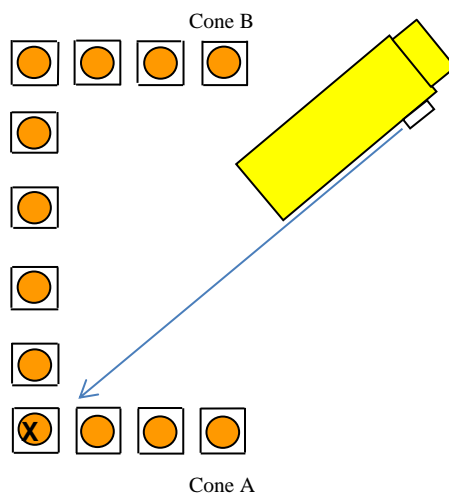
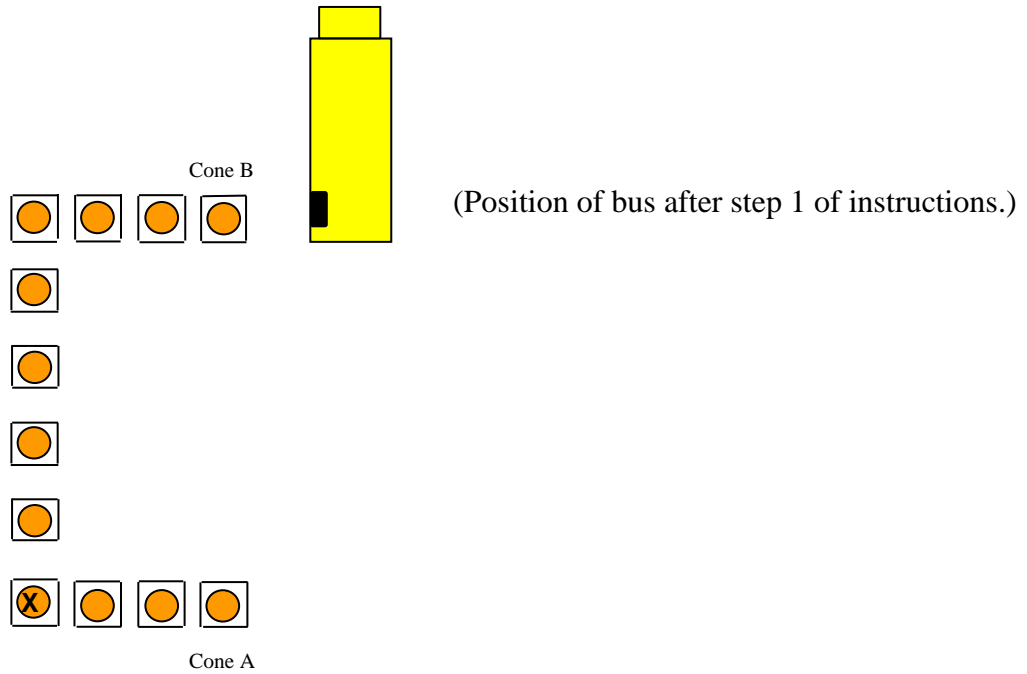
1. Have the trainee sit in the driver's seat making sure it is properly adjusted, the mirrors are properly adjusted, the safety belt is fastened and the service door closed.
2. Instruct the trainee as follows:
  - a. Slowly drive forward while remaining parallel to Cones **A** and **B** and about one foot away from them.
  - b. Stop when the left rear wheel's pivot point is lined up with Cone **B**.
  - c. Turn the wheels all the way to the **LEFT**, maintaining constant pressure.
  - d. Shift the transmission into reverse gear, activate the 4-way hazard flashers and honk the horn twice.
  - e. Begin backing the bus slowly. The steering wheel can be turned even more after moving backward a short distance.
  - f. Monitor only the **RIGHT** side mirrors (#5 and #6).
  - g. Stop when the corner cone (Cone **X** in the diagram) becomes visible.
  - h. While stopped, straighten the wheels.
  - i. Begin slowly backing the bus while continuing to see Cone **X** in the **RIGHT** side mirrors (#5 and #6).
  - j. Stop when Cone **B** is at the center of the driver's window.



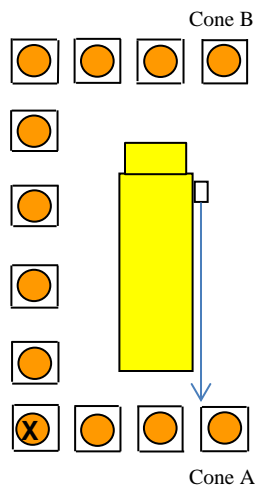
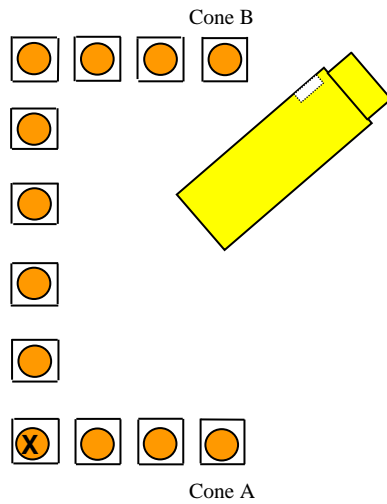
**INSTRUCTOR NOTE:** This reference point may need to be adjusted slightly because the turning radius of each bus can be different – even in the same model of bus.

- k. While stopped, turn the wheels all the way to the **RIGHT**, maintaining constant pressure. Begin slowly backing. Again, the steering wheel can be turned even more after moving backward a short distance.
- l. Continue slowly backing the bus and monitoring the **LEFT** crossover mirror, making appropriate steering adjustments to avoid Cone **B** with the tire or the bumper.
- m. When clear of Cone **B**, watch the cones behind the bus using the **RIGHT** side mirrors (#5 and #6). The cones will begin to **disappear**.
- n. Stop when only Cone **A** remains visible.
- o. Straighten the wheels.
- p. Secure the bus and honk the horn twice to indicate the maneuver has been completed.

**DIAGRAM: PARALLEL PARKING – DRIVER SIDE**



**DIAGRAM: PARALLEL PARKING – DRIVER SIDE (continued)**



# Hands-on Instruction

## 2022 Modernized System Exercises

**\*\*\* IMPORTANT \*\*\***

**INSTRUCTOR NOTE:**

**THIS SECTION IS TO BE TAUGHT ONLY AFTER THE  
TRAINEE HAS MASTERED THE REFERENCE POINT  
DRIVING EXERCISES.**

## 2022 Modernized System Exercises

**INSTRUCTOR NOTE:** This section is to be taught after the trainee has mastered the Reference Point Driving exercises.

**INSTRUCTOR NOTE:** To set-up the cones for the following four exercises, refer to the diagram found on page 37 of 37.

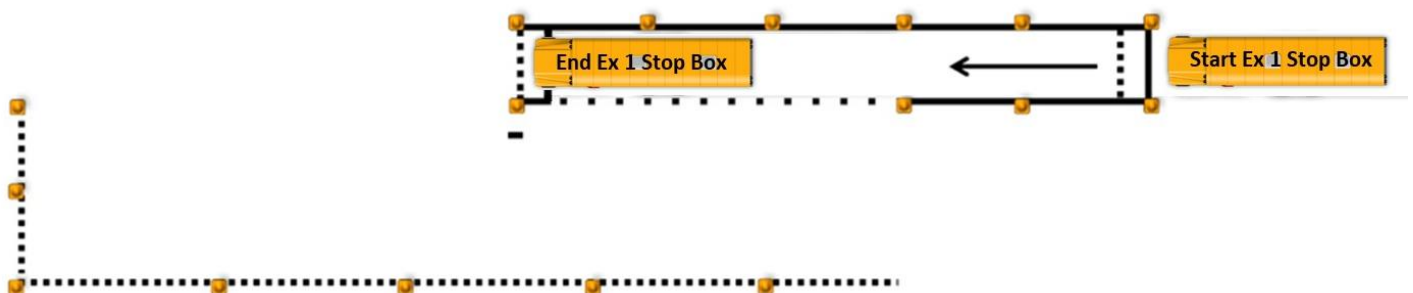
**INSTRUCTOR NOTE:** Encourage the trainee to be familiar with the Supplement for Modernized Version found in the new Commercial Driver's License Manual.

### **Forward Stop – Exercise 1**

You will demonstrate your ability to judge the front of the bus during a controlled stop. You will drive forward through the alley and stop with the front most part of the bus (not including the cross-over mirrors) within the box at the end of the alley without going past the front of the alley. **You may stop only once.**

#### **Instructions:**

1. The exercise begins with the bus facing the alley with the front of the bus outside of the alley.
2. You will drive the bus through the alley without stopping. Do not allow any part of the bus body (excluding mirrors) or tires to encroach (go over) the base of any cone.
3. At the end of the alley, you may stop only once. You may not stop prior to the box and then creep forward to it. When the vehicle stops, the front most part of the bus (excluding cross-over mirrors) must be within the stop box.
4. When you have made your one stop, secure the bus (set the parking brake, shift to neutral and turn off the bus) and honk the horn twice.

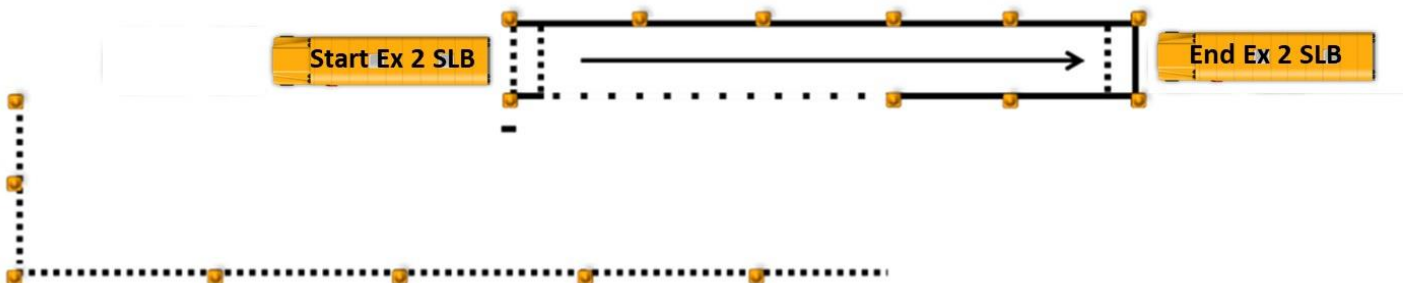


## **Straight-line Backing – Exercise 2**

You will demonstrate your ability to back the bus in a straight line.

### **Instructions:**

1. The exercise begins with the bus in the final position of the Forward Stop exercise.
2. Pull the bus forward until the instructor gives you a signal indicating that the back of the bus has cleared the end of the alley.
3. Drive the bus in reverse until the front of your bus has cleared the last set of cones at the far end of the alley. Do not allow any part of the bus body (excluding mirrors) or tires to encroach (go over) the base of any cone.
4. When the maneuver has been successfully completed, secure the bus (set the parking brake, shift to neutral and turn off the bus) and honk the horn twice.

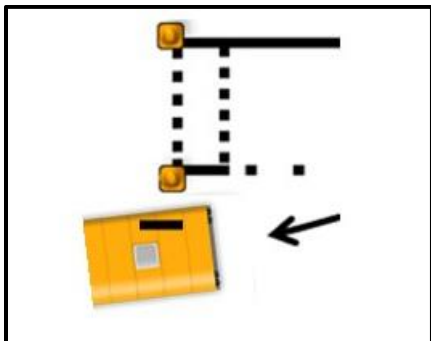
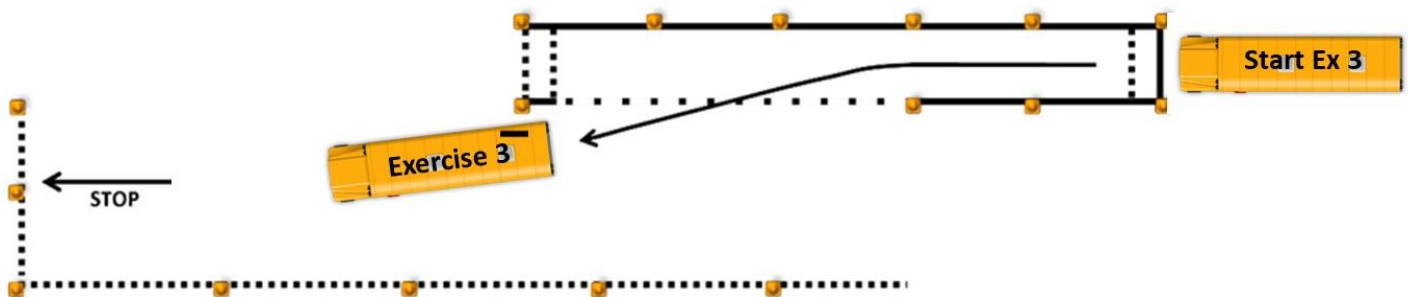


### **Forward Offset Tracking – Exercise 3**

You will demonstrate your ability to maneuver a bus around other objects while moving forward.

#### **Instructions:**

1. From the final position of the previous exercise, you will drive forward toward the opening in the alley. Steer to the left through the opening into the opposite lane, keeping the right most rear tire between the cone and the line without touching any cones or the outer boundary line.
2. Once clear of the alley and in the opposite lane, continue moving forward and stop the bus when it is parallel to the outer boundary and prior to (or at) the cones at the far end of the exercise.
3. Do not allow any part of the bus body (excluding mirrors) or tires to encroach (go over) the base of any cone or the line marked outside the end of the alley.
4. Complete the exercise without stopping unless an encroachment occurs.
5. When you have completed the exercise, secure the bus (set the parking brake, shift to neutral and turn off the bus) and honk the horn twice.

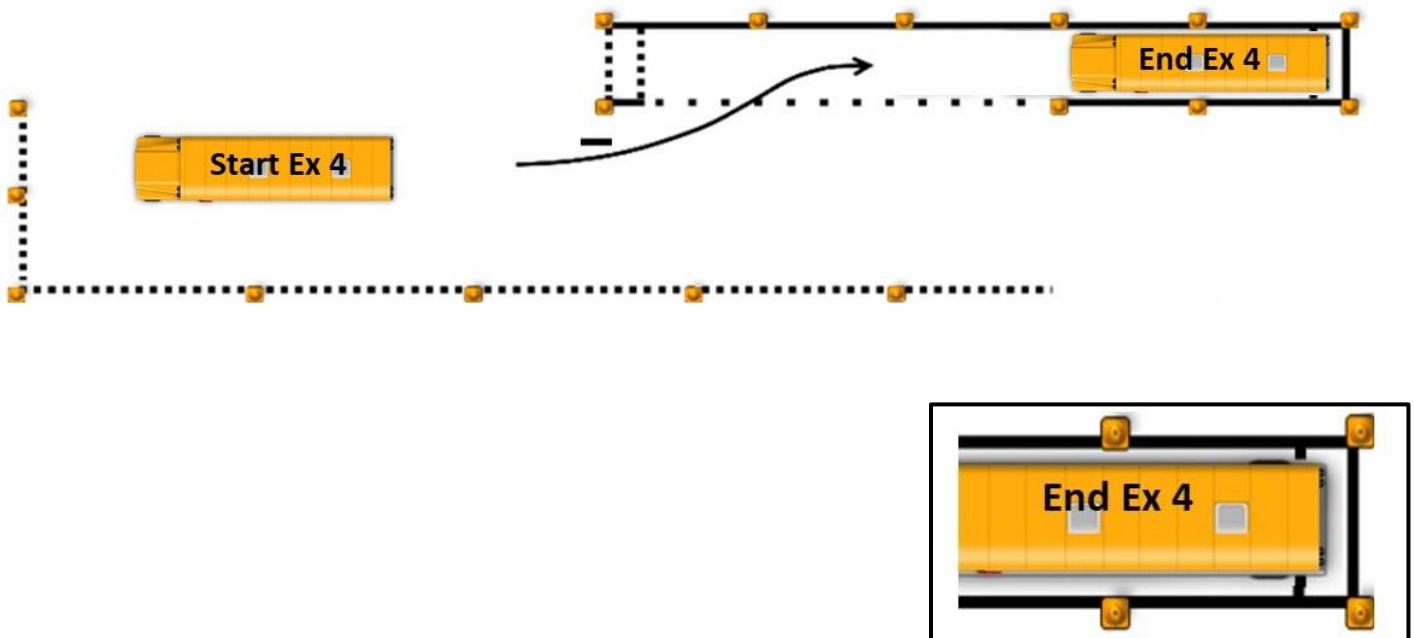


### **Reverse Offset Backing – Exercise 4**

You will demonstrate your ability to offset back and park a bus at the end of an alley.

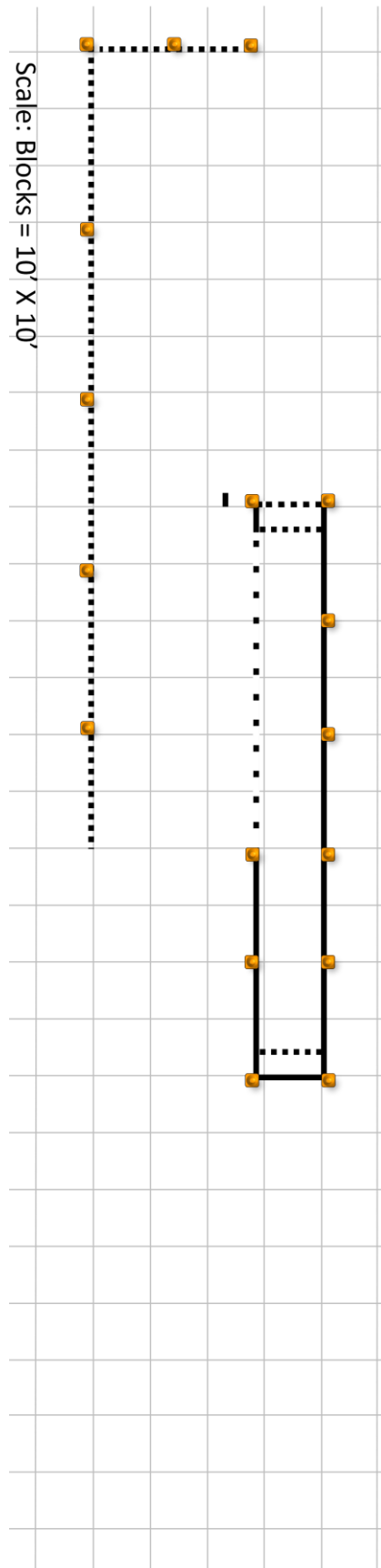
#### **Instructions:**

1. From the final position of the previous exercise, starting parallel with the outer boundary, you will drive the bus in reverse and into the alley in the same manner as an “Offset Backing – Right” maneuver on page 17 of 35 above.
2. Once in the alley, continue backing until the rear most part of the bus is within 3 feet of the rear of the ally. Your bus must be straight within the alley when completed.
3. Do not allow any part of the bus body (excluding mirrors) or tires to encroach (go over) the base of any cone.
4. Stop with the rear most part of the bus in the box.
5. When you have completed the exercise, secure the bus (set the parking brake, shift to neutral and turn off the bus) and honk the horn twice.

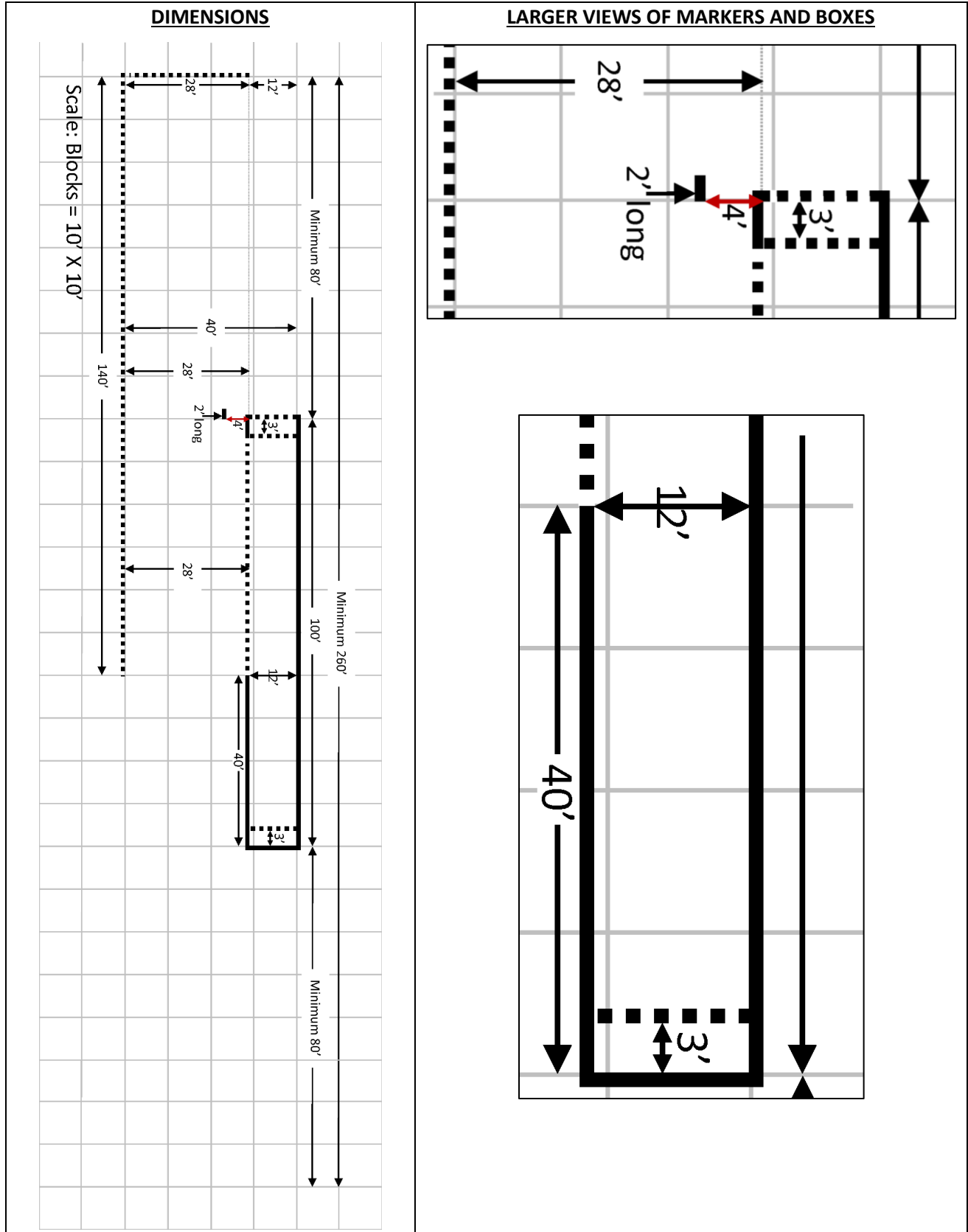




## Basic Control Skills Diagram w/ Cone Placement



## Basic Control Skills Dimensions



# **Classroom/Hands-on Instruction**



## **Section 1-O**

### **Behind-the-Wheel Instruction**

**6 Hours of Instruction**

## **Behind-the-Wheel Training Activities**

**INSTRUCTOR NOTE:** Trainees must be made aware of the following:

- Prior to beginning the Behind-the-Wheel section of pre-service training, trainees are required to pass all portions of the New Mexico Motor Vehicle Division (MVD) written CDL tests for the Class and Endorsements they need. Once this is completed, they will be issued a Commercial Learner's Permit (CLP) by MVD which will allow them to drive a school bus with a CDL-licensed driver on board.
- They must have a P (Passenger) and S (School Bus) Endorsement.
- They should self-certify at MVD as either NI (Interstate non-excepted) or NA (Intrastate non-excepted) if 21 or under.

**INSTRUCTOR NOTE:** Do **NOT** conduct any Behind-the-Wheel training unless the trainee presents:

- ✓ a valid base driver's license (Class D or higher)
- ✓ a CLP with proper Endorsements (between the base license and CLP, P & S)
- ✓ a current Medical Examiner's Certificate

Or has the following Restrictions:

- × An L (limited to driving vehicles which do **not** have air brakes)
- × An N (no class A or B passenger vehicle)

**INSTRUCTOR NOTE:** Provide training only during daylight hours and when road conditions and visibility allow for safe driving.

**INSTRUCTOR NOTE:** Set up a training route. Start out in a residential area and let them get comfortable before advancing to business areas or highways. The following training activities (basic driving skills) may be in any order on the route but the route must include **ALL** of the activities – either real or simulated. Include several lane changes.

**INSTRUCTOR NOTE:** Instruct the trainee on all procedures. Before taking the trainee out on public roads, have the trainee **verbalize** the procedures to demonstrate their comprehension.

**INSTRUCTOR NOTE:** To give the trainee practice, have them complete a full pre-trip inspection before each session of Behind-the-Wheel training. The time, however, does **not** count toward the Behind-the-Wheel training time.

## **BACKING PROCEDURES**

- ❑ Activate hazards
- ❑ Honk the horn twice
- ❑ Select reverse gear
- ❑ USE EXTREME CAUTION
- ❑ When possible, have a spotter assist that is on the outside of the bus
- ❑ **DO NOT** back a bus on school grounds unless absolutely necessary and then only with assistance from an adult of the driver's choosing

## **BRAKE FAILURE (do not practice but discuss)**

- ❑ Keep check of air gauge(s)
- ❑ If there is a problem maintaining proper air pressure, pull the school bus over safely and in a safe location
- ❑ Contact dispatch

## **CURVE PROCEDURES**

- ❑ Check traffic in all directions
- ❑ Reduce speed by braking and, if necessary, lowering the gear **before** entering the curve so that further braking is not required in the curve
- ❑ Maintain speed during the curve
- ❑ Keep all wheels in the driving lane
- ❑ Frequently check traffic and lanes on all sides during the curve
- ❑ Make no strong accelerations
- ❑ After concluding curve, resume travel in appropriate gear

## **DOWNGRADE OR UPGRADE PROCEDURES**

- ❑ Move into or stay in right-hand lane
- ❑ Select a safe speed before entering grade
- ❑ Select proper gear
- ❑ Increase following distance
- ❑ If downgrade, brake properly (brake until below safe speed, release brake; repeat as necessary)

- ❑ Frequently check traffic
- ❑ Hazards: use appropriately. If upgrade, use hazards if bus speed is  $\frac{1}{2}$  of the posted speed limit
- ❑ After concluding grade, resume travel in appropriate gear

### **EMERGENCY BRAKING (do not practice but discuss)**

Try to avoid emergency braking by:

- ❑ Keeping a safe following distance
- ❑ Scanning ahead
- ❑ Regularly checking mirrors and traffic

### **EMERGENCY EVACUATION**

While in a parking lot, have the trainee practice the following:

- ❑ Make sure the school bus is secured
- ❑ Trainee stands up and faces the students
- ❑ Directs the students to evacuate in one of the three methods of emergency evacuation as described in 6.41.4.9 C. (2) (f) NMAC

### **EXPRESSWAY OR RURAL HIGHWAY PROCEDURES**

- ❑ Before entering the expressway, check traffic
- ❑ Activate turn signal
- ❑ Merge smoothly into traffic and in appropriate lane
- ❑ Maintain lane, speed, and following distance
- ❑ When exiting, check traffic
- ❑ Activate turn signal
- ❑ Decelerate smoothly
- ❑ Maintain lane and following distance

**INSTRUCTOR NOTE:** Trainees need to be familiar with the special risks created by extreme driving conditions and follow employer policies when these conditions occur.

### **EXTREME DRIVING CONDITIONS (do not practice but discuss)**

- ❑ Heavy rain
- ❑ High wind
- ❑ High heat
- ❑ Fog
- ❑ Snow
- ❑ Ice

### **GENERAL DRIVING BEHAVIOR**

- ❑ Brakes: **DO NOT** ride or pump brakes; brake smoothly by applying steady pressure
- ❑ Lanes: **DO NOT** put bus over curbs, sidewalks, or lane markings; moves or remains in right-hand lane when appropriate
- ❑ Stops: behind stop signs or lines or crosswalks painted on pavement
- ❑ Turns: in proper lane (left turn, in the lane directly to the right of the center line; right turn, in the right-most lane)
- ❑ Steering: keeps both hands on steering wheel at all times
- ❑ Traffic checks: performs regular traffic and mirror checks while driving
- ❑ Turn signals: uses and cancels turn signal when required and at appropriate times
- ❑ Following distance: (1) allows one second per 10 feet of vehicle length when driving under 40 mph; (2) adds one second if over 40 mph; and (3) does not allow forward view to be blocked by large vehicles
- ❑ Speed: (1) Not over the posted regulated speed; (2) not more than 10 mph under the posted regulated speed (example: regulated speed limit is 55; should not be driving 40 mph); and (3) not exceed a safe speed for weather/road conditions
- ❑ Visual search: visually search the road for potential hazards and critical objects including “dart outs” (to move quickly out of something toward someone or something).
- ❑ Student mirrors: performs regular student mirror checks for student behavior

### **HYDROPLANING (do not practice but discuss)**

- ❑ Reduce speed by removing foot from the accelerator
- ❑ Check mirrors
- ❑ Maintain a slower speed

### **LANE CHANGE PROCEDURES**

- ❑ Check traffic before, during and after lane change--all mirrors and blind spots
- ❑ Activate turn signal
- ❑ When safe to do so, change lanes
- ❑ No sharp steering
- ❑ Maintain speed
- ❑ Cancel turn signal
- ❑ Maintain a proper following distance

### **NIGHT DRIVING (do not practice but discuss)**

- ❑ Heightened attention
- ❑ Increased following distance
- ❑ Increased distance when activating turn signals
- ❑ Slower speed
- ❑ Increased following distance
- ❑ Proper use of headlights

### **PARK ON A DOWNGRADE OR UPGRADE PROCEDURES**

- ❑ Check traffic
- ❑ Activate turn signal
- ❑ Take foot off accelerator
- ❑ Brake and slow bus smoothly
- ❑ **DO NOT** allow bus to coast
- ❑ Bring bus to a full stop
- ❑ Stop parallel to roadway
- ❑ Apply Park brake
- ❑ Shift transmission to Neutral gear
- ❑ Turn steering wheel appropriately to secure the bus
- ❑ Cancel turn signal
- ❑ Activate hazards



## **POST TRIP INSPECTION PROCEDURE**

**INSTRUCTOR NOTE:** Stress the importance of the post trip inspection.

- ❑ Walk to back of bus checking that no students are on board.

## **RAILROAD CROSSING PROCEDURES**

**INSTRUCTOR NOTE:**

1. Discuss the various types of highway-rail grade crossings:
  - controlled: flashing lights, bells, gates, traffic signal
  - uncontrolled: pavement marking and cross bucks
2. Number of tracks.

- ❑ Check mirrors
- ❑ Check traffic
- ❑ If necessary, move into the far right-hand lane
- ❑ Activate hazard warning flashers while approaching the crossing
- ❑ Slow down gradually
- ❑ Bring bus to a full stop 15-50 feet before the first rail (use the Over-the-Hood Reference Point)
- ❑ Open the service door
- ❑ Open the driver window
- ❑ Turn off all noise-making items such as radios, heaters, defrosters, fans
- ❑ Quiet the students if there are students on board
- ❑ Scan the track/s in both directions
- ❑ When determined safe to do so, drive slowly and cautiously across the track/s
- ❑ **DO NOT** allow the gears to shift while crossing the track/s
- ❑ After the rear of bus has cleared the track/s by 15 feet, close the service door and the driver window
- ❑ Resume operation of noise-making items
- ❑ Turn off hazard lights after regaining speed
- ❑ If the bus is required to stop after having crossed the track/s, the rear portion of the bus shall not be positioned less than 15 feet from the rail nearest the bus.

## **RIGHT/LEFT TURN PROCEDURES**

- ❑ Check mirrors
- ❑ Check traffic
- ❑ Activate the turn signal well in advance of the turn to give notice of maneuver
- ❑ Reduce speed by braking steadily
- ❑ Maintain the bus in the driving lane
- ❑ Check for clear right-of-way such as traffic signals, vehicles, pedestrians and signs
- ❑ Check side mirrors before and during the turn
- ❑ Execute the turn slowly – 5 mph – using push/pull steering
- ❑ Gears should not shift during a turn
- ❑ Enter the closest lane
- ❑ **Steer** the wheels back into position; **DO NOT** let the steering wheel spin back in position
- ❑ Make sure the turn signal canceled
- ❑ Check mirrors
- ❑ Check traffic

## **ROAD SIGNS**

**INSTRUCTOR NOTE:** To confirm that the trainee is watching the road signs, ask them at various locations along the route to tell you what sign was just passed. They should not call out every sign that is passed as they drive along.

- ❑ Be prepared to identify and explain road signs such as an overpass clearance height, road or bridge weight limit, pedestrian crossing, etc.

## **ROADSIDE STOP PROCEDURES**

Prepare for stop:

- ❑ Check traffic
- ❑ Activate turn signal
- ❑ Brake smoothly
- ❑ **DO NOT** allow bus to coast
- ❑ Bring bus to a full stop parallel to shoulder of road and out of traffic flow
- ❑ **DO NOT** block driveways, fire hydrants, etc.
- ❑ Set Park brake
- ❑ Switch gear to neutral
- ❑ Cancel turn signal
- ❑ Activate hazards

Prepare to resume:

- ❑ Check traffic
- ❑ Cancel hazards
- ❑ Activate turn signal
- ❑ Switch gear to driving gear
- ❑ When traffic permits, release Park brake
- ❑ Accelerate smoothly and drive straight ahead
- ❑ Check traffic and when safe to do so, steer into the first driving lane
- ❑ Cancel turn signal

### **ROLLOVERS (do not practice but discuss)**

- ❑ Contact dispatch.
- ❑ If safer to exit, ensure all mobile passengers exit the school bus safely through emergency exits and to a safe location.
- ❑ If there are injured passengers, assist until emergency responders arrive.

### **RURAL PROCEDURES**

- ❑ Watch for hazards at road side
- ❑ Use the right-hand lane
- ❑ Keep within the driving lane; **DO NOT** accidentally cross over the lane markings
- ❑ Follow the speed limit signs
- ❑ Scan ahead for hazards to see them in time to react appropriately and to avoid sudden stops or jerking in the steering
- ❑ Maintain a proper following distance:
  - 4 seconds minimum when driving at speeds less than 40 MPH
  - 5 seconds minimum when driving at speeds over 40 MPH

### **SKID CONTROL (do not practice but discuss)**

Avoid skidding by:

- ❑ Driving smoothly; be gentle and progressive when steering, accelerating, and braking.
- ❑ Slowing down, especially on unfamiliar roads.
- ❑ Increasing the stopping distance in case a vehicle in front unexpectedly stops.
- ❑ If approaching a curve in the road, taking extra precaution.
- ❑ Paying attention and considering the potential unsafe actions of other drivers.
- ❑ Being extra careful in poor weather conditions.

If the school bus begins to skid, **DON'T PANIC**; try to remain calm and do the following:

- ❑ Take your foot off the accelerator and the brakes.
- ❑ Gently steer in the direction you want the vehicle to go. As the vehicle turns back in the correct direction, be prepared to steer in opposite direction in order to stay on the correct path.
- ❑ As traction and control is regained, gently apply the brakes if the front wheels are skidding, or gently accelerate if the rear wheels are skidding.
- ❑ Bring the school bus to a safe stop at the safest location possible.

### **START ON A DOWNGRADE OR UPGRADE PROCEDURES**

- ❑ Cancel hazards
- ❑ Activate turn signal
- ❑ Switch gear into driving gear
- ❑ When traffic permits, release Park brake
- ❑ Accelerate smoothly and drive straight ahead
- ❑ Check traffic and when safe to do so, steer into the first driving lane
- ❑ Cancel turn signal

### **STOP INTERSECTION PROCEDURES**

- ❑ Check traffic in all directions at the intersection
- ❑ Use the side mirrors to check traffic to the rear of the bus
- ❑ Reduce speed by braking steadily
- ❑ Stop so that the front bumper of the bus does not encroach on a stop sign, a white stop line or crosswalk painted on the road; or where rear tires of the vehicle in front can be seen
- ❑ Bring bus to a full stop
- ❑ The bus should not roll forward or backward
- ❑ Yield to pedestrians or other vehicles that have the right-of-way
- ❑ Check side mirrors
- ❑ Check traffic to the left, then to the right, and then to the left again
- ❑ Accelerate as needed
- ❑ **DO NOT** change lanes in the intersection

## **STUDENT LOADING OR UNLOADING PROCEDURES**

**INSTRUCTOR NOTE:** Trainees must be taught the importance of training students how to keep out of the danger zone when around school buses and the techniques for doing so. Ensure that the trainee understands that – once they become a school bus driver – they need to remind students that have to cross in front of the bus to walk 8-10 feet in front and that those students that walk along the side the bus are cleared from the Danger Zone before the bus moves. Discuss special dangers involved in loading and unloading.

**INSTRUCTOR NOTE:** At the first three bus stops, give verbal directions on proper loading and unloading procedures as discussed in 6.41.4.11 NMAC, sections C., D., E., and F).

- ❑ Student loading and unloading on **TRAVELED** portion of roadway
  - Use extreme caution when approaching the school bus stop
  - Reduce speed
  - Check traffic – both vehicular and pedestrian
  - Activate alternating amber flasher lights
  - Bring bus to a full stop; it is recommend at least eight to ten feet away from students at the stop
  - Set the Park brake
  - Switch gear to neutral
  - Check traffic
  - If not automatically activated, activate alternating red flasher lights
  - Load/unload, crossing students correctly
  - Frequently check mirrors and traffic while loading
  - Make sure all students are seated or, if unloading, have safely cleared the area – count the students
  - Close the service door
  - Check mirrors and traffic
  - Switch to a driving gear
  - Release the Park brake
  - If not automatically canceled, cancel alternating red flasher lights
  - Check mirrors and traffic
  - Resume travel on route
- ❑ Student loading and unloading on **MULTIPLE** or **DIVIDED** roadway
  - Whenever possible, OFF the traveled portion of the roadway
  - Follow same procedure as **TRAVELED** portion of roadway
  - **DO NOT** load/unload in a designated turn lane or adjacent to one
  - If on a highway, load/unload students on the same side of the highway on which they live

- ❑ Student loading and unloading at **SCHOOLS**
  - Use caution when entering loading/unloading area
  - Check mirrors
  - Park bumper to bumper whenever possible
  - Bring bus to a full stop
  - Secure the bus (set Park brake, switch gear to neutral and turn engine off)
  - Load/unload

### **THRU INTERSECTION PROCEDURES**

- ❑ Check traffic in all directions prior to entering the intersection
- ❑ Use the side mirrors to check traffic to the rear of the bus
- ❑ Cover brake if entering an intersection controlled by a traffic light
- ❑ Accelerate as needed
- ❑ **DO NOT** change lanes in the intersection

### **TIRE BLOWOUTS (do not practice but discuss)**

**INSTRUCTOR NOTE:** Trainees must know what to do in advance of a tire blowout because there won't be time to figure things out when it happens. Rehearse the following steps with trainees several times so that their reactions will be the right ones.

- ❑ Always have some power in reserve so that you can accelerate when needed (in other words, always drive a little below the speed limit)
- ❑ Constantly check mirrors
- ❑ Don't brake
- ❑ Accelerate
- ❑ Steer with both hands
- ❑ Gradually move over to the shoulder
- ❑ Engage hazards
- ❑ Accelerate only enough to steer
- ❑ Allow the school bus to come to a stop while letting up on the accelerator
- ❑ Keep both hands on the steering wheel because it will jerk toward the side with the blowout
- ❑ Contact dispatch

## **URBAN (City or Town) PROCEDURES**

- ❑ Use right-hand lane
- ❑ Scan ahead for hazards to see them in time to react appropriately and to avoid constant braking/accelerating
- ❑ Keep within the driving lane; **DO NOT** accidentally cross over the lane markings
- ❑ Keep up with the flow of traffic but **DO NOT** exceed posted speed limit
- ❑ Maintain a proper following distance:
  - 4 seconds minimum when driving at speeds less than 40 MPH
  - 5 seconds minimum when driving at speeds over 40 MPH

# Classroom Instruction



## Section 1-P

# Driver Comprehension Test



**INSTRUCTOR NOTE:** The Driver Comprehension Test shall be administered after all Pre-Service training has been completed - except for First Aid/CPR.



## Driver Comprehension Test

**Date Pre-Service Training was completed:** \_\_\_\_\_

**Driver Name:** \_\_\_\_\_ **Employer:** \_\_\_\_\_

**Trainer:** \_\_\_\_\_ **Date of Test:** \_\_\_\_\_

1. During a proper pre-trip inspection of a school bus, the driver finds that one or more seat cushions are loose and not properly secured. This type of condition is considered:
  - a. restricted Service.
  - b. out-of-Service.
  - c. no violation at all.
  - d. none of the above.
2. Pursuant to PED regulation 6.41.4 NMAC, a proper post-trip inspection means that the driver walks to the rear of the bus to ensure that no students remain on the bus at the conclusion of the trip.
  - a. True
  - b. False
3. Pursuant to PED regulation 6.41.4 NMAC, a driver operating a motor vehicle for the purpose of transporting students to or from a school-sponsored activity shall not have more than \_\_\_\_\_ hours continuous driving time or more than \_\_\_\_\_ hours total driving time.
  - a. 8 and 10
  - b. 15 and 24
  - c. 10 and 6
  - d. 10 and 10
4. Pursuant to PED Regulation 6.41.4 NMAC, a driver shall not be permitted to be on-duty a total of more than 15 hours in a 24-hour period.
  - a. True
  - b. False
5. Pursuant to PED Regulation 6.41.4 NMAC, if the driver of any school bus finds that the vehicle does not meet the minimum pre-trip inspection requirements the driver shall:
  - a. not operate the vehicle.
  - b. drive the vehicle anyway and report it to the district upon return.
  - c. leave the vehicle parked and let the next person worry about it.
  - d. None of the above.

6. When checking the emergency equipment in the school bus during a pre-trip inspection, the fire extinguisher should be:
  - a. red in color and fully charged.
  - b. fully charged and rated 2A10BC or greater.
  - c. securely mounted and have a hose attached.
  - d. Both a and b.
  - e. Both b and c.
  
7. When checking the tread depth on the **front** tires, the minimum tread depth should not be less than:
  - a. 2/32"
  - b. 5/32"
  - c. 1/32"
  - d. 4/32"
  
8. PED regulation 6.41.4 NMAC states that each school bus shall carry:
  - a. a first aid kit.
  - b. three (3) triangular reflectors.
  - c. a fire extinguisher rated at 2A10BC or greater.
  - d. a body fluid clean-up kit.
  - e. a seat belt cutter.
  - f. All of the above.
  
9. PED regulation 6.41.4 NMAC states that when a school bus is loading or unloading students on the traveled portion of the roadway in an urban (city) area, the driver shall activate the amber flashers:
  - a. not less than 300 feet or more than 1,000 feet.
  - b. not less than 15 feet or more than 50 feet.
  - c. not less than 100 feet or more than 300 feet.
  - d. None of the above.
  
10. Pursuant to PED regulation 6.41.4 NMAC, if a school bus is involved in an accident or a situation that the driver needs to make a determination whether to evacuate the bus or not, they should always keep in mind that their **first** responsibility is:
  - a. to try to save the bus from further damage or destruction.
  - b. to check that the passengers in the other vehicle are not injured.
  - c. to remove all emergency equipment.
  - d. for the safety and well-being of the passengers on the bus.

11. Pursuant to PED regulation 6.41.4 NMAC, while loading and unloading students at a bus stop and the bus is completely stopped, the parking brake must be applied at which point?
  - a. After the transmission has been shifted to neutral.
  - b. Before the transmission has been shifted to neutral.
  - c. The parking brake should never be applied during loading and unloading.
  - d. After the amber flashers have been activated.
12. Pursuant to PED regulation 6.41.4 NMAC, when students are required to cross the roadway either to load or unload from the school bus, they must walk:
  - a. eight to ten feet behind the bus.
  - b. ten to twelve feet around the bus.
  - c. eight to ten feet in front of the bus.
  - d. fifty feet in front of the bus.
13. Pursuant to PED regulation 6.41.4 NMAC, the driver must always do which of the following when loading and unloading students at schools?
  - a. Activate the Parking Brake.
  - b. Place the transmission in neutral or park.
  - c. Turn off the engine, unless equipped with a transmission/brake interlock.
  - d. All of the above.
  - e. A and B only.
14. In reference to front crossover mirrors, FMVSS 111 states that a driver must be able to view a minimum distance of \_\_\_\_\_ in front of the bus.
  - a. 25 feet
  - b. 15 feet
  - c. 8 feet
  - d. 6 feet
  - e. 12 feet
15. FMVSS 111 also states that left side and right side rearview mirrors, when properly adjusted, must maintain a minimum view of \_\_\_\_\_ to the rear of the bus.
  - a. 150 feet
  - b. 500 feet
  - c. 300 feet
  - d. 200 feet
  - e. 100 feet

16. When checking the tread depth on the rear tires, the minimum tread depth should not be less than:
- a. 4/32"
  - b. 1/32"
  - c. 2/32"
  - d. 5/32"
17. Pursuant to PED regulation 6.41.4 NMAC, the rear portion of the school bus shall not be positioned less than \_\_\_\_\_ from the rail nearest the bus if the school bus is required to stop after the school bus has crossed the railroad tracks.
- a. 25 feet
  - b. 10 feet
  - c. 50 feet
  - d. 15 feet
  - e. 5 feet
18. Pursuant to PED regulation 6.41.4 NMAC, the driver is required to stop the school bus in the far right traffic lane 15 to 50 feet before the nearest train track when approaching a railroad grade crossing.
- a. True
  - b. False
19. Pursuant to PED regulation 6.41.4 NMAC, a school bus driver shall not permit any passenger to occupy any area in front of the passenger seating area while the bus is in motion.
- a. True
  - b. False
20. Pursuant to PED regulation 6.41.4 NMAC, school bus drivers shall not grant permission for students to load or unload except at the student's regular stop without written approval from the school district administrator or designee.
- a. True
  - b. False

# **SCHOOL BUS DRIVER INSTRUCTOR MANUAL**

## **Section 2**

### **Mandatory Pre-Service Training for School-Owned Activity Vehicle/SUV Driver Trainees**



# **Classroom Instruction**



# **Classroom Introduction**

PLEASE INSERT

WELCOME AND INTRODUCTION





**School-owned Activity Vehicle/SUV Driver  
Pre-Service Training Record**  
(This record shall be kept in the driver's file)

Driver's Name: \_\_\_\_\_ Date of Hire: \_\_\_\_\_  
License #: \_\_\_\_\_ Class: \_\_\_\_\_ MEC Expires: \_\_\_\_\_  
AV-Certified SBDI Printed Name: \_\_\_\_\_ SBDI #: \_\_\_\_\_

<b>MANDATORY TRAINING TOPICS</b>	<b>MINIMUM HOURS REQUIRED</b>	<b>ACTUAL HOURS CONDUCTED</b>	<b>DATE(S)</b>	<b>DRIVER INITIALS</b>	<b>AVI INITIALS</b>
<b>Section 2-A</b> Employer's Safety Policies and Procedures	30 minutes				
<b>Section 2-B</b> Standards for Providing Transportation for Eligible Students	45 minutes				
<b>Section 2-C</b> Pre-trip (Vehicle Inspection) and Safety Equipment	1 Hour				
<b>Section 2-D</b> NM School Bus Driver Security Training Program	1 Hour				
<b>Section 2-E</b> Passenger Management	15 minutes				
<b>Section 2-F</b> Passenger Restraint	15 minutes				
<b>Section 2-G</b> Drug and Alcohol Awareness	15 minutes				
<b>Section 2-H</b> Defensive Driving Course	2 Hours				
<b>Section 2-I</b> First Aid and CPR*					Trainer's Name printed & signature

\*If the person has a current First Aid and CPR certificate from a nationally recognized and state-approved program and the course was not taken on-line, they need only to provide the certificate for the course.

I certify that \_\_\_\_\_ (activity vehicle/SUV driver applicant) has successfully completed the above initialed pre-service training pursuant to the PED, STB Regulation 6.41.4 NMAC.

\_\_\_\_\_  
AV-Certified SBDI Signature

\_\_\_\_\_  
SBDI #

# **Classroom Instruction**



## **Section 2-A**

# **Employer's Safety Policies and Procedures**

**30 Minutes of Instruction**

## PLEASE INSERT THE EMPLOYER'S POLICIES AND PROCEDURES

**Instructor Note:** A **planned** LEA-sponsored activity trip means a trip that is pre-arranged. This regulation does ***not*** apply to school personnel such as nurses or others who would, on occasion, transport a student in an emergency situation.

Examples of items that could be discussed here:

1. Duties and responsibilities of a school-owned activity vehicle driver
2. Appropriate use of a school-owned activity vehicle
3. Foot wear
4. Cell phone policy
5. Accident procedures
6. Local handbook

In addition to the employer's safety policies and procedures, please cover the following information from 6.41.4 NMAC.

#### **6.41.4.9 RESPONSIBILITIES OF THE LEA:**

##### **C. Plan of action for emergencies:**

(3) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in an SUV shall:

(a) be documented;  
(b) be conducted once per semester;  
(c) include all SUV drivers and assistants;  
(d) exempt students when they are limited in their capability to participate; and

(e) include the following types of evacuation drills:  
(i) occupants exit through the nearest door;  
(ii) occupants exit through driver-side doors only; and  
(iii) occupants exit through passenger-side doors only.

(4) Adequate alternate instruction shall be verbal instruction on the location and operation of emergency exits and shall be presented by the driver to all vehicle occupants.

**INSTRUCTOR NOTE: Reinforce the importance of the post-trip inspection; make sure students are NOT left in the vehicle.**

**6.41.4.11 RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:** All drivers and, where applicable, all school bus assistants and substitute school bus assistants shall:

**INSTRUCTOR NOTE: The following information is to be discussed with SUV (to-and-from) drivers.**

##### **I. Perform a post-trip inspection.**

(1) The driver shall, as part of each post-trip inspection, ensure that no passengers remain on board.

**INSTRUCTOR NOTE: The following information is to be discussed with SOAV (activity trip) drivers.**

**T. Planned LEA-sponsored activity trips:**

(6) Drivers shall be informed of and responsible for the following while driving on planned LEA-sponsored activity trips in addition to the applicable responsibilities of drivers pursuant to 6.41.4.11 NMAC:

(m) ensuring that no students remain on the school bus or school-owned activity vehicle unless the driver or a school sponsor is on board. At the conclusion of the planned LEA-sponsored activity trip, ensure that no one is on the school bus or school-owned activity vehicle; and

**INSTRUCTOR NOTE: The following information is to be discussed with both SOAV and SUV drivers.**

**L. Address emergency evacuations and accidents.**

(1) Emergency evacuations shall take place if there is a fire or danger of fire involving the vehicle. The vehicle shall be stopped and evacuated immediately. Passengers shall move a safe distance away from the vehicle and remain there until given further direction.

(2) Emergency evacuations may take place if the vehicle is stopped in an unsafe position. The driver shall immediately determine whether it is safer for passengers to remain in the vehicle or to evacuate the vehicle. The driver shall direct the passengers to evacuate the vehicle if:

- (a) the vehicle has stopped in the path of a train;
- (b) the position of the stopped vehicle may change, thus increasing the danger to passengers; or
- (c) the position of the stopped vehicle is such that there is danger of another vehicle colliding into it.

(3) In the case of any accident, the driver's first responsibility is for the safety of the passengers. The driver shall:

- (a) stop immediately;
- (b) notify police and the LEA administrator and, if appropriate, the transportation service provider;
- (c) remain calm and reassure passengers;
- (d) if necessary to evacuate the vehicle, direct passengers to a safe place away from traffic and not permit passengers to leave the scene of the accident;
- (e) render reasonable assistance to persons injured in the accident;

- (f) remain at the scene of the accident and not move the vehicle unless required by local ordinance or a law enforcement officer;
- (g) if possible, place reflectors appropriately to warn traffic;
- (h) obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;
- (i) make no admission as to liability nor assume responsibility for the accident;
- (j) comply with federal, state, department regulation and LEA policy and procedures in reporting the accident; and
- (k) adhere to any vital emergency medical information provided.

# **Classroom Instruction**



## **Section 2-B**

### **Standards for Providing Transportation for Eligible Students (6.41.4 NMAC)**

**45 Minutes of Instruction**

Please review and discuss the shaded information on the following pages that pertains to school-owned activity vehicle drivers and SUV (to-and-from transportation) drivers. Additional regulation information may be reviewed and discussed as well.

**INSTRUCTOR NOTE: When reviewing and discussing 6.41.4.7 M., the term “Planned” does not apply to school personnel who need to transport a student in an EMERGENCY.**



**TITLE 6                    PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 41            TRANSPORTATION - SCHOOL BUS SAFETY**  
**PART 4                    STANDARD FOR PROVIDING TRANSPORTATION FOR ELIGIBLE STUDENTS**

**6.41.4.1                    ISSUING AGENCY:** Public Education Department, hereinafter the department.  
 [6.41.4.1 NMAC - Rp, 6.41.4.1 NMAC, 3/27/2018]

**6.41.4.2                    SCOPE:** Provisions of Chapter 41, Part 4 apply to local education agencies (LEA). This regulation governs LEAs. If an LEA chooses to provide transportation services by contracting with a transportation service provider instead of through LEA employed personnel, it may do so. The LEA, however, is responsible for ensuring that the provisions of transportation services comply with all pertinent state and federal regulations including 49 Code of Federal Regulations Part 382 and statutes and department regulations.  
 [6.41.4.2 NMAC - Rp, 6.41.4.2 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.3                    STATUTORY AUTHORITY:** This regulation is promulgated pursuant to Sections 1111g(1) (E) and 1112c(5)(B) of ESEA, Section 722g(J)(iii) of the McKinney-Vento Act, and Sections 22-2-1, 22-2-2, 22-8-26, 22-10A-5, 22-16-2, 22-16-4, and Subsection D of Section 9-24-8 NMSA 1978.  
 [6.41.4.3 NMAC - Rp, 6.41.4.3 NMAC, 3/27/2018]

**6.41.4.4                    DURATION:** Permanent.  
 [6.41.4.4 NMAC - Rp, 6.41.4.4 NMAC, 3/27/2018]

**6.41.4.5                    EFFECTIVE DATE:** March 27, 2018, unless a later date is cited at the end of a section.  
 [6.41.4.5 NMAC - Rp, 6.41.4.5 NMAC, 3/27/2018]

**6.41.4.6                    OBJECTIVE:** To establish a safe, timely, and efficient system of transportation responsive to the needs of eligible public school students, hereinafter students, including children and youth in foster care and homeless children and youth, and to guide the provision of school transportation and transportation as a related service to students with an individualized education program (IEP). LEAs, therefore, shall ensure that all eligible students are served within the requirements of current federal and state laws and department regulations.  
 [6.41.4.6 NMAC - Rp, 6.41.4.6 NMAC, 3/27/2018]

**6.41.4.7                    DEFINITIONS:**

**A.                    “Activity driver”** means an individual who is employed by an LEA or a transportation service provider and has completed all federal, state, and department certifications, licensing requirements, and LEA criteria to drive students on school-sponsored activities.

**B.                    “Child welfare agency”** means the children youth and families department.

**C.                    “Children in foster care”** means 24-hour substitute care for children and youth who are placed away from their parents or guardians and who are in custody of state or tribal welfare agencies.

**D.                    “Conviction”** means an adjudication of guilt, and includes a guilty plea, judgment, or verdict, no contest, nolo contendere, conditional plea of guilty, or any other plea that would result in an adjudication of guilt in any court of competent jurisdiction. A conviction includes a deferred sentence and a conditional discharge prior to satisfaction of the conditions and after satisfaction of conditions where required by the act.

**E.                    “Driver”** means school bus driver, substitute school bus driver, activity bus driver, school-owned activity vehicle driver, and sport utility vehicle (SUV) driver.

**F.                    “Eligible student”** means:

**(1)** Students eligible for transportation services under federal and state statute or under the department’s standard for determining hazardous walking conditions pursuant to 6.41.3 NMAC. Students are eligible for transportation services in accordance with Section 22-16-4 NMSA 1978 if school bus routes are:

- (a)** one mile one way for students in grades kindergarten through six;
- (b)** one and one-half miles one way for students in grades seven through

nine, and;

- (c)** two miles one way for students in grades 10 through 12.

(2) Students with an IEP are entitled to transportation pursuant to Subparagraphs A through C of Paragraph (1) of Subsection F of 6.41.4.7 NMAC, or transportation as a related service pursuant to Subsection EE of 6.41.4.7 NMAC.

**G. “Employer”** means an LEA or transportation service provider.

**H. “Homeless children and youth”** as defined by section 725(2) of the McKinney-Vento Act means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

- (1) children and youth who are:
  - (a) sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - (b) living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - (c) living in emergency or transitional shelters;
  - (d) abandoned in hospitals;
- (2) children and youth who have a primary nighttime address that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- (3) children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
- (4) migratory children under Title I Part C migrant education program.

**I. “Individualized education program (IEP)”** means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with Sections 300.320 through 300.324 of 34 CFR.

**J. “IEP team”** means individuals who are involved in writing a student’s IEP. In accordance with Section 300.321 of 34 CFR, Individuals with Disabilities Education Act, this team may include:

- (1) the student’s parents or legal guardian;
- (2) at least one of the student’s general education teachers;
- (3) the student’s special education teacher;
- (4) an individual who can interpret the instructional implications of a student’s evaluation;
- (5) an individual representing the school system;
- (6) individuals with knowledge or special expertise about the student;
- (7) representatives from transition service agencies, if applicable; or
- (8) the student, if appropriate.

**K. “Local education agency” or “LEA”** means a local public school district or a state-chartered charter school.

**L. “On-duty time”** means time related to the driving, servicing, or operation of the vehicle, or those duties assigned or necessary that are related to a specific LEA-sponsored activity trip such as staying with the vehicle for security purposes or assisting with supervision of students. On-duty time also includes performing any compensated work for an entity that is not a motor carrier.

**M. “Planned school-sponsored activity trip”** means transportation of school groups when the activity is approved according to the LEA’s policy. Activity trips do not include recurring transportation that is part of the school day.

**N. “Roadway”** means that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of berm or shoulder.

**O. “School bus”** means a commercial motor vehicle used to transport preprimary, primary or secondary school students from home to school, from school to home, or to and from school-sponsored events, but not including a vehicle:

- (1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of students;
- (2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the transportation of students;
- (3) operated as a per capita feeder as provided in Section 22-16-6 NMSA 1978; or
- (4) that is a minimum six-passenger, full-size, extended-length, sport utility vehicle operated by a school district employee pursuant to Subsection D of Section 22-16-4 NMSA 1978.

**P. “School bus assistant”** means an individual employed by an LEA or a transportation service provider to help the school bus driver and students. A school bus assistant shall be provided on school buses when necessary, when required by law or regulation, or when required by a student’s IEP.

**Q. “School bus driver”** means an individual employed by an LEA or a transportation service provider that has completed all federal, state, and department certification and licensing requirements and LEA criteria and is assigned to drive a school bus on an LEA-approved school bus route or on a planned LEA-sponsored activity trip in a school bus that meets requirements pursuant to 6.40.2 NMAC.

**R. “School bus driver instructor (SBDI)”** means a person certified by the department to provide mandatory pre-service training to applicants who want to drive a school bus in New Mexico.

**S. “School bus route”** means a designated course regularly traveled by a school bus for to-and-from transportation to pick up students and take them to school or to deliver students from school to their homes or to designated school bus stops that are approved by the LEA. Should the typical number of students on a school bus route drop below the number of 10, it shall be the responsibility of the LEA to notify the department transportation director by phone or email immediately.

**T. “School of origin”** means the school in which the child or youth is enrolled at the time of placement in foster care or prior to becoming homeless.

**U. “School-owned activity vehicle”** means a vehicle other than a school bus that is used to transport students to and from planned LEA-sponsored activity trips.

**V. “School-owned activity vehicle driver”** means an individual who meets all qualifications, licensing requirements and LEA criteria to drive students on LEA-sponsored activities in school-owned vehicles other than school buses.

**W. “School-owned activity vehicle instructor” or “AVI”** means a person certified by the department to provide mandatory pre-service training to driver applicants for school-owned activity vehicles.

**X. “Serious traffic offense”** means any of the following offenses contained in Sections 66-1-1 through 66-8-141 NMSA 1978:

- (1) speeding in excess of 15 miles above any posted speed limit;
- (2) reckless driving;
- (3) careless driving;
- (4) passing a school bus;
- (5) following too closely;
- (6) operating a commercial motor vehicle without holding a valid commercial driver’s license (CDL) along with any endorsements;
- (7) racing on a highway;
- (8) homicide or great bodily harm by vehicle;
- (9) injury to a pregnant woman;
- (10) failing to stop after an accident involving death or personal injury; or
- (11) operating a vehicle after suspension or revocation of a driver’s license.

**Y. “Sponsor”** means an individual, such as a coach, teacher, or parent who accompanies students on a planned LEA-sponsored activity trip.

**Z. “Substitute school bus assistant”** means an individual employed by an LEA or transportation service provider to help the school bus driver and students when the assigned school bus assistant is absent.

**AA. “Substitute school bus driver”** means an individual employed by an LEA or transportation service provider to operate a school bus on a school bus route when the assigned school bus driver is absent. The substitute school bus driver shall meet all certification and licensing requirements of a school bus driver.

**BB. “Sport utility vehicle (SUV)”** means a sport utility vehicle or a crew cab pickup truck. This type of vehicle differs from a typical four-door sedan due to being constructed on a light or medium truck chassis, making it more rugged and giving it higher ground clearance. It must have four full-size doors and seat six to nine passengers. Vans and mini-vans are excluded from this definition.

**CC. “To-and-from route serviced by an SUV”** means a designated course regularly traveled to pick up designated students at their designated pick-up location to take them to school or to deliver designated students from school to a designated drop-off location.

**DD. “Transportation administrator”** means an individual employed by the LEA or transportation service provider who has responsibility to monitor and guide the transportation program, drivers,

and assistants and who is required to make daily observations to detect reasonable suspicion for alcohol or substance use or both.

**EE. “Transportation as a related service”** means specific modifications or support services or both that are required for transportation of a student with an IEP.

**FF. “Transportation service provider”** means an individual or business that has entered into a binding agreement with the LEA to provide school transportation services.

[6.41.4.7 NMAC - Rp, 6.41.4.7 NMAC, 3/27/2018; A, 1/16/2024]

#### **6.41.4.8 RESPONSIBILITIES OF THE LOCAL BOARD OF EDUCATION OR CHARTER**

**SCHOOL ADMINISTRATOR:** Each local board of education or charter school administrator is responsible for adopting transportation policies which ensure a safe, timely, and efficient system of transportation for all eligible students, including children in foster care and homeless children and youth, within its jurisdiction. School transportation services for eligible students shall be provided by use of a school bus, per capita feeder route, or SUVs or a combination of school bus, per capita feeder route, or SUVs. Additional options for transportation of children in foster care or homeless children and youth may be explored while ensuring the safety of students. Therefore, each local board of education or charter school administrator shall establish policies in the following areas.

- A. Community, parent, and staff involvement:** Each LEA shall:
- (1) provide a platform for adequate community, parent, staff, and transportation service provider participation in the development of policies and procedures for providing transportation services to eligible students;
  - (2) approve a policy defining the responsibilities of parents, students, teachers, staff, and transportation service providers;
  - (3) provide a platform for adequate information and training provided to the community, parents, and school personnel so that each understands the rights and responsibilities associated with transportation services;
  - (4) approve a policy concerning complaints from parents, students, transportation providers, and others regarding school transportation;
  - (5) approve a policy concerning transportation as a related service for a student with an IEP as the IEP requires. The transportation administrator or designee, or transportation service provider shall be afforded the opportunity to participate in the development of the IEP as it relates to transportation;
  - (6) approve disciplinary procedures, including an appeal process, applicable to all students being transported. The procedures shall comply with all applicable federal and state law and department regulation. Information regarding disciplinary procedures shall be provided to parents and students;
    - (a) the procedures shall include the process for emergency removal of a student from a school bus;
      - (i) if emergency removal of a student is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident; and
      - (ii) a written behavioral report shall be filed with the school and a copy of the report provided to the parents;
    - (b) nothing contained herein or in local board of education policy shall prevent the emergency removal of any student from a school bus if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other student, teacher, or employee;
  - (7) approve disciplinary procedures including an appeal process applicable to students with an IEP being transported. The procedures shall comply with all applicable federal and state law and department regulation governing students with disabilities. Information regarding disciplinary procedures shall be provided to parents, students, and IEP teams;
    - (a) disciplinary procedures for a student with an IEP shall be specified in the student’s IEP;
    - (b) the procedures shall include the process for emergency removal of a student with an IEP from a school bus;
      - (i) if emergency removal of a student is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident; and

- (ii) the transportation administrator shall report each incident or behavior in writing to the LEA's special education director within 24 hours of receiving the driver's report;
- (c) nothing contained herein or in local school board policy shall prevent the emergency removal of any student from a vehicle if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other student, teacher, or employee; and
- (d) suspension of transportation service for a student with an IEP for more than ten cumulative days requires a change in transportation service in that student's IEP; and
- (8) adopt and approve policies in specialized areas affected by federal regulations, state law, and new legislative initiatives related to school transportation.

**B. Student services:** Transportation is provided to students who are eligible for transportation pursuant to Sections 22-16-2 and 22-16-4, NMSA 1978. Students who do not obey the state and local LEA regulations governing student transportation may have their transportation services revoked by the LEA. Each LEA shall adopt:

- (1) a student disciplinary policy for school transportation, including procedures for suspending a student's transportation privilege and for holding parents responsible for any malicious destruction to the vehicle or assault on a driver or others. Policies shall be in agreement with and subject to procedural safeguards and protections specified in federal, state, and department regulations;
- (2) a comparable travel time policy that shall:
  - (a) ensure that transportation time for a student with an IEP is comparable to transportation time provided to neighborhood students who do not have an IEP;
  - (b) consider the least distance from a student with an IEP's home to the school site as compared to the least distance from the homes of neighborhood students who do not have an IEP to the school site;
  - (c) consider the time for other transportation services identified in the IEP.

Any variance from the comparable travel time policy shall be determined on a case-by-case basis by the IEP team and shall be clearly stated in the IEP;

- (3) a policy regarding the transportation of specialized personnel, such as licensed nurses and special education assistants, or other designated persons;
- (4) a policy regarding the transportation of animals that accompany a student with an IEP and shall ensure that the certification, training, and immunization requirements for the animal are completed and current;
- (5) a policy outlining acceptable procedures for medicine transport. The policy shall include the designated place for transport and the personnel authorized to administer medication during transport when necessary;
- (6) a policy regarding the maintenance of a roster or seating chart for students who ride school buses;
- (7) a policy for providing transportation services for students eligible under Section 504 of the Rehabilitation Act of 1973 when such services are specified in the student's accommodation plan; and
- (8) a policy covering a do not resuscitate request from the parents or guardians specific to the student while the student is being transported on a school bus, school-owned activity vehicle, or SUV.

**C. Relationship with transportation providers.** When a transportation service provider is contracted to provide school transportation services, each local board of education or charter school administrator shall:

- (1) approve all contracts and contract amendments with a transportation service provider in accordance with state law and department regulation;
- (2) approve a policy governing the termination of a contract with a transportation service provider in accordance with state law and department regulation;
- (3) include as a part of each contract a scope of work which ensures that this regulation and all other applicable state and federal regulations and state statutes and department regulations are adhered to; and
- (4) develop policy involving fingerprint-based background checks in accordance with state law.

**D. Planned LEA-sponsored activities:** Each local board of education or charter school administrator shall adopt policies and procedures concerning the safety and welfare of students who are

transported to and from planned LEA-sponsored activities. Policies and procedures shall comply with all applicable federal, state, and department regulations.

(1) Vehicles used for school-sponsored activities shall be school-owned, leased, or private vehicles that meet the following department requirements:

- (a) vehicles shall not be vans or minivans;
- (b) excluding buses, vehicles shall not seat less than six or more than nine people including the driver;
- (c) excluding buses, vehicles shall have seat belts available for all occupants and all occupants are required to wear them while the vehicle is in motion;
- (d) vehicles shall have available secure cargo storage or other adequate tie-down for securing items in the vehicle, excluding hitched trailers; and
- (e) trailers shall not be hitched to vehicles while the vehicle is transporting students.

(2) Policies and procedures shall include provision for the use of commercial common carrier buses, taking into account that commercial common carrier buses do not meet current New Mexico school bus construction standards and school bus phase-out pursuant to 6.40.2 NMAC.

(3) Policies and procedures shall include provisions for rest and relaxation for students and the driver(s) during the trip.

(4) Policies and procedures shall include procedures for releasing students on the planned activity trip to parents or guardians.

(5) Policies shall explicitly state that prior to and during work periods all drivers, school bus assistants, and substitute school bus assistants have not used and do not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

[6.41.4.8 NMAC - Rp, 6.41.4.8 NMAC, 3/27/2018]

#### 6.41.4.9 RESPONSIBILITIES OF THE LEA:

##### A. General requirements:

(1) The LEA shall designate a transportation administrator.

(2) The LEA shall observe all federal and state laws, department regulations, and local board of education policies and procedures. The LEA shall follow the New Mexico guide for school vehicle maintenance and safety audit program.

(3) Prior to providing services, the LEA shall ensure that each transportation service provider has a properly executed contract on a form approved by the department.

(4) The LEA shall direct drivers, school bus assistants, and substitute school bus assistants on meeting all transportation requirements of students' IEPs.

(5) The LEA shall, in accordance with applicable federal and state law and department regulation:

(a) verify qualifications which include fingerprint-based background checks and reference checks made and completed for the following positions:

- (i) school bus driver;
- (ii) substitute school bus driver;
- (iii) activity school bus driver;
- (iv) school-owned activity vehicle driver;
- (v) SUV driver;
- (vi) school bus assistant; and
- (vii) substitute school bus assistant;

(b) ensure proper training is provided by a qualified trainer and documented on the applicable pre-service training record as provided by the department. The training shall be completed prior to the drivers, school bus assistants, and substitute school bus assistants performing assigned duties; and

(c) ensure ongoing training is provided and continuing requirements for drivers, school bus assistants, and substitute school bus assistants are met pursuant to 6.41.4.13 NMAC.

(6) The LEA shall establish and provide to all drivers written procedures to be followed:

inspection;

(a) for immediate replacement of a vehicle when a vehicle fails pre-trip

(b) during inclement weather; and

(c) during school bus evacuation drills.

(7) The LEA shall provide to transportation service providers and drivers vital emergency information for all students with an IEP or special medical conditions. All vital emergency information shall be treated as a confidential record as provided by law.

(8) The LEA, shall be available until all school bus drivers have completed their trips and all students have been properly delivered.

(9) The LEA shall develop and implement a school transportation safety curriculum for students who ride school buses to and from planned LEA-sponsored activity trips.

(10) The LEA shall review for safety each student walk zone for each school on an LEA approved cycle. The review cycle shall not exceed five years.

(11) The LEA shall ensure that school bus evacuation drills are performed and documented once per semester.

(12) All school buses, activity school buses, and school-owned activity vehicles shall be alcohol, drug, and tobacco free areas. The LEA shall ensure that, prior to or during work periods, all drivers, school bus assistants, and substitute school bus assistants shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

(13) The transportation administrator shall ensure compliance with 49 CFR Part 382 by maintaining documentation including proof of contract and pools of driver names. Drivers who possess a CDL shall constitute a pool of names and the school-owned activity vehicle drivers shall constitute a separate pool of names for random drug and alcohol testing.

(14) The LEA shall arrange for and document in-service training that meets the department's required hours for applicable staff.

**B. Accidents:** In the event of a school bus accident or emergency, the LEA shall:

(1) promptly notify the department by telephone if a school bus is involved in an accident that results in the death, serious injury or hospitalization of any occupant of the school bus or other motor vehicle or a pedestrian;

(2) promptly notify the department if a school bus is involved in an accident in which possible mechanical failure may have been a contributing factor; and

(3) submit the uniform school bus accident and adjudication report to the department within seven calendar days of any accident.

**C. Plan of action for emergencies:**

(1) The LEA or the transportation service provider shall provide to each driver a written plan of action in case of an emergency covering:

(a) vehicle trouble requiring evacuation;

(b) vehicle trouble not requiring evacuation;

(c) passenger trouble requiring transportation personnel intervention;

(d) passenger trouble requiring police intervention; and

(e) passenger trouble requiring medical intervention.

(2) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in a school bus shall:

(a) be documented;

(b) be conducted once per semester;

(c) include all school bus drivers and substitute school bus drivers;

(d) include all school bus assistants and substitute school bus assistants;

(e) exempt students when they are limited in their capability to participate;

and

(f) include the following types of evacuation drills:

(i) occupants exit through the rear emergency door;

(ii) occupants exit through the front service door;

(iii) occupants in the front half of the school bus exit through the

front service door and occupants in the back half of the school bus exit through the rear emergency door. If any

emergency door is located mid-bus, it shall be considered the rear emergency door; and

(iv) occupants receive instructions on the proper use of roof hatches.

(3) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in an SUV shall:

- (a) be documented;
- (b) be conducted once per semester;
- (c) include all SUV drivers and assistants;
- (d) exempt students when they are limited in their capability to participate;

and

- (e) include the following types of evacuation drills:
  - (i) occupants exit through the nearest door;
  - (ii) occupants exit through driver-side doors only; and
  - (iii) occupants exit through passenger-side doors only.

(4) Adequate alternate instruction shall be verbal instruction on the location and operation of emergency exits and shall be presented by the driver to all vehicle occupants.

**D. School bus routes:** The LEA shall follow department regulations and procedures for the establishment and monitoring of school bus routes.

(1) Loading and unloading shall occur, whenever possible, off the roadway and so that students do not have to cross the roadway. When it is impossible for a school bus to completely pull off the roadway, the driver shall remain on the roadway and use procedures provided in Subsection D of 6.41.4.11 NMAC.

(2) LEAs shall establish written procedures regarding adherence to school bus route pick-up and delivery times by both drivers and students. This information shall be available to parents and guardians of the students.

(3) The LEA shall review each school bus route on a district- approved cycle for safety and economy. The review cycle shall not exceed five years.

(4) The LEA shall comply with local board of education policy regarding the number of days allowed to re-configure a school bus route when a student's IEP has been modified and requires an adjustment to the student's transportation.

(5) The LEA shall establish a policy for the minimum time required for the school bus driver to wait for a student with an IEP who is receiving transportation as a related service to arrive at the school bus stop to be picked up. The policy shall also include information regarding the unloading of that student when returning the student to their school bus stop when a parent or guardian is not present to receive the student.

**E. Loading and unloading students at schools:**

(1) All school bus loading and unloading zones shall be properly marked by use of signs and pavement markings.

(2) The school bus loading and unloading zones shall be adequately staffed with designated personnel to monitor the loading and unloading of students.

(3) When loading and unloading, school buses shall be parked in a single file as close as possible to avoid students and other people from going between the school buses.

(4) Whenever possible, loading and unloading shall be done on school premises and separated from general vehicular traffic areas and playground areas.

(5) If loading or unloading must occur on the roadway, the school bus shall be stopped on the side of the roadway nearest the school. Alternating red flasher lights shall be activated when the school bus is stopped on the roadway.

(6) When loading, school buses shall be parked prior to dismissal time, if possible. School buses shall be parked in the order in which they arrive at the school.

(7) When loading or unloading students, the school bus parking brake shall be activated, the transmission shall be in neutral or in park, if equipped, and the engine off.

(8) For LEA's in counties where a heat advisory or excessive heat warning issued by the National Weather Service is in effect, the LEA may elect to review the circumstances and make their own determination as to whether a bus equipped with air conditioning shall remain on for the duration of the heat advisory or excessive heat warning when loading or unloading students. The LEA shall first consider alternatives



that may be available taking into consideration best practices and implementing those other alternatives if practicable. The LEA may also reference any guidance or resource documents issued by the department involving best practices for maintaining student safety during heat advisories or excessive heat warnings.

(9) When loading and unloading students, if the driver is required to leave the driver's seat, the keys shall be removed from the ignition switch. Exceptions to removing the key from the ignition switch include:

(a) school buses built after July 1, 2003 that are equipped with an interlock for wheel chair lifts; and

(b) school buses equipped with a child check safety system. In buses equipped with this system, the service door shall be closed when the driver leaves the driver's seat.

(10) The LEA shall review each school bus loading and unloading area at each school for safety on an LEA-approved cycle. The review cycle shall not exceed five years.

**F. School bus stops:** LEAs shall establish all school bus stops and, when appropriate, include involvement from a student's IEP team. The local public safety organization having jurisdiction shall also be included whenever necessary. Services shall be designed that safely, efficiently, and economically transport students.

(1) The LEA shall review each school bus stop for safety on an LEA approved cycle. The review cycle shall not exceed five years.

(2) School bus stops shall not be established where the view is obstructed to motorists for 500 feet in either direction. If, because of natural conditions, a stop must be established with a view of less than 500 feet, the LEA shall contact the state highway department or other agency having jurisdiction and request the installation of highway signage.

(3) School bus stops shall not be established on any interstate highway. If necessary, school bus stops shall be established on service or frontage roads adjacent to the interstate highway.

(4) School bus stops shall, whenever possible, be established so that students do not have to cross the roadway.

(5) School bus stops shall not be made:

(a) within 25 feet of any intersection.

(b) at a railroad grade crossing where a stop-and-go traffic light controls movement of traffic;

(c) at an abandoned railroad grade crossing which is marked with a sign indicating that the railroad is abandoned;

(d) at an industrial or spur line railroad grade crossing marked with a sign reading "EXEMPT CROSSING"; or

(e) at a railroad grade crossing used exclusively for industrial switching purposes within a business district or a streetcar crossing.

**G. Identification of transportation needs for students with disabilities:**

(1) Transportation needs for students with an IEP who require transportation as a related service is determined by each student's IEP team and shall be included in the IEP.

(2) When modifications to standard transportation are necessary, transportation personnel shall be afforded the opportunity to participate in the development of the IEP. The IEP document shall clearly state the transportation needs or modification or both identified by the IEP team and, if applicable, transportation personnel. If circumstances require changes in services, any team member may request that the team reconvene to consider the student's transportation needs.

**H. Provisions for transportation of students with disabilities:**

(1) In providing transportation as a related service to a student with an IEP, the LEA shall ensure:

(a) all alternatives are considered if, due to serious health or safety considerations, an IEP team determines that a student with an IEP cannot be transported with neighborhood peers who are not disabled;

(b) time transporting a student with an IEP is comparable to that provided for non-disabled neighborhood peers, unless otherwise specified in the student's IEP;

(c) access to and from the designated pickup and drop-off point; and

(d) access to other educational and related services specified in the student's IEP.

(2) Confidentiality of IEP and student medical information shall apply when transportation as a related service is provided to a student with an IEP.

**I. Provisions of transportation for children and youth in foster care:**

(1) The LEA shall develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care. The procedures shall:

(a) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with Section 475(4)(A) of the Social Security Act;

(b) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their school of origin, the LEA will provide transportation to the school of origin if:

(i) the local child welfare agency agrees to reimburse the LEA for the cost of such transportation;

(ii) the LEA agrees to pay for the cost of such transportation; or

(iii) the LEA and the local child welfare agency agree to share the cost of such transportation; and

(c) include, in addition to state and local funds that may be available for transportation, certain federal funds, if allowable under the grants, may be available to cover additional transportation costs to maintain children in foster care in their schools of origin.

(2) LEAs shall provide transportation to maintain children in foster care in their school of origin even if it does not provide transportation for children that are not in foster care.

(3) LEAs shall provide or arrange for adequate and appropriate transportation of children in foster care to and from the school of origin while any disputes are being resolved.

**J. Provisions of transportation for homeless children and youth:**

(1) LEAs are responsible for reviewing and revising transportation policies that may act as barriers to the identification, enrollment, attendance, or success in schools of homeless children and youth.

(2) McKinney-Vento Act requires homeless children and youth to receive transportation that is comparable to what is available to non-homeless students.

(3) LEAs shall adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian or in the case of the unaccompanied youth, the liaison, to and from the school of origin in accordance with the following requirements.

(a) If the child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA shall provide or arrange for the child's or youth's transportation to and from the school of origin.

(b) If the child or youth continues their education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally, pursuant to 6.42.2 NMAC.

(4) LEAs may use McKinney-Vento subgrant funds or Title I funds to defray the excess costs of transporting homeless children and youth to and from their school of origin.

(5) LEAs are required to provide adequate and appropriate transportation for homeless children and youth to and from the school of origin while enrollment disputes are being resolved.

(6) LEAs shall continue to provide transportation to and from the school of origin to formerly homeless children and youth who have become permanently housed for the remainder of the academic year during which the child or youth becomes permanently housed.

**K. Dispute resolution regarding the transportation of children in foster care and homeless children and youth:**

(1) To the extent feasible and appropriate, LEAs must ensure children in foster care remain in their school of origin while disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

- (2) Homeless children and youth shall be provided adequate and appropriate transportation to and from the school of origin while disputes are being resolved.
- (3) LEAs shall work with child welfare agencies, unaccompanied youth liaisons, and parents and guardians to resolve disputes at the lowest level possible.
- (4) If disputes are unable to be resolved at the local level, applicable parties may access dispute resolution procedures available at the department including those pursuant to 6.10.3 NMAC.

**L. Student behavior:**

- (1) When a student's behavior on a school bus or at a designated school bus stop endangers the safety of others, the student shall be suspended from being transported according to LEA policies and department regulations.
- (2) If an incident or behavior occurs involving a student with an IEP, the driver shall report each incident or behavior to the transportation administrator within 24 hours of the incident. Provisions for removal and reinstatement of transportation services for students with disabilities shall be specified in the LEA's policies and in the student's IEP. Any change in transportation as a related service must be made through the IEP process, and the procedural safeguards specified in department regulations shall apply. The transportation administrator shall report each incident or behavior within 24 hours of receiving the driver's report to the LEA's special education director or appropriate administrator. The incident or behavior shall be addressed by the student's IEP team.

**M. Process for pre-employment screening of initial commercial driver's license (CDL)**

**driver applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

- (1) The employer shall verify the following documentation is in each driver applicant's file:
  - (a) a complete LEA-approved application form that meets or exceeds federal, state and department requirements;
  - (b) a copy of the driver applicant's current and valid driver's license, verified by the employer;
  - (c) a fingerprint-based background check. A person applying for full or part-time employment with an LEA or transportation service provider to operate a vehicle for the purpose of transporting students shall, at the person's own expense, submit to a fingerprint-based background check pursuant to Section 22-10A-5 NMSA 1978;
    - (i) the fingerprint-based background check shall be conducted prior to employment;
    - (ii) the applicant shall not qualify if there is a conviction of any violation of the Controlled Substances Act;
    - (iii) the applicant shall not qualify if there is a conviction of child abuse pursuant to Section 30-6, NMSA 1978, Crimes Against Children and Dependents;
    - (iv) the applicant shall not qualify if there is a conviction of any other criminal offense in which a child was a victim as defined or prescribed by the offense;
    - (v) the employer shall maintain on file an agreement, authorization, and waiver and release form in addition to a criminal history affidavit on any newly hired employee employed to operate a vehicle for the purpose of transporting students; and
    - (vi) the fingerprint-based background check requirement does not apply to any person who, as of January 1, 2006 was already engaged in full or part-time employment to operate a vehicle used to transport students, unless the employer's policies require it;
  - (d) a department of transportation (DOT) medical examiner's certificate indicating that a DOT physical examination was passed in accordance with DOT and federal motor carrier safety administration requirements. The DOT physical examination form that is current on the date of the examination must be used. The transportation administrator or the department may require a DOT physical examination be performed at any time, and the medical examiner's certificate shall be provided to all appropriate parties;
  - (e) a completed New Mexico school bus driver pre-service training record per the current SBDI manual provided by the department;
  - (i) an SBDI certified by the department shall conduct instruction using the current SBDI manual provided by the department;

- (ii) all pre-service training shall be documented on the appropriate pre-service training record as per the SBDI manual provided by the department;
- (iii) pre-service training shall be administered in a 65-71 passenger type C school bus. When the driver applicant is expected to operate more than one size and type of school bus, training shall be given on the specific handling characteristics of each size and type of school bus the driver applicant may be assigned to drive once all pre-service training has been completed;
- (iv) all behind the wheel instruction shall be administered under the supervision of an SBDI and without student passengers or other persons on board except other school bus driver applicants;
- (v) observation time shall include riding in a school bus with a licensed school bus driver driving on a school bus route or in observation of other school bus driver applicants driving under the supervision of an SBDI. Observation time shall also include actual school bus route orientation with a licensed school bus driver; and
- (vi) if the school bus driver applicant has completed a department-approved first aid and cardiopulmonary resuscitation (CPR) course taught by a certified instructor and the certificate is current, the certificate shall be provided to the transportation administrator. This shall satisfy the requirement for first aid and CPR training on the school bus driver pre-service training record. Online courses are not acceptable;
- (f) a printout of the driver applicant's current driving record through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle divisions. Verification includes the driver applicant's eligibility to be a driver. The driver applicant shall not be eligible if their driving record shows the driver applicant has:
  - (i) been convicted of driving while intoxicated (DWI) or driving under the influence (DUI) of intoxicating liquor or drugs within three years of the date of application for employment;
  - (ii) been convicted of a DWI or DUI between three years and 20 years prior to the date of application for employment unless the person provides written verification from a licensed counselor or physician that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;
  - (iii) been convicted two or more times for DWI or DUI;
  - (iv) had their driver's license suspended or revoked within five years of the date of application for employment for any serious traffic offense;
  - (v) been convicted of more than three serious traffic offenses within three years of the date of application for employment; or
  - (vi) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (g) a copy of the CDL test results, if available.

(2) The employer shall make available to each driver applicant at the time of hiring a current copy of 6.41.4 NMAC and any applicable LEA handbooks.

**N. Process for pre-employment screening of returning CDL driver applicants:** The employer shall adhere to all applicable federal, state and department employment requirements.

- (1) A returning CDL driver applicant shall:
  - (a) provide a completed New Mexico school bus driver pre-service training record provided by the department or certificates of training conducted by the department prior to 2000; and
  - (b) complete the training as outlined on the New Mexico returning school bus driver pre-service training record per the current SBDI manual provided by the department.
- (2) A returning CDL driver applicant that cannot provide either a New Mexico school bus driver pre-service training record provided by the department or certificates of training conducted by the department prior to 2000 must complete the process for pre-employment screening of initial commercial driver's license (CDL) driver applicants pursuant to Subsection M of 6.41.4.9 NMAC.
- (3) The employer shall verify that the following is completed and in each returning driver applicant's file:

(a) documentation pursuant to the requirements listed in Paragraph (1) of Subsection M of 6.41.4.9 NMAC; and  
 (b) a completed New Mexico returning school bus driver pre-service training record.

(4) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**O. Process for pre-employment screening of school-owned activity vehicle driver applicants:** The LEA shall adhere to all federal, state and department employment requirements when employing a school-owned activity vehicle driver.

(1) The LEA shall verify the following documentation is in each driver applicant's file:  
 (a) a completed employment application form that meets or exceeds federal, state and department requirements unless the applicant is currently employed by the LEA;  
 (b) documentation pursuant to requirements listed in Subparagraphs (b), (c) and (f) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;  
 (c) a current medical examiner's certificate indicating that a physical examination was passed using the DOT physical examination form that is current as of the date of the examination. The transportation administrator or the department may require a physical examination be performed at any time. The medical examiner's certificate shall be provided to all appropriate parties;  
 (d) a completed New Mexico school-owned activity vehicle driver pre-service training record per the current SBDI manual provided by the department;  
 (i) training shall be provided by an SBDI with activity vehicle (AV) certification by the department or an activity vehicle instructor (AVI) certified by the department using the current SBDI manual provided by the department;  
 (ii) as part of the pre-service training, the driver applicant must complete a defensive driving course (DDC) that is nationally recognized and approved by the department. In lieu of AV-certified SBDI or AVI DDC training, a certificate of completion of a DDC course that is approved by the department may be accepted. The certificate of completion shall be dated within four years of the driver applicant's date of application; and  
 (iii) as part of the pre-service training, the driver applicant must complete a department-approved first aid and CPR course taught by a certified instructor. A certificate from the completed course shall be provided to the transportation administrator. If the driver applicant has a current certificate from a department-approved complete first aid and CPR course, this shall satisfy the requirement. On-line courses are not acceptable.

(2) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**P. Process for pre-employment screening of school bus assistant and substitute school bus assistant applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

(1) The employer shall maintain the following documentation in each school bus assistant and substitute school bus assistant's file:  
 (a) a completed employment application form that meets or exceeds federal, state and department requirements unless the applicant is currently employed by the LEA;  
 (b) a fingerprint-based background check pursuant to the requirements listed in Subparagraph (c) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;  
 (c) a physical examination record;  
 (i) the physical examination shall be completed before the assistant begins performing duties; and  
 (ii) the transportation administrator or the department may require a new physical examination be performed at any time;  
 (d) a completed New Mexico school bus assistant pre-service training record in accordance with the SBDI manual as provided by the department; and  
 (e) a current first aid and CPR certificate. Online first aid and CPR courses are not acceptable.

(2) The applicant shall not qualify if they have:

- (a) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (b) a conviction for any violation of the Controlled Substances Act;
- (c) been convicted of child abuse pursuant to Sections 30-6-1 through 30-6-4, NMSA 1978, Crimes Against Children and Dependents; or
- (d) been convicted of any other criminal offense in which a child was a victim as defined or prescribed by the offense.

(3) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**Q. Continuing standards for drivers:** Any individual who currently drives a vehicle transporting students shall no longer be eligible to transport students:

(1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. Online programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;

(2) for five years if they receive a suspension or revocation of driver's license for any serious traffic offense;

(3) for three years if they receive convictions for more than three serious traffic offenses; or

(4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC.

**R. Background check requirements for drivers, school bus assistants, and substitute school bus assistants:** The background check requirements pursuant to 6.41.4.9 NMAC, shall not apply to anyone who, as of January 1, 2006 was already engaged in full or part time employment to operate a vehicle to transport students. LEAs may require additional background check information.

**S. Required documentation for files:** In addition to the required pre-employment screening documentation pursuant to 6.41.4.9 NMAC, the documentation below shall be maintained in the employee's file.

(1) Employee files for school bus drivers, substitute school bus drivers and activity bus drivers shall include:

- (a) a copy of current CDL;
- (b) a current medical examiner's certificate for a DOT physical examination;
  - (i) a DOT physical examination shall be renewed every 24 months from the date of the last examination, or earlier as requested by a licensed medical professional;
  - (ii) the current DOT physical examination form must be used; and
  - (iii) additional DOT physical examinations may be requested by the employer or the department;

(c) a driving record printed annually then verified for eligibility. The driver's current driving record shall be obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division. The driver shall no longer be eligible:

(i) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;

(ii) for five years if they receive a suspension or revocation of their driver's license for any serious traffic offense;

(iii) for three years if they receive convictions for more than three serious traffic offenses; or

(iv) for 10 years if they receive a conviction for any felony or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;

(d) documented in-service training as per the department's requirements;

(i) in-service training shall be pro-rated for newly hired school bus drivers, substitute school bus drivers, and activity bus drivers for their first year of employment for the number of quarters employed. Quarters during the calendar year are as follows: January 1 to March 31; April 1 to June 30; July 1 to September 30; and October 1 to December 31;

(ii) to remain qualified, school bus drivers, substitute school bus drivers, and activity bus drivers shall complete a total of eight hours in-service training per semester. Semesters during the calendar year are as follows: January 1 to June 30 and July 1 to December 31;

(iii) in-service training shall be documented by the transportation administrator or designee with the date of training, hours trained, trainer's name, printed and signed name of attendees, and topic or topics discussed. Such documents shall be stored in files maintained by the employer,

(iv) drivers who do not complete the required hours of in-service training per semester are disqualified from duty until those hours of in-service training are completed. The department may determine the in-service training topics.

(2) Employee files for school-owned activity vehicle drivers shall include:

(a) a copy of current driver's license;

(b) a current medical examiner's certificate indicating that a physical examination in accordance with DOT and federal motor carrier safety administration requirements was passed;

(i) the DOT physical examination form that is current on the date of the examination must be used; and

(ii) additional physical examinations on the DOT form may be requested by the employer or the department;

(c) a driving record printed annually then verified for eligibility pursuant to the requirements listed in Subparagraph (c) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC.

(3) Employee files for school bus assistants and substitute school bus assistants shall include:

(a) a copy of current first aid and CPR certificate; and

(b) documented in-service training pursuant to the requirements listed in Subparagraph (d) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC.

**T. Planned LEA-sponsored activity trips:** When a planned LEA-sponsored activity trip involves more than 18 people, including the drivers, or would require more than two school-owned activity vehicles to transport students during the same time frame to the same destination, the LEA shall use an activity school bus. Passenger management, as described in Paragraph (7) of Subsection T of 6.41.4.9 NMAC, shall not be an additional responsibility of the driver of the activity bus or a school bus assistant on a planned LEA-sponsored activity trip.

(1) When an activity bus is used for a planned LEA-sponsored activity trip:

(a) the activity bus shall meet the requirements pursuant to 6.40.2 NMAC;

(b) the activity bus shall not carry more than the manufacturer-rated seating capacity;

(c) the employer shall not use a school bus assigned to a school bus route to provide transportation for any planned LEA-sponsored activity trips if doing so will interfere with its operation on its assigned school bus route;

(d) the employer shall not temporarily reassign any students from one school bus route to another school bus route in order to free up a school bus for a planned LEA-sponsored activity trip; and

(e) on an activity bus that includes transporting equipment:

(i) items shall not occupy needed seating space;

(ii) items shall not be placed in the driver's compartment;

(iii) all items shall be properly secured; and

(iv) aisle and exits shall not be blocked.

(2) When a school-owned activity vehicle is used on a planned LEA-sponsored activity trip:

(a) the school-owned activity vehicle shall meet applicable federal motor vehicle safety standards (FMVSS);

(b) the driver operating a school-owned activity vehicle shall meet all requirements for school-owned activity vehicle drivers, pursuant to Subsection O of 6.41.4.9 NMAC;

(c) the school-owned activity vehicle shall not carry more than the manufacturer-rated seating capacity;

(d) the school-owned activity vehicle shall meet the following criteria:

- (i) the school-owned activity vehicle shall not be vans or mini-vans;
- (ii) the school-owned activity vehicle shall not seat less than six and no more than nine people including the driver;
- (iii) the school-owned activity vehicle shall have seat belts available for all occupants, and all occupants are required to wear them while the vehicle is in motion;
- (iv) the school-owned activity vehicle shall have available a cargo net or other adequate tie-down for securing items in the vehicle; excluding hitched trailers;
- (v) trailers shall not be hitched to school-owned activity vehicles while the vehicle is transporting students;
- (vi) the school-owned activity vehicle shall not exceed the manufacturer's gross vehicle weight rating (GVWR) as specified on the vehicle license and registration form; the GVWR includes the weight of the passengers and luggage; and
- (vii) the school-owned activity vehicle shall be in compliance with all applicable federal, state, and department regulations, and with child restraint guidelines from the national highway traffic safety administration (NHTSA);
- (e) on a school-owned activity vehicle that includes transporting equipment shall transport equipment pursuant to the requirements listed in items (i), (ii), and (iii) of Subparagraph (e) of Paragraph (1) of Subsection T of 6.41.4.9 NMAC;
- (f) the school-owned activity vehicle shall be replaced in accordance with the LEA's policy which defines the replacement cycle for school-owned activity vehicles.
- (3) The following time limits shall apply to drivers of planned LEA-sponsored activity trips.
  - (a) A driver shall not have more than eight hours continuous driving time and no more than 10 hours total driving time.
  - (b) A driver shall not be permitted to be on-duty more than 15 hours in a 24-hour period.
  - (c) A driver shall have eight consecutive off-duty hours before resuming on-duty time.
  - (d) A driver is considered off-duty if relieved of all duties and responsibilities for the care and custody of the vehicle, its accessories, cargo, and passengers.
- (4) An activity trip ticket that documents and authorizes the activity trip shall be prepared, signed by the LEA, and provided to the driver if the planned LEA-sponsored activity trip requires travel outside of the LEA's geographic boundary.
- (5) LEAs are not required to have an activity trip ticket if a commercial common carrier is used to transport students on a planned LEA-sponsored activity trip. However, the LEA shall maintain a copy of the contract for the transportation services for the planned LEA-sponsored activity trip.
- (6) Drivers shall be informed of and responsible for the following while driving on planned LEA-sponsored activity trips in addition to the applicable responsibilities of drivers pursuant to 6.41.4.11 NMAC:
  - (a) compliance with all federal, state, department and employer policies and regulations;
  - (b) care of and safe and efficient operation of the school bus or school-owned activity vehicle at all times;
  - (c) performance and documentation of a thorough pre-trip inspection of the vehicle and special equipment prior to departure, unless completed and documented by other qualified personnel;
  - (d) conducting an emergency evacuation drill or providing adequate alternate instruction to all passengers prior to departure. An LEA-approved document shall be provided to the driver for the driver and the sponsor to sign in evidence that such has been completed before beginning each planned LEA-sponsored activity trip;
  - (e) ensuring the safety of all passengers while they are in the school bus or school-owned activity vehicle;
  - (f) ensuring all passengers are properly seated with seat belts in use when the driver is operating a school-owned activity vehicle;



(g) maintaining an activity trip ticket when one is required. The driver shall, upon request, show the signed activity trip ticket to any state police officer or other law enforcement officer, DOT officer, or staff member of the department;

(h) notifying the transportation administrator or designee and obtaining their approval prior to incorporating a change if there are any changes in the route or itinerary;

(i) notifying the transportation administrator or designee of all emergencies that arise;

(j) maintaining and submitting to designated employer personnel all records pertinent to the planned LEA-sponsored activity trip including signed documentation that adequate emergency evacuation instruction was conveyed to all passengers;

(k) ensuring that prior to departure and the return journey, the school bus or school-owned activity vehicle is clean, completely serviced, and inspected, noting the condition of the vehicle in writing on the appropriate form and signing the form;

(l) ensuring the school bus or school-owned activity vehicle shall not be fueled while passengers are on board unless there are exceptional circumstances when it is impractical to unload;

(m) ensuring that no students remain on the school bus or school-owned activity vehicle unless the driver or a school sponsor is on board. At the conclusion of the planned LEA-sponsored activity trip, ensure that no one is on the school bus or school-owned activity vehicle; and

(n) ensuring that the sponsors are actively supervising students on the bus.

(7) School sponsors shall be notified of the following responsibilities for each planned LEA-sponsored activity trip:

(a) preparing and submitting activity trip requests in accordance with federal, state and department regulations as well as the LEA's policies;

(b) ensuring there are an adequate number of disciplinary staff;

(c) notifying the transportation administrator or designee of any schedule changes;

(d) assuring that student(s) are at the departure point(s) at the appointed time;

(e) supervising the loading and unloading of the vehicle;

(f) maintaining a student roster and taking roll each time students load onto the vehicle;

(g) assuring the orderly conduct and discipline of students on and off the vehicle;

(h) supervising and maintaining control of student passengers in case of an emergency;

(i) providing for adequate rest stops;

(j) making all arrangements on overnight planned LEA-sponsored activity trips for meals and lodging, including the driver's meals and lodging.

(8) Planned LEA-sponsored activity trips shall be paid from budgeted LEA-sponsored activity funds and not from current fiscal year to-and-from transportation funds.

(9) The LEA shall adopt a policy that addresses out-of-state transportation for planned LEA-sponsored activity trips. LEAs shall use the guidelines for school-owned activity vehicles provided in 6.41.4 NMAC whenever possible

#### U. Training:

(1) Transportation administrators shall provide training for other LEA employees who are responsible for supervision of the school transportation program and school employed drivers.

(2) A minimum of two hours of in-service training is required annually. The contents of the training will be determined by the department.

[6.41.4.9 NMAC - Rp, 6.41.4.9 NMAC, 3/27/2018; A/E, 8/4/2023; A, 1/16/2024]

#### 6.41.4.10 REQUIREMENTS OF TRANSPORTATION SERVICE PROVIDERS:

##### A. General requirements: The transportation service providers shall:

(1) cooperate with the LEA administration to provide safe and efficient transportation services for all eligible students;

(2) keep all required vehicle maintenance records;

(3) hire all school bus drivers, substitute school bus drivers, activity school bus drivers, school bus assistants, and substitute school bus assistants in accordance with LEA policies, federal, state, and department regulations, and Section 22-10-3.3 NMSA 1978;

(4) maintain all school bus driver, substitute school bus driver, activity school bus driver, school bus assistant, and substitute school bus assistant files with required documentation in accordance with federal, state and department regulations;

(5) hire mechanics and office support personnel;

(6) provide to all drivers written procedures to be followed:

(a) during inclement weather; and

(b) during school bus evacuation drills;

(7) provide to each driver an LEA-approved written plan of action in case of an emergency covering:

(a) vehicle trouble requiring evacuation;

(b) vehicle trouble not requiring evacuation;

(c) passenger trouble requiring transportation personnel intervention;

(d) passenger trouble requiring police intervention; and

(e) passenger trouble requiring medical intervention.

(8) attend IEP meetings as necessary.

**B. Equipment:** The transportation service provider shall:

(1) maintain all school buses to manufacturer specifications and all safety equipment on school buses to federal, state and department specifications;

(2) report complete and accurate information required by the department's transportation director or designee and the LEA; and

(3) comply immediately with equipment recalls by taking a vehicle that has an equipment recall by a manufacturer, a distributor, a federal or state agency, or the department to an approved location as per the recall notification for modification or repair.

**C. Training:** The transportation service provider shall:

(1) provide pre-service and in-service training for all school bus drivers, substitute school bus drivers, activity bus drivers, and all school bus assistants and substitute school bus assistants in accordance with the department regulations;

(2) provide training for transportation service providers' employees who have supervisory responsibility of school bus drivers. A minimum of two hours of training is required annually. The contents of the training will be determined by the department transportation director.

[6.41.4.10 NMAC - Rp, 6.41.4.10 NMAC, 3/27/2018]

**6.41.4.11 RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:** All drivers and, where applicable, all school bus assistants and substitute school bus assistants shall:

**A. Comply with the following.**

(1) Operate the vehicle in a safe and efficient manner in accordance with federal, state, local statutes and regulations, department regulations, and LEA policies.

(2) Cooperate with the transportation administrator's compliance with 49 CFR Part 382 as conducted by the LEA and transportation service provider.

**B. Perform a pre-trip inspection.**

(1) All school bus drivers shall perform and document a daily thorough pre-trip inspection of the school bus and special equipment, unless completed and documented by other qualified personnel. The inspection shall include, at minimum, inspection of the:

(a) outside of the vehicle:

(i) any fluid leaks, including oil, water, power steering, power brakes, transmission, or differential;

(ii) wheels, tires, lug bolts and nuts for serviceability;

(iii) all exterior lights for serviceability and operation;

(iv) all glass, mirrors, and windshields to be clean and unbroken and mirrors adjusted for the driver;

- for electric buses;
- proper fluid levels;
- (v) exhaust system for leaks, looseness, and secure clamps, except
- (vi) engine compartment for serviceability, hoses, belts, wiring, and
- (vii) battery for secure connections and no corrosion;
- (viii) fuel filler cap, except for electric buses;
- (ix) lift system for those vehicles equipped;
- (x) service door, emergency exits, and buzzers; and
- (xi) stop arm and signs;
- (b) inside of the vehicle:
  - (i) all seats and interior lights;
  - (ii) horn, windshield wipers, all gauges, and indicators;
  - (iii) emergency equipment including a first aid kit, fire extinguisher, reflectors, body fluid clean-up kit, and seat belt cutter;
  - (iv) parking brake and service brake;
  - (v) interior mirror;
  - (vi) cleanliness of vehicle;
  - (vii) heaters and defrosters;
  - (viii) air or hydraulic brake check; and
  - (ix) emergency exits and buzzers.

(2) All school-owned activity vehicle drivers shall perform, at a minimum, a thorough pre-trip inspection for operational check of the vehicle and equipment unless completed by other personnel who have completed department-approved pre-service training. The inspection shall, at minimum, include inspection outside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (a) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC and inside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (b) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC. All school-owned activity vehicle drivers shall inspect all gauges, seats, and interior lights of the school-owned activity vehicle.

(3) The driver shall not operate any school bus, activity school bus, or school-owned activity vehicle that does not meet the pre-trip inspection requirements. The driver shall immediately notify the transportation administrator or designee upon failure of the pre-trip inspection and document the reason for the failure.

**C. Use the following basic driving, loading, and unloading procedures for school bus routes.**

(1) Drivers shall obey all traffic laws, ordinances, and rules of the road and not drive the school bus faster than the posted speed limit.

(2) Loading and unloading shall occur, whenever possible, off of the traveled portion of the roadway and so that students do not have to cross the roadway.

(3) Drivers shall load or unload students only at established school bus stops unless an emergency dictates otherwise. School bus stops shall not be changed or the time schedules altered by the school bus driver or transportation service provider without the approval of the transportation administrator or designee. Drivers shall not grant permission for a student to load or unload except at the student's designated school bus stop without written approval from the transportation administrator or designee.

(4) Drivers shall use rear view mirrors to check traffic before arriving at the school bus stop.

(5) Drivers shall reduce the speed of the school bus when approaching the school bus stop.

(6) On morning school bus routes, drivers shall:

(a) bring the school bus to a complete stop eight to 10 feet before the school bus stop, set the parking brake and shift the transmission in neutral or, if equipped, park;

(b) make a complete stop at all established school bus stops whether students are present or not, unless a parent or guardian or the transportation administrator has notified the driver that the student will be absent;

(c) not wait for students unless they are observed making an effort to reach the school bus stop or unless otherwise specified in a student's IEP; and

(d) use rear view mirrors to check traffic.

(7) When loading, the driver shall check that all students are seated in the school bus before the school bus is put in motion.

(8) When unloading, the driver shall count the students that have exited the school bus. When students exit the school bus, drivers shall ensure the following.

(a) If students are required to cross the roadway, they shall walk eight to 10 feet in front of the school bus and be positioned perpendicular to the right front portion of the school bus where the driver can see them.

(b) The driver shall check rear view mirrors and all traffic lanes to ensure all required traffic is stopped before signaling students to cross the roadway to the left front portion of the school bus.

(c) Before signaling students to proceed the rest of the way, the driver shall check rearview mirrors and all traffic lanes again to ensure all required traffic is stopped.

(d) The driver shall check to be sure that all students have crossed the roadway safely by using the crossover mirrors and perform a final student count.

(e) The driver shall verify that all doors are free of obstructions then close all doors before the school bus is put in motion.

(f) The driver shall use rear view mirrors to check traffic before departing from the school bus stop.

(9) The driver shall not operate the school bus in such a manner as to cause on-board accidents by jerking, stopping suddenly or swerving unnecessarily.

(10) The driver shall not leave the driver's seat without setting the park brake, putting the transmission in neutral or, if equipped, park, stopping the engine, and removing the keys. Exceptions include the following:

(a) school buses with a wheelchair lift that meets 6.40.2 NMAC requiring a vehicle interlock system for school buses built after July 1, 2003, and to deactivate the child check safety system. The driver may leave the key in the ignition with the engine off when deactivating the child check safety system but the service door shall be closed;

(b) school buses equipped with a diesel engine and automatic transmission where the driver shall follow the manufacturer's recommendation for parking in gear.

(11) The driver shall keep the school bus clean, well ventilated, and, when necessary, properly heated.

(12) The driver, if traveling in a convoy, shall follow the lead school bus and shall maintain proper distance between vehicles.

(13) The driver shall report all hazards on the school bus route, whether potential or existing, and all causes for failure to operate on schedule to the transportation administrator or designee.

(14) The driver shall not use the school bus outside regular to-and-from transportation or a planned LEA-sponsored activity trip without the approval of the transportation administrator.

**D. In addition to requirements pursuant to Subsection C of 6.41.4.11 NMAC use the following if the school bus must be loaded or unloaded on the roadway.**

(1) If the school bus must be loaded or unloaded on the traveled portion of the roadway:

(a) The driver shall activate the alternating amber flasher lights not less than 100 feet nor more than 300 feet from a stop in urban areas or not less than 300 feet nor more than 1,000 feet from a stop in rural areas to warn motorists that the school bus is about to stop on the roadway.

(b) The alternating red flasher lights and stop arm shall be activated after the school bus is completely stopped and the service door is opened.

(i) If a school bus is approaching another school bus that has stopped to load or unload students with its alternating amber or red flasher lights activated, the approaching school bus shall mimic the other bus by activating its alternating amber or red flasher lights and shall not load or unload students.

- (ii) Once the school bus loading or unloading students has deactivated its alternating amber or red flasher lights, the approaching school bus shall resume operations.
- (2) If the school bus must be loaded or unloaded on the traveled portion of the roadway with multiple traffic lanes in each direction, highway, or a divided roadway:
  - (a) the school bus shall stop in the right-hand or outside traffic lane;
  - (b) students shall not be loaded or unloaded in a designated right-turn lane or in a lane immediately adjacent to a designated right-turn lane;
  - (c) loading and unloading shall occur only on the side of the roadway on which the student lives.
- (3) The alternating red flasher lights shall be deactivated before the school bus is put in motion.
- (4) The driver shall use good judgment when activating and deactivating the alternating flasher lights so as not to impede traffic unnecessarily.

**E. Load and unload students at schools using the following procedures.**

- (1) If loading or unloading must occur on the street, alternating flasher lights shall not be activated unless the school bus is stopped on the traveled portion of the roadway.
- (2) When loading or unloading, the school bus parking brake shall be activated, transmission shall be in neutral or, if equipped, in park, and the engine shall be off. Should the driver be required to leave the driver's seat, the keys shall be removed from the ignition switch. Exceptions to removing the key from the ignition switch:
  - (a) school buses built after July 1, 2003, that are equipped with an interlock for wheel chair lifts; or
  - (b) school buses equipped with a child check safety system. In buses equipped with this system, the service door shall be closed before the driver leaves the driver's seat.
- (3) When loading, school buses may be parked in a single file as close as possible to avoid students or other people from going between the school buses.
- (4) When loading, school buses shall be parked prior to dismissal time, if possible. School buses shall be parked in the order that they arrive at the school.
- (5) The driver shall not back up a school bus on school grounds unless absolutely necessary and then only with assistance from an adult of the driver's choosing.

**F. Operate a school bus on an interstate highway using the following procedures.**

- (1) All loading or unloading shall be done at points off the interstate highway either at an interchange, service, or frontage road.
- (2) The school bus shall not cross over to the opposite roadway or make any other similar maneuver except at interchanges and then only in a manner consistent with the proper procedures at any given interchange unless directed otherwise by a law enforcement officer.
- (3) School buses using portions of the interstate highway shall not stop on or adjacent to the roadway unless there is an emergency or as directed by a law enforcement officer.
- (4) The school bus shall not stop on the interstate highway nor shall any students or other passengers load or unload on the interstate highway except in an emergency.

**G. Follow the procedures for school buses crossing railroad tracks:** The driver is always responsible for the safe movement of the school bus and in no instance shall a railroad signal, active or non-active, abrogate this precaution. The following procedures shall apply to school buses or activity school buses at railroad crossings.

- (1) Before crossing any track or tracks of a railroad, the school bus driver shall activate the hazard warning lights and shall bring the school bus to a full and complete stop not less than 15 feet or more than 50 feet from the rail nearest the front of the school bus.
- (2) On multiple lane roadways, the school bus shall be in the extreme right traffic lane whenever possible.
- (3) If a stop-and-go traffic light controls the movement of traffic at the railroad crossing, the driver need not stop unless the traffic light indicates to stop.
- (4) When approaching a railroad crossing, the driver shall carefully observe traffic and reduce the speed of the school bus in advance of stopping.

(5) While completely stopped prior to crossing and until completely across the railroad crossing, the driver shall:

- (a) fully open the service door;
- (b) fully open the window to the driver's immediate left;
- (c) turn off all noisy equipment, radio, and fans;
- (d) direct passengers to be silent if passengers are making noise;
- (e) listen and look in both directions along the track or tracks for approaching

trains or other vehicles; and

(f) keep the transmission of the school bus in first gear by maintaining a speed which does not cause the transmission to shift.

(6) The school bus driver shall not proceed through the railroad crossing or around crossing gates unless directed by law enforcement officer or railroad personnel if:

- (a) there are operating flashing red lights;
- (b) there is an operating bell;
- (c) a crossing gate is closed or in the process of being opened or closed;
- (d) the rear portion of the school bus cannot be positioned more than 15 feet

from the rail nearest the rear of the school bus; or

(e) the view in either direction is unclear or is obstructed in any way until the driver has secured the school bus and performed a visual inspection to verify that no trains or other vehicles are approaching.

(7) After safely and completely crossing the railroad tracks, the driver shall:

- (a) fully close the service door;
- (b) turn off hazard warning lights;
- (c) adjust the window to the driver's immediate left;
- (d) resume use of any noisy equipment, radio, and fans; and
- (e) continue traveling safely.

(8) When traveling near railroad tracks, even if not crossing, the school bus driver shall be aware of hazardous circumstances on the railroad tracks that could present a danger to the school bus. In such situations, the driver shall remain aware and instruct the students to remain silent until there is no longer a danger.

#### **H. Address student safety.**

(1) The driver shall be responsible for the safety and orderly conduct of school bus passengers.

(2) The driver, school bus assistants and substitute school bus assistants shall meet all requirements of student IEPs when transportation is a related service.

(3) The driver shall report all serious discipline cases to the transportation administrator or designee in accordance with the department and the LEA's policies.

(4) The driver shall have the authority to assign any passenger to a seat.

(5) The driver shall not carry on any unnecessary conversations with passengers while driving.

(6) The driver shall not permit the transportation of firearms, knives, explosives, breakable glass, or other dangerous objects, reptiles, or animals, except a service animal authorized by an IEP.

(7) In transporting musical instruments, shop projects, or other school projects, items shall be transported pursuant to the requirements listed in Subparagraph (e) of Paragraph (1) of Subsection T of 6.41.4.9 NMAC.

(8) On the school bus, the driver shall not permit items to block the aisle or exits.

(9) While a school bus is in motion, the driver shall not permit any passengers to occupy any area in front of the passenger seating area. All passengers shall be properly seated.

#### **I. Perform a post-trip inspection.**

(1) The driver shall, as part of each post-trip inspection, ensure that no passengers remain on board.

(2) The driver shall submit a signed, LEA-approved form reporting all faulty or improperly functioning equipment to the transportation administrator or designee, or the transportation service provider.

**J. Participate in emergency evacuation drills for school buses.** All school bus drivers, substitute school bus drivers, activity bus drivers, school bus assistants, and substitute school bus assistants shall participate in the emergency evacuation drills or adequate alternate instruction scheduled by the transportation administrator.

**K. Be familiar with the location and use of the following emergency equipment:**

- (1) hazard warning lights;
- (2) fire extinguisher;
- (3) first aid kit;
- (4) body fluid cleanup kit;
- (5) triangular warning reflectors; and
- (6) seat belt cutter.

**L. Address emergency evacuations and accidents.**

(1) Emergency evacuations shall take place if there is a fire or danger of fire involving the vehicle. The vehicle shall be stopped and evacuated immediately. Passengers shall move a safe distance away from the vehicle and remain there until given further direction.

(2) Emergency evacuations may take place if the vehicle is stopped in an unsafe position. The driver shall immediately determine whether it is safer for passengers to remain in the vehicle or to evacuate the vehicle. The driver shall direct the passengers to evacuate the vehicle if:

- (a) the vehicle has stopped in the path of a train;
- (b) the position of the stopped vehicle may change, thus increasing the danger to passengers; or
- (c) the position of the stopped vehicle is such that there is danger of another vehicle colliding into it.

(3) In the case of any accident, the driver's first responsibility is for the safety of the passengers. The driver shall:

- (a) stop immediately;
- (b) notify police and the LEA administrator and, if appropriate, the transportation service provider;
- (c) remain calm and reassure passengers;
- (d) if necessary to evacuate the vehicle, direct passengers to a safe place away from traffic and not permit passengers to leave the scene of the accident;
- (e) render reasonable assistance to persons injured in the accident;
- (f) remain at the scene of the accident and not move the vehicle unless required by local ordinance or a law enforcement officer;
- (g) if possible, place reflectors appropriately to warn traffic;
- (h) obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;
- (i) make no admission as to liability nor assume responsibility for the accident;
- (j) comply with federal, state, department regulation and LEA policy and procedures in reporting the accident; and
- (k) adhere to any vital emergency medical information provided.

**M. Alternating flasher lights shall not be used when the school bus is:**

- (1) on school grounds to load or unload students;
- (2) completely off the traveled portion of the roadway;
- (3) at a railroad crossing; or
- (4) stopped, except when loading or unloading students on the roadway.

[6.41.4.11 NMAC - Rp, 6.41.4.11 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.12 SCHOOL BUS SAFETY AND EQUIPMENT:** All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2 NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, school bus inspection guide.

**A.** Each school bus shall be equipped with an operable seat belt for the driver that shall be used when the school bus is in motion.

**B.** Each school bus shall have seat belts or a seat harness as required on school buses when required in a student's IEP.

**C.** Each school bus shall have at least one seat belt cutter properly secured in a location within reach of the driver while the driver is belted into the driver's seat pursuant to Paragraph (1) of Subsection YY of 6.40.2.10 NMAC. The seat belt cutter shall be durable and designed to eliminate the possibility of the operator or others being cut during use.

**D.** Each school bus shall carry a first aid kit with contents pursuant to Paragraph (2) of Subsection P of 6.40.2.10 NMAC.

**E.** Each school bus shall carry a body fluid clean-up kit pursuant to Paragraph (3) Subsection P of 6.40.2.10 NMAC.

**F.** Each school bus shall be equipped with at least one UL-approved pressurized dry-chemical fire extinguisher complete with hose. The fire extinguisher shall have a total rating of 2A10BC or greater and meet the requirements of Paragraph (1) of Subsection P of 6.40.2.10 NMAC. The extinguisher shall be securely mounted in the driver's compartment, fully charged and in working condition.

**G.** Each school bus shall be equipped with a minimum of three triangular warning reflectors pursuant to Paragraph (4) of Subsection P of 6.40.2.10 NMAC, and the driver shall be knowledgeable as to their proper placement. Drivers shall use reflectors in the event of prolonged stops on the roadway.

(1) On a two-lane road:

(a) a warning reflector shall be placed on the traffic side of the school bus 10 feet from the front or rear of the school bus, depending on traffic direction;

(b) a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the rear of the school bus; and

(c) a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the front of the school bus.

(2) On a one-way or divided highway, warning reflectors shall be placed on the traffic side of the school bus at 10, 100, and 200 feet from the rear of the school bus and placed so as to direct traffic away from the school bus.

(3) If the school bus is disabled within 500 feet of a curve, crest of a hill, or other obstruction:

(a) a warning reflector shall be placed on the traffic side of the school bus 10 feet from the rear of the school bus in the direction of the obstruction;

(b) a warning reflector shall be placed on the traffic side of the school bus 100 feet from the rear of the school bus in the direction of the obstruction; and

(c) a warning reflector shall be placed on the traffic side of the school bus up to 500 feet from the rear of the school bus in the direction of the obstruction.

**H.** The hazard warning lights shall be used only when it is necessary to stop the bus on the shoulder of the roadway or on the roadway. The hazard warning lights shall also be used when the speed of the school bus is less than one-half of the posted speed limit.

**I.** The emergency door(s), windows, and roof hatches shall not be fastened or wired so as to prevent opening from the inside or outside.

**J.** Loose items shall be properly stowed underneath in equipment compartments or securely fastened if carried inside the school bus.

**K.** Trailers shall not be attached to a school bus.

**L.** Trailers shall not be hitched to school-owned vehicles while the vehicle is transporting students.

[6.41.4.12 NMAC - Rp, 6.41.4.12 NMAC, 3/27/2018]

#### **6.41.4.13 CONTINUING REQUIREMENTS FOR DRIVERS, SUBSTITUTE DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:**

**A.** School bus drivers, substitute school bus drivers, and drivers of activity buses shall maintain and provide to the employer a copy of the following:

(1) a current CDL with appropriate class and endorsements;



(2) a current DOT medical examiner's certificate in compliance with federal and state CDL licensing requirements;

(3) a driving record obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division and printed annually; and

(4) a current first aid and CPR certificate which has been obtained from a course approved by the department.

**B. School-owned activity vehicle drivers shall maintain and provide to the employer a copy of the following:**

(1) a current driver's license;

(2) a current medical examiner's certificate from a physical recorded on the DOT form;

(3) a driving record pursuant to requirements in Paragraph (3) of Subsection A of 6.41.4.13 NMAC; and

(4) a current first aid and CPR certificate pursuant to the requirements in in Paragraph (4) of Subsection A of 6.41.4.13 NMAC.

**C. School bus assistants and substitute school bus assistants shall maintain and provide a copy to the employer of the following:**

(1) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC; and

(2) a physical examination renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional.

**D. In-service training:** To remain qualified, school bus drivers, substitute school bus drivers, school bus assistants, and substitute school bus assistants shall complete a total of eight hours per semester of in-service training that has been approved by the transportation administrator. Persons who do not complete the required hours of in-service training are disqualified from duty until those hours of in-service training are completed.

[6.41.4.13 NMAC - Rp, 6.41.4.13 NMAC, 3/27/2018]

#### **6.41.4.14 USING SPORT UTILITY VEHICLES (SUVS) FOR TO-AND-FROM TRANSPORTATION:**

**A. General requirements. An LEA electing to transport students in an SUV on a to-and-from route shall:**

(1) be limited to transport up to six students who are enrolled in the LEA;

(2) only transport students whose residence is within the boundaries of the LEA, with the exception of those students in foster care or homeless children and youth as required as part of the best interest determination;

(3) only transport students who live five or more miles from the student's or students' school, with the exception of those students in foster care or homeless children and youth as required as part of the best interest determination;

(4) require that the SUV driver be an LEA employee certified as a school-owned activity vehicle driver;

(5) require that the driver meet all federal, state, and department qualifications and licensing requirements. The driver shall:

(a) allow the LEA to obtain the driver's driving record through the New Mexico motor vehicle division, or the national driver register or other states' motor vehicle divisions;

(b) satisfactorily complete a physical examination using the current DOT physical examination form:

(i) physical examination shall be renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional;

(ii) additional physical examinations shall be required at any other time at the request of the LEA or the department's transportation bureau;

(iii) all physical examinations shall be conducted by a licensed medical professional;

(c) meet the requirements of the Controlled Substances and Alcohol Use and Testing in accordance with 49 CFR Part 382;

- (6) require that the driver complete pre-service training as outlined in department guidance. The pre-service training shall be provided only by a school bus driver instructor that has activity vehicle certification or an activity vehicle instructor that has been certified by the department;
- (7) require the SUV driver transporting students on to-and-from routes to obtain two hours of in-service training per semester;
- (8) be required to insure both the SUV and SUV driver through the public school insurance authority;
- (9) establish written procedures for an immediate substitute SUV or school bus should an SUV fail to meet pre-trip inspection requirements; the substitute SUV or school bus shall meet all pre-trip requirements;
- (10) require the SUV driver to immediately report in writing on the appropriate form(s) signed by the SUV driver any faulty or improperly functioning equipment to the transportation administrator or their designee;
- (11) require all passengers to enter and exit on the passenger side of the SUV;
- (12) require the SUV driver to ensure that no student remains in the SUV at the conclusion of the route;
- (13) be required to have the vehicle inspected semi-annually by an authorized dealer including the manufacturer's recommended multi-point inspection. An inspection shall not occur within 90 days from the prior inspection. All inspections shall occur during the school year. Any defects found by the dealer shall be repaired prior to the vehicle being used to transport students. The vehicle shall be considered out of service until all defects are repaired by the dealer. The semi-annual inspections shall be submitted to the department's transportation bureau along with the documentation of all repaired defects;
- (14) require the SUV driver to conduct a daily, thorough pre-trip operational check of the SUV and equipment; the pre-trip shall be documented and shall cover at a minimum:
  - (a) wheels, tires, lug bolts, and nuts for serviceability;
  - (b) all exterior lights for serviceability and operation;
  - (c) all glass, mirrors, windshields (clean, unbroken and mirrors adjusted for the driver);
  - (d) exhaust system for leaks and looseness of connections;
  - (e) fluid leaks under and in the front (oil, water, power steering, transmission, brakes) and in the rear (brakes and differential);
  - (f) engine compartment for serviceability (battery, belts, wiring, hoses, fan);
  - (g) engine compartment for fluid levels (oil, engine coolant, power steering, brake, windshield washer, transmission);
  - (h) fuel filler cap;
  - (i) all gauges, seats, and interior lights;
  - (j) horn and windshield wipers;
  - (k) emergency equipment;
  - (l) cleanliness of SUV;
  - (m) electronic locks; and
  - (n) heaters and defrosters;
- (15) not allow the SUV driver to operate the SUV if it does not meet the pre-trip inspection requirements;
- (16) not allow an employee to operate an SUV for to-and-from transportation if the person's driving record shows:
  - (a) a conviction for driving a vehicle while intoxicated (DWI) or driving under the influence of intoxicating liquor or drugs (DUI) within the previous three years;
  - (b) a conviction for DWI or DUI between three years and 20 years prior to the date of application for employment unless a written verification from a licensed counselor or physician has been provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;
  - (c) a conviction two or more times for DWI or DUI;
  - (d) their driver's license has been suspended or revoked within the previous five years for any serious traffic offense;

(e) a conviction of more than three serious traffic offenses within the previous three years;

(f) a conviction of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;

(17) not allow an employee to operate an SUV for to-and-from transportation if the person's fingerprint-based background check shows:

(a) a conviction for any violation of the Controlled Substances Act;

(b) a conviction of child abuse pursuant to Section 30-6, NMSA 1978, Crimes Against Children and Dependents; or

(c) conviction of any other criminal offense in which a child was a victim as required by the offense; and

(18) ensure all SUVs shall be alcohol, drug, and tobacco free areas. Prior to or during work periods, all SUV drivers shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's ability to perform required duties.

(19) ensure that student evacuation drills or adequate alternate instruction are conducted pursuant to Paragraph (3) of Subsection C of 6.41.4.9 NMAC.

(20) adopt a policy defining the replacement cycle for SUVs.

**B. Procedures and criteria to establish routes.** The local superintendent or charter school administrator shall demonstrate a need before providing to-and-from transportation in an SUV.

(1) Those students receiving to-and-from transportation through the use of an SUV must be approved by the superintendent or charter school administrator. The superintendent or charter school administrator must approve annually. In addition, the superintendent or charter school administrator must approve any changes to an SUV route that occur after the annual approval.

(2) On forms provided by the department, the local superintendent or charter school administrator shall submit the following information to the secretary of education or designee and to the department's transportation director or designee for approval before using an SUV to transport students on a to-and-from route:

(a) a description of the need to transport students in an SUV;

(b) a list of students to be transported in an SUV;

(c) the location of the school and location of the students' residence as shown on a map; and

(d) the local superintendent or charter school administrator must sign the form submitted to the department.

(3) A revised request for the SUV route must be submitted to the department for approval if there are any changes to the initial request.

(4) LEAs may count the students and miles for transportation funding who receive transportation services through the use of an SUV; however, only half of the miles will be counted through the funding formula.

(5) Written notification shall be given to the department's transportation director or designee immediately when the LEA is no longer providing transportation in an SUV to the student or students who had been previously approved.

(6) Students in foster care or homeless children and youth may be transported as otherwise prescribed and required by law or department rule.

**C. Construction standards.** To provide for the safety of students, all SUVs used to transport students on to-and-from routes shall adhere to construction standards requirements.

(1) All SUVs used to transport students on to-and-from routes shall:

(a) be LEA owned;

(b) be a minimum six-passenger, full-size, extended-length, SUV;

(i) the SUV shall not accommodate more than nine people including the driver; and

(ii) the SUV shall not include vans or mini-vans;

(c) meet applicable United States department of transportation federal motor vehicle safety standards;

(d) comply with all applicable state statutes and comply with child restraint recommendations from the national highway traffic safety administration;

(e) have operable seat belts which all occupants are required to wear while the SUV is in motion;

(f) bear the words "SCHOOL VEHICLE" and the name of the LEA in reflective letters at least eight inches high on both sides of the SUV;

(g) bear the words "SCHOOL VEHICLE" and the name of the LEA in reflective letters on the rear of the SUV;

(h) be marked with reflective material that is at least one and three-fourths inches in width, placed horizontal and centerline of the SUV extending the length of both sides and rear of the SUV;

(i) be equipped with red LED strobe lights on the front and back of the SUV that shall be used during loading and unloading; and

(j) be equipped with electronic locks and child safety locks on all doors; all locks shall be engaged when the SUV is in motion.

(2) All SUVs used to transport students on to-and-from routes may:

(a) be equipped with a maximum speed limiter and shall be set at 75 miles per hour;

(b) have a two-way radio communication system;

(c) have an operable recording video camera;

(d) be equipped with a back-up camera; and

(e) be painted national school bus glossy yellow, in accordance with the colorimetric specification of national institute of standards and technology (NIST) federal standards no. 595a, color 13432, except that the hood should be either that color or lusterless black, matching NIST federal standard no. 595a, color 37038.

**D. Safety equipment.** All SUVs used to transport students on to-and-from routes shall have:

(1) a first aid kit with contents pursuant to 6.40.2 NMAC, New Mexico School Bus Construction Standards;

(2) a seat belt cutter within the driver's reach while belted;

(3) operable seat belts available to all passengers;

(4) a fire extinguisher mounted inside the SUV;

(5) a reflective safety vest that must be worn by the driver when the driver is exiting the SUV;

(6) a cargo net to secure all items not under students' control; and

(7) a minimum of three triangular warning reflectors;

(a) the SUV driver shall be knowledgeable of the warning reflectors' operation and proper placement;

(b) the warning reflectors shall be used in the event of prolonged stops on the roadway as follows:

(i) one warning reflector at a distance of approximately 100 feet in front and one reflector approximately 100 feet in back of the disabled SUV in the center of the traffic lane occupied by the disabled SUV;

(ii) one warning reflector at the traffic side of the disabled SUV, not less than 10 feet from the front or rear of the disabled SUV;

(iii) if the SUV is disabled within 500 feet of a curve, crest of a hill, or other obstruction to view, the SUV driver shall place the warning reflector in that direction to afford ample warning. The warning reflector must in no case be less than 100 feet or more than 500 feet from the disabled SUV.

**E. Route requirements.** All to-and-from transportation shall adhere to route requirements.

(1) Loading and unloading shall occur, whenever possible, off of the roadway.

(2) Students shall not cross the roadway for loading or unloading purposes.

(3) The SUV driver shall load and unload at established route stops only unless an emergency dictates otherwise.

- (4) The student shall load or unload only at the student's designated route stop unless the driver has written approval from the transportation administrator or designee.
  - (5) The SUV driver shall ensure all doors are closed and locked before putting the SUV in motion.
  - (6) The SUV driver shall keep the SUV clean, well ventilated, and properly heated when necessary.
  - (7) The SUV driver shall obey all traffic laws, ordinances, and rules of the road.
  - (8) The SUV driver shall report all hazards, whether potential or existing, on the route and all causes for failure to operate on schedule to the transportation administrator or designee.
- F. Loading and unloading on route.** All to-and-from transportation shall adhere to loading and unloading requirements.
- (1) The SUV driver shall use mirrors to check traffic when approaching the stop.
  - (2) The SUV driver shall reduce the SUV's speed.
  - (3) The SUV driver shall activate the strobe lights not less than 100 feet nor more than 300 feet from a route stop in urban areas and not less than 300 feet nor more than 1,000 feet from a route stop in rural areas to warn motorists that the SUV is about to stop.
  - (4) On morning routes, a complete stop shall be made at all established route stops whether students are present or not, unless a parent or guardian or transportation administrator has notified the driver that the student will be absent. The SUV driver shall not wait for students unless they are observed making an effort to reach the route stop or unless otherwise specified in the student's IEP.
  - (5) When loading students, the SUV shall be brought to a complete stop, the transmission put in park and the emergency brake activated.
  - (6) When unloading students, the SUV shall be brought to a complete stop, the transmission put in park and the emergency brake activated.
  - (7) When the SUV driver leaves the driver's seat, the keys shall be removed from the ignition switch.
  - (8) When all students have been completely and safely loaded or unloaded, the strobe lights shall be turned off.
  - (9) The SUV driver shall check mirrors and make a thorough live sight inspection of all traffic before resuming travel.
- G. Loading and unloading at schools.** All to-and-from transportation shall adhere to requirements when loading and unloading at schools.
- (1) The SUV driver shall load and unload students in the same location that loading and unloading of school buses occur.
  - (2) The SUV shall be parked in place for loading prior to dismissal of school. If loading or unloading on the street, the SUV shall be stopped parallel to the curb. Strobe lights shall not be activated unless the SUV is stopped on the traveled portion of the roadway.
  - (3) The vehicle shall be brought to a complete stop, the transmission put in park, and the emergency brake activated before loading or unloading students.
  - (4) When the SUV driver leaves the driver's seat, the keys shall be removed from the ignition switch.
  - (5) The driver shall not back up the SUV on school grounds unless absolutely necessary.
- H. Operating on interstate highways.** All to-and-from transportation shall adhere to operating requirements on interstate highways.
- (1) The SUV driver shall not make any stop except in an emergency nor shall any student load or unload while the SUV is on the interstate. All loading or unloading shall be done at points off the interstate.
  - (2) The SUV driver shall not drive the SUV onto an opposite roadway or make any other similar maneuver except at interchanges and then only in a manner consistent with the proper procedures at any given interchange.
- I. Railroad crossings.** The driver shall use extreme caution when approaching and crossing highway-grade railroad crossings.

- J. Continuing standards for drivers:** An SUV driver shall no longer be eligible to transport students:
- (1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;
  - (2) for five years receive a suspension or revocation of their driver's license for any serious traffic offense;
  - (3) for three years receive convictions for more than three serious traffic offenses;
  - (4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC; or
  - (5) if they do not complete the previous semester's required in-service training; to become eligible again, they must complete the training.
- K. Driver files.** LEAs shall maintain SUV driver files that include the following:
- (1) annual driving record check;
  - (2) copy of current medical examiner's certificate from the physical;
  - (3) copy of current and valid driver's license;
  - (4) pre-service training record;
  - (5) documentation of required in-service training pursuant to item (iii) of Subparagraph (d) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC and Paragraph 7 of Subsection A of 6.41.4.14 NMAC;
  - (6) proof that the driver is enrolled in a random drug and alcohol testing program; and
  - (7) a current first aid and CPR certificate pursuant to the requirements in in Paragraph (4) of Subsection A of 6.41.4.13 NMAC.
- [6.41.4.14 NMAC - Rp, 6.41.4.14 NMAC, 3/27/2018]

#### **HISTORY OF 6.41.4 NMAC:**

6.41.4 NMAC, Standard for Providing Transportation for Eligible Students; filed 12/31/1998 - Repealed and Replaced with 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students, effective 3/27/2018.

**PRE-NMAC REGULATORY FILING HISTORY:** The material in this regulation was derived from that previously filed with the State Records Center and Archives under State Board of Education Regulation 95-1 Standards for Providing Transportation for Eligible Students, filed February 2, 1995; and State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations, filed July 12, 1983, State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations Amendment #1, filed December 5, 1988; and State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations Amendment #2, filed January 24, 1990; and State Board of Education Regulation 77-6 Governing the Transportation of School Age Children Participating in School Sponsored Activities, filed September 13, 1977; State Board of Education Regulation 77-12 School Bus Driver's Manual, Revised Edition, filed January 16, 1978; and State Board of Education Regulation 77-12 Amendment #1 Special Education Supplement to the School Bus Driver's Handbook, filed August 21, 1978; and State Board of Education Regulation 71-9 School Bus Driver's Handbook, filed September 22, 1971; and State Board of Education Regulation 68-4 Regulations, Operating Procedures and Information for School Bus Drivers, filed March 12, 1968.

**HISTORY OF REPEALED MATERIAL:** 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students; filed 12/31/1998 - Repealed effective 3/27/2018.

# **Classroom/Hands-on Instruction**



## **Section 2-C**

### **Pre-trip (Vehicle Inspection) and Safety Equipment**

**1 Hour of Instruction**

**6.41.4.11 RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:** All drivers and, where applicable, all school bus assistants and substitute school bus assistants shall:

**INSTRUCTOR NOTE:** The following information is to be discussed with SOAV (activity trip) drivers.

**B. Perform a pre-trip inspection.**

- (a)** outside of the vehicle:
  - (i)** oil, water, and any other fluid leaks (power steering, power brakes, transmission, differential);
  - (ii)** wheels, tires, lug bolts and nuts for serviceability;
  - (iii)** all exterior lights for serviceability and operation;
  - (iv)** all glass, mirrors, windshields (clean and unbroken and mirrors adjusted for the driver);
  - (v)** exhaust system for leaks, looseness, and secure clamps;
  - (vi)** engine compartment for serviceability, hoses, belts, wiring, and proper fluid levels;
  - (vii)** battery for secure connections and no corrosion;
  - (viii)** fuel filler cap;
- (b)** inside of the vehicle:
  - (i)** all seats and interior lights;
  - (ii)** horn, windshield wipers, all gauges and indicators;
  - (iii)** emergency equipment including a first aid kit, fire extinguisher, reflectors, body fluid clean-up kit, and seat belt cutter;
  - (iv)** parking brake and service brake;
  - (v)** interior mirror;
  - (vi)** cleanliness of vehicle;
  - (vii)** heaters and defrosters;
  - (viii)** air or hydraulic brake check; and

(2) All school-owned activity vehicle drivers shall perform, at a minimum, a thorough pre-trip inspection for operational check of the vehicle and equipment unless completed by other personnel who have completed department-approved pre-service training. The inspection shall, at minimum, include inspection outside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (a) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC and inside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (b) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC. All school-owned activity vehicle drivers shall inspect all gauges, seats, and interior lights of the school-owned activity vehicle.



(3) The driver shall not operate any school bus, activity school bus, or school-owned activity vehicle that does not meet the pre-trip inspection requirements. The driver shall immediately notify the transportation administrator or designee upon failure of the pre-trip inspection and document the reason for the failure.

**K. Be familiar with the location and use of the following emergency equipment:**

- (1) hazard warning lights;
- (2) fire extinguisher;
- (3) first aid kit;
- (4) body fluid cleanup kit;
- (5) triangular warning reflectors; and
- (6) seat belt cutter.

In addition to the information outlined above, cover the following:

- Show the trainee where the school-owned activity vehicles are parked.
- Explain the process of how to obtain the keys and any required paperwork for the vehicle.
- Show the trainees the different types of vehicles that may be required to drive, where the controls are on each of the vehicles and how they operate.
- Explain to trainees the process for returning a vehicle – washing, vacuuming, fueling. etc.
- Any additional information.

<p><b><u>INSTRUCTOR NOTE:</u></b> The following information is to be discussed with SUV (to-and-from) drivers.</p>
--

**6.41.4.14 USING SPORT UTILITY VEHICLES (SUVS) FOR TO-AND-FROM TRANSPORTATION:**

**A. General requirements. An LEA electing to transport students in an SUV on a to-and-from route shall:**

(14) require the SUV driver to conduct a daily, thorough pre-trip operational check of the SUV and equipment; the pre-trip shall be documented and shall cover at a minimum:

- (a) wheels, tires, lug bolts, and nuts for serviceability;
- (b) all exterior lights for serviceability and operation;
- (c) all glass, mirrors, windshields (clean, unbroken and mirrors adjusted for the driver);
- (d) exhaust system for leaks and looseness of connections;
- (e) fluid leaks under and in the front (oil, water, power steering, transmission, brakes) and in the rear (brakes and differential);
- (f) engine compartment for serviceability (battery, belts, wiring, hoses, fan);
- (g) engine compartment for fluid levels (oil, engine coolant, power steering, brake, windshield washer, transmission);
- (h) fuel filler cap;
- (i) all gauges, seats, and interior lights;
- (j) horn and windshield wipers;
- (k) emergency equipment;
- (l) cleanliness of SUV;
- (m) electronic locks; and
- (n) heaters and defrosters;

**D. Safety equipment.** All SUVs used to transport students on to-and-from routes shall have:

- (1) a first aid kit with contents pursuant to 6.40.2 NMAC, New Mexico School Bus Construction Standards;
- (2) a seat belt cutter within the driver's reach while belted;
- (3) operable seat belts available to all passengers;
- (4) a fire extinguisher mounted inside the SUV;
- (5) a reflective safety vest that must be worn by the driver when the driver is exiting the SUV;
- (6) a cargo net to secure all items not under students' control; and

In addition to the information outlined above, cover the following:

- Explain how to complete the form used to document the vehicle pre-trip and post-trip inspection.
- Explain how to obtain a replacement vehicle should the one assigned not meet pre-trip inspection. Explain how to report the matter.
- Explain how to report any mechanical difficulties while the vehicle is in use.
- Explain the process for maintaining the condition of the vehicle – washing, vacuuming, fueling, etc.

- Any additional information.

**INSTRUCTOR NOTE:** The following information is to be discussed with both SOAV and SUV drivers.

- (7) a minimum of three triangular warning reflectors;
- (a) the SUV driver shall be knowledgeable of the warning reflectors' operation and proper placement;
- (b) the warning reflectors shall be used in the event of prolonged stops on the roadway as follows:
- (i) one warning reflector at a distance of approximately 100 feet in front and one reflector approximately 100 feet in back of the disabled SUV in the center of the traffic lane occupied by the disabled SUV;
- (ii) one warning reflector at the traffic side of the disabled SUV, not less than 10 feet from the front or rear of the disabled SUV;
- (iii) if the SUV is disabled within 500 feet of a curve, crest of a hill, or other obstruction to view, the SUV driver shall place the warning reflector in that direction to afford ample warning. The warning reflector must in no case be less than 100 feet or more than 500 feet from the disabled SUV.

# **Classroom Instruction**



## **Section 2-D**

# **New Mexico School Bus Driver Security Training Program**

**1 Hour of Instruction**

PLEASE INSERT THE STATE-APPROVED  
NEW MEXICO SCHOOL BUS DRIVER SECURITY  
TRAINING PROGRAM

Program consists of:

- Course Outline
- Instructor Guide
- Participant Guide
- PowerPoint presentation

**MATERIALS NEEDED:**

A computer with PowerPoint and internet access. If teaching a group, a means to display the information.

# **Classroom Instruction**



## **Section 2-E**

# **Passenger Management**

**15 Minutes of Instruction**

PLEASE INSERT  
  
THE EMPLOYER'S  
  
PASSENGER MANAGEMENT  
  
TRAINING PROGRAM

**INSTRUCTOR NOTE: In addition to the employer's passenger management information, please cover the following information from 6.41.4 NMAC when training SUV drivers.**

#### **6.41.4.9 RESPONSIBILITIES OF THE LEA:**

##### **L. Student behavior:**

(1) When a student's behavior on a school bus or at a designated school bus stop endangers the safety of others, the student shall be suspended from being transported according to LEA policies and department regulations.

(2) If an incident or behavior occurs involving a student with an IEP, the driver shall report each incident or behavior to the transportation administrator within 24 hours of the incident. Provisions for removal and reinstatement of transportation services for students with disabilities shall be specified in the LEA's policies and in the student's IEP. Any change in transportation as a related service must be made through the IEP process, and the procedural safeguards specified in department regulations shall apply. The transportation administrator shall report each incident or behavior within 24 hours of receiving the driver's report to the LEA's special education director or appropriate administrator. The incident or behavior shall be addressed by the student's IEP team.



# **Classroom Instruction**



## **Section 2-F**

### **Passenger Restraint**

**15 Minutes of Instruction**

## Section 66-7-369 NMSA

66-7-369. Child passenger restraint; enforcement.

A. A person shall not operate a passenger car, van or pickup truck in this state, except for an authorized emergency vehicle, public transportation or a school bus, unless all passengers **less than eighteen** years of age are **properly restrained**.

B. Each person **less than eighteen** years of age shall be properly secured in a child passenger restraint device or by a safety belt, unless all seating positions equipped with safety belts are occupied, as follows:

(1) children **less than one year** of age shall be properly secured in a rear-facing child passenger restraint device that meets federal standards, in the rear seat of a vehicle that is equipped with a rear seat. If the vehicle is not equipped with a rear seat, the child may ride in the front seat of the vehicle if the passenger-side air bag is deactivated or if the vehicle is not equipped with a deactivation switch for the passenger-side air bag;

(2) children **one year of age through four years** of age, regardless of weight, or children who **weigh less than forty pounds**, regardless of age, shall be properly secured in a child passenger restraint device that meets federal standards;

(3) children **five years of age through six years** of age, regardless of weight, or children who weigh **less than sixty pounds**, regardless of age, shall be properly secured in either a child booster seat or an appropriate child passenger restraint device that meets federal standards; and

(4) children **seven years of age through twelve years** of age shall be properly secured in a child passenger restraint device or by a seat belt.

C. A child is properly secured in an adult seat belt when the lap belt properly fits across the child's thighs and hips and not the abdomen. The shoulder strap shall cross the center of the child's chest and not the neck, allowing the child to sit all the way back against the vehicle seat with knees bent over the seat edge.

D. Failure to be secured by a child passenger restraint device, by a child booster seat or by a safety belt as required by this section shall not in any instance constitute fault or negligence and shall not limit or apportion damages.

(use [www.nmonesource.com](http://www.nmonesource.com) on the information sheet)

**New Mexico Compilation Commission**

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**66-7-369. Child passenger restraint; enforcement.**

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- (2) children one year of age through four years of age, regardless of weight, or children who weigh less than forty pounds, regardless of age, shall be properly secured in a child passenger restraint device that meets federal standards;
- (3) children five years of age through six years of age, regardless of weight, or children who weigh less than sixty pounds, regardless of age, shall be properly secured in either a child booster seat or an appropriate child passenger restraint device that meets federal standards; and
- (4) children seven years of age through twelve years of age shall be properly secured in a child passenger restraint device or by a seat belt.

C. A child is properly secured in an adult seat belt when the lap belt properly fits across the child's thighs and hips and not the abdomen. The shoulder strap shall cross the center of the child's chest and not the neck, allowing the child to sit all the way back against the vehicle seat with knees bent over the seat edge.

D. Failure to be secured by a child passenger restraint device, by a child booster seat or by a safety belt as required by this section shall not in any instance constitute fault or negligence and shall not limit or apportion damages.

**History:** Laws 1983, ch. 252, § 2; 1985, ch. 129, § 1; 1991, ch. 192, § 7; 2001, ch. 212, § 1; 2005, ch. 298, § 1.

100%

**INSTRUCTOR NOTE:** In addition to the above laws, a student's IEP will dictate when a student is to be secured in a child safety seat.

# **Classroom Instruction**



## **Section 2-G**

# **Drug and Alcohol Awareness**

**15 Minutes of Instruction**

Each employer must provide their education material to the AVI to use when training this section. The AVI must also discuss 6.41.4 NMAC and the Federal Motor Carrier Safety Administration (FMCSA) Regulation 49 Code of Federal Requirements (CFR) Part 382.

**Employer:**

Insert employer's drug and alcohol educational material.

**6.41.4 NMAC:**

**6.41.4.9 RESPONSIBILITIES OF THE LEA:**

**A. General requirements:**

(12) All school buses, activity school buses, and school-owned activity vehicles shall be alcohol, drug, and tobacco free areas. The LEA shall ensure that, prior to or during work periods, all drivers, school bus assistants, and substitute school bus assistants shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

(13) The transportation administrator shall ensure compliance with 49 CFR Part 382 by maintaining documentation including proof of contract and pools of driver names. Drivers who possess a CDL shall constitute a pool of names and the school-owned activity vehicle drivers shall constitute a separate pool of names for random drug and alcohol testing.

**6.41.4.11 RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:** All drivers and, where applicable, all school bus assistants and substitute school bus assistants shall:

**A. Comply with the following.**

(2) Cooperate with the transportation administrator's compliance with 49 CFR Part 382 as conducted by the LEA and transportation service provider.

**6.41.4.14 USING SPORT UTILITY VEHICLES (SUVS) FOR TO-AND-FROM TRANSPORTATION:**

**A. General requirements. An LEA electing to transport students in an SUV on a to-and-from route shall:**

(5) require that the driver meet all federal, state, and department qualifications and licensing requirements. The driver shall:

(c) meet the requirements of the Controlled Substances and Alcohol Use and Testing in accordance with 49 CFR Part 382;

**FMCSA:**

Five reasons for testing:

- 382.301 – Pre-employment
- 382.303 – Post accident
- 382.305 – Random
- 382.307 – Reasonable suspicion
- 382.309 – Return to duty

**INSTRUCTOR NOTE:** Although the following information is from the Commercial Driver License Manual and intended for drivers of commercial motor vehicles, the standards and requirements apply to SOAV and SUV drivers pursuant to 6.41.4 NMAC. Discuss federal and employer consequences of a positive random and a refusing to be tested.

**Commercial Driver License Manual:**

- CDL Licensing Information (Page before Table of Contents); review “Implied Consent “ with trainee.

**IMPLIED CONSENT**

Section 66-8-107 NMSA 1978 of the New Mexico Laws provides that:

- A. Any person who operates a motor vehicle within this state shall be deemed to have given consent, subject to the provisions of the Implied Consent Act, to chemical tests of his breath or blood, as determined by a law enforcement officer, or for the purpose of determining the drug or alcoholic content of his blood if arrested for any offense arising out of the acts alleged to have been committed while the person was driving a motor vehicle while under the influence of an intoxicating liquor or drug.
- B. A test of blood or breath shall be administered at the direction of the law enforcement officer having reasonable grounds to believe the person to have been driving a motor vehicle within this state while under the influence of intoxicating liquor or drug.

**Refusal to comply with this requirement, a finding of guilty in an administrative DWI action or a court conviction for DWI will result in a one year disqualification for the first offense and a disqualification for life for the second offense.**

- Page 1-4 under 1.3.2

***1.3.2 – Alcohol, Leaving the Scene of an Accident, and Commission of a Felony***

It is illegal to operate a CMV if your blood alcohol concentration (BAC) is .04% or more. If you operate a CMV, you shall be deemed to have given your consent to alcohol testing.

You will lose your CDL for at least one year for a first offense for:

Driving a CMV if your blood alcohol concentration is .04% or higher.

Refusing to undergo blood alcohol testing.

# **Classroom Instruction**



## **Section 2-H**

### **Defensive Driving Course**

**2 Hours of Instruction**



## USE ONE OF THE FOLLOWING STATE-APPROVED DEFENSIVE DRIVING COURSES.

The STB recommends:

- \*Coaching the Experienced Driver Plus by Coaching Systems, LLC  
[Coaching the Experienced Driver Plus – by Coaching Systems, LLC](#)

### **\*MATERIALS NEEDED:**

A TV or monitor connected to a VHS/DVD player or a computer with the ability to play a disc or other format (i.e., USB or streaming service). If teaching a group, a means to display the information.

Other state-approved programs are:

- \*\*Coaching the Experienced Driver-3 or Coaching the Experienced Driver by Coaching Systems, LLC.
- POMS & Associates
- \*\*National Safety Council at <http://www.nsc.org/pages/home.aspx>
- \*\*[www.drivinguniversity.com](http://www.drivinguniversity.com)

### **\*\*MATERIALS NEEDED:**

Based on program selected.

<p><b><u>INSTRUCTOR NOTE:</u></b> Once a person is trained, ensure a certificate is included in the driver's file and that the hours trained is indicated.</p>
--

# **Classroom/Hands-on Instruction**



## **Section 2-I**

### **First Aid and CPR**

SELECT FROM THE FOLLOWING  
NATIONALLY RECOGNIZED AND STATE-APPROVED  
PROGRAMS:

National Safety Council  
Red Cross  
American Safety & Health Institute  
American Heart Association  
Local Fire Department  
School/District Nurse

**\*\*ON-LINE COURSES ARE NOT ACCEPTABLE\*\***

<p><b><u>INSTRUCTOR NOTE:</u></b> Do <u>not</u> teach unless certified.</p>
---

# SCHOOL BUS DRIVER INSTRUCTOR MANUAL

## Section 3

### Mandatory Pre-Service Training for School Bus Assistant Trainees



# Classroom Instruction



# Classroom Introduction

PLEASE INSERT

WELCOME AND INTRODUCTION

**INSTRUCTOR NOTE:** Please use the chart below to teach the following Sections.

<b>To teach Section:</b>	<b>Use SBDI Manual Section</b>
<b>3-B – Employer Policies and Procedures</b>	<b>1-A (30 minutes)</b>
<b>3-D – NM School Bus Driver Security Training Program</b>	<b>1-D</b>
<b>3-F – Passenger Management</b>	<b>1-E (30 minutes)</b>
<b>3-G – Transporting Students with Disabilities</b>	<b>1-F (30 minutes)</b>
<b>3-H – First Aid and CPR</b>	<b>1-I</b>



**School Bus Assistant**  
**Pre-Service Training Record (Page 1 of 2)**  
**(This record shall be kept in the bus assistant's file)**

School Bus Assistant's Name: \_\_\_\_\_

Date of Hire: \_\_\_\_\_

SBDI Printed Name: \_\_\_\_\_ SBDI #: \_\_\_\_\_  
Additional as needed: Additional as needed:

<b>MANDATORY TRAINING TOPICS</b>	<b>MINIMUM HOURS REQUIRED</b>	<b>ACTUAL HOURS CONDUCTED</b>	<b>DATE(S)</b>	<b>ASSISTANT INITIALS</b>	<b>SBDI INITIALS</b>
<b><u>Section 3-A</u></b> Observation	At employer's discretion				
<b><u>Section 3-B</u></b> Employer Policies and Procedures	30 minutes				
<b><u>Section 3-C</u></b> Standards for Providing Transportation For Eligible Students	30 minutes				
<b><u>Section 3-D</u></b> NM School Bus Driver Security Training Program	1 Hour				
<b><u>Section 3-E</u></b> Safety Equipment	30 minutes				
<b><u>Section 3-F</u></b> Passenger Management	30 minutes				
<b><u>Section 3-G</u></b> Transporting Students with Disabilities	30 minutes				





## School Bus Assistant Pre-Service Training Record (Page 2 of 2)

MANDATORY TRAINING TOPICS	MINIMUM HOURS REQUIRED	ACTUAL HOURS CONDUCTED	DATE(S)	ASSISTANT INITIALS	SBDI INITIALS
<u>Section 3-H</u> First Aid and CPR*					Trainer's name printed & signed
<u>Sections 3-I</u> Hands-on Training	30 minutes				

\*If the person has a current First Aid and CPR certificate from a nationally recognized and state-approved program and the course was not taken on-line, they need only to provide the certificate for the course.

I certify that \_\_\_\_\_ (school bus assistant trainee's name) has successfully completed the above initialed hours of pre-service training pursuant to PED Regulation 6.41.4 NMAC.

\_\_\_\_\_  
SBDI Signature  
Additional as needed:

\_\_\_\_\_  
SBDI #  
Additional as needed:

# Hands-on Instruction



## Section 3-A

## Observation

**(Employer's discretion)**

Observation shall include riding in a school bus with a licensed school bus driver driving on a school bus route. Observation shall also include actual school bus route orientation with a licensed school bus driver.

**INSTRUCTOR NOTE: It is recommended that observation be documented by noting the date, time spent observing, the driver's name and what type of route was observed. To provide variety, include routes of all grade levels, routes that have special education students, and routes where a variety of student behavior may be observed. Below is a sample that may be used to create your own observation documentation.**

State of New Mexico • Public Education Department • School Transportation Bureau  
School Bus Driver Instructor Manual • Pre-Service Training Curriculum  
Published May, 2018 • Version 2.0

Trainee's name: \_\_\_\_\_

Date	Report Time	Route #	Observation Time	Driver Observed	Route Type	Driver / Trainee's Initials - when completed -
05/23/2018	6:50 a.m.	3	1 hour 45 minutes	John Doe	Elementary	
05/24/2018	2:25 p.m.	5	1 hour 20 minutes	Jane Doe	SpEd	

# Classroom Instruction



## Section 3-C

### Standards for Providing Transportation for Eligible Students (6.41.4 NMAC)

**30 Minutes of Instruction**

**INSTRUCTOR NOTE:** Please review and discuss the shaded information on the following pages that pertains to school bus assistants. Additional regulation information may be reviewed and discussed as well.

**TITLE 6                    PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 41            TRANSPORTATION - SCHOOL BUS SAFETY**  
**PART 4                    STANDARD FOR PROVIDING TRANSPORTATION FOR ELIGIBLE STUDENTS**

**6.41.4.1                    ISSUING AGENCY:** Public Education Department, hereinafter the department.  
 [6.41.4.1 NMAC - Rp, 6.41.4.1 NMAC, 3/27/2018]

**6.41.4.2                    SCOPE:** Provisions of Chapter 41, Part 4 apply to local education agencies (LEA). This regulation governs LEAs. If an LEA chooses to provide transportation services by contracting with a transportation service provider instead of through LEA employed personnel, it may do so. The LEA, however, is responsible for ensuring that the provisions of transportation services comply with all pertinent state and federal regulations including 49 Code of Federal Regulations Part 382 and statutes and department regulations.  
 [6.41.4.2 NMAC - Rp, 6.41.4.2 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.3                    STATUTORY AUTHORITY:** This regulation is promulgated pursuant to Sections 1111g(1) (E) and 1112c(5)(B) of ESEA, Section 722g(J)(iii) of the McKinney-Vento Act, and Sections 22-2-1, 22-2-2, 22-8-26, 22-10A-5, 22-16-2, 22-16-4, and Subsection D of Section 9-24-8 NMSA 1978.  
 [6.41.4.3 NMAC - Rp, 6.41.4.3 NMAC, 3/27/2018]

**6.41.4.4                    DURATION:** Permanent.  
 [6.41.4.4 NMAC - Rp, 6.41.4.4 NMAC, 3/27/2018]

**6.41.4.5                    EFFECTIVE DATE:** March 27, 2018, unless a later date is cited at the end of a section.  
 [6.41.4.5 NMAC - Rp, 6.41.4.5 NMAC, 3/27/2018]

**6.41.4.6                    OBJECTIVE:** To establish a safe, timely, and efficient system of transportation responsive to the needs of eligible public school students, hereinafter students, including children and youth in foster care and homeless children and youth, and to guide the provision of school transportation and transportation as a related service to students with an individualized education program (IEP). LEAs, therefore, shall ensure that all eligible students are served within the requirements of current federal and state laws and department regulations.  
 [6.41.4.6 NMAC - Rp, 6.41.4.6 NMAC, 3/27/2018]

**6.41.4.7                    DEFINITIONS:**

- A.                    “Activity driver”** means an individual who is employed by an LEA or a transportation service provider and has completed all federal, state, and department certifications, licensing requirements, and LEA criteria to drive students on school-sponsored activities.
- B.                    “Child welfare agency”** means the children youth and families department.
- C.                    “Children in foster care”** means 24-hour substitute care for children and youth who are placed away from their parents or guardians and who are in custody of state or tribal welfare agencies.
- D.                    “Conviction”** means an adjudication of guilt, and includes a guilty plea, judgment, or verdict, no contest, nolo contendere, conditional plea of guilty, or any other plea that would result in an adjudication of guilt in any court of competent jurisdiction. A conviction includes a deferred sentence and a conditional discharge prior to satisfaction of the conditions and after satisfaction of conditions where required by the act.
- E.                    “Driver”** means school bus driver, substitute school bus driver, activity bus driver, school-owned activity vehicle driver, and sport utility vehicle (SUV) driver.
- F.                    “Eligible student”** means:
  - (1)** Students eligible for transportation services under federal and state statute or under the department’s standard for determining hazardous walking conditions pursuant to 6.41.3 NMAC. Students are eligible for transportation services in accordance with Section 22-16-4 NMSA 1978 if school bus routes are:
    - (a)** one mile one way for students in grades kindergarten through six;
    - (b)** one and one-half miles one way for students in grades seven through nine, and;
    - (c)** two miles one way for students in grades 10 through 12.

(2) Students with an IEP are entitled to transportation pursuant to Subparagraphs A through C of Paragraph (1) of Subsection F of 6.41.4.7 NMAC, or transportation as a related service pursuant to Subsection EE of 6.41.4.7 NMAC.

**G. “Employer”** means an LEA or transportation service provider.

**H. “Homeless children and youth”** as defined by section 725(2) of the McKinney-Vento Act means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

- (1) children and youth who are:
  - (a) sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - (b) living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - (c) living in emergency or transitional shelters;
  - (d) abandoned in hospitals;
- (2) children and youth who have a primary nighttime address that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- (3) children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
- (4) migratory children under Title I Part C migrant education program.

**I. “Individualized education program (IEP)”** means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with Sections 300.320 through 300.324 of 34 CFR.

**J. “IEP team”** means individuals who are involved in writing a student’s IEP. In accordance with Section 300.321 of 34 CFR, Individuals with Disabilities Education Act, this team may include:

- (1) the student’s parents or legal guardian;
- (2) at least one of the student’s general education teachers;
- (3) the student’s special education teacher;
- (4) an individual who can interpret the instructional implications of a student’s evaluation;
- (5) an individual representing the school system;
- (6) individuals with knowledge or special expertise about the student;
- (7) representatives from transition service agencies, if applicable; or
- (8) the student, if appropriate.

**K. “Local education agency” or “LEA”** means a local public school district or a state-chartered charter school.

**L. “On-duty time”** means time related to the driving, servicing, or operation of the vehicle, or those duties assigned or necessary that are related to a specific LEA-sponsored activity trip such as staying with the vehicle for security purposes or assisting with supervision of students. On-duty time also includes performing any compensated work for an entity that is not a motor carrier.

**M. “Planned school-sponsored activity trip”** means transportation of school groups when the activity is approved according to the LEA’s policy. Activity trips do not include recurring transportation that is part of the school day.

**N. “Roadway”** means that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of berm or shoulder.

**O. “School bus”** means a commercial motor vehicle used to transport preprimary, primary or secondary school students from home to school, from school to home, or to and from school-sponsored events, but not including a vehicle:

- (1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of students;
- (2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the transportation of students;
- (3) operated as a per capita feeder as provided in Section 22-16-6 NMSA 1978; or
- (4) that is a minimum six-passenger, full-size, extended-length, sport utility vehicle operated by a school district employee pursuant to Subsection D of Section 22-16-4 NMSA 1978.



**P. “School bus assistant”** means an individual employed by an LEA or a transportation service provider to help the school bus driver and students. A school bus assistant shall be provided on school buses when necessary, when required by law or regulation, or when required by a student’s IEP.

**Q. “School bus driver”** means an individual employed by an LEA or a transportation service provider that has completed all federal, state, and department certification and licensing requirements and LEA criteria and is assigned to drive a school bus on an LEA-approved school bus route or on a planned LEA-sponsored activity trip in a school bus that meets requirements pursuant to 6.40.2 NMAC.

**R. “School bus driver instructor (SBDI)”** means a person certified by the department to provide mandatory pre-service training to applicants who want to drive a school bus in New Mexico.

**S. “School bus route”** means a designated course regularly traveled by a school bus for to-and-from transportation to pick up students and take them to school or to deliver students from school to their homes or to designated school bus stops that are approved by the LEA. Should the typical number of students on a school bus route drop below the number of 10, it shall be the responsibility of the LEA to notify the department transportation director by phone or email immediately.

**T. “School of origin”** means the school in which the child or youth is enrolled at the time of placement in foster care or prior to becoming homeless.

**U. “School-owned activity vehicle”** means a vehicle other than a school bus that is used to transport students to and from planned LEA-sponsored activity trips.

**V. “School-owned activity vehicle driver”** means an individual who meets all qualifications, licensing requirements and LEA criteria to drive students on LEA-sponsored activities in school-owned vehicles other than school buses.

**W. “School-owned activity vehicle instructor” or “AVI”** means a person certified by the department to provide mandatory pre-service training to driver applicants for school-owned activity vehicles.

**X. “Serious traffic offense”** means any of the following offenses contained in Sections 66-1-1 through 66-8-141 NMSA 1978:

- (1) speeding in excess of 15 miles above any posted speed limit;
- (2) reckless driving;
- (3) careless driving;
- (4) passing a school bus;
- (5) following too closely;
- (6) operating a commercial motor vehicle without holding a valid commercial driver’s license (CDL) along with any endorsements;
- (7) racing on a highway;
- (8) homicide or great bodily harm by vehicle;
- (9) injury to a pregnant woman;
- (10) failing to stop after an accident involving death or personal injury; or
- (11) operating a vehicle after suspension or revocation of a driver’s license.

**Y. “Sponsor”** means an individual, such as a coach, teacher, or parent who accompanies students on a planned LEA-sponsored activity trip.

**Z. “Substitute school bus assistant”** means an individual employed by an LEA or transportation service provider to help the school bus driver and students when the assigned school bus assistant is absent.

**AA. “Substitute school bus driver”** means an individual employed by an LEA or transportation service provider to operate a school bus on a school bus route when the assigned school bus driver is absent. The substitute school bus driver shall meet all certification and licensing requirements of a school bus driver.

**BB. “Sport utility vehicle (SUV)”** means a sport utility vehicle or a crew cab pickup truck. This type of vehicle differs from a typical four-door sedan due to being constructed on a light or medium truck chassis, making it more rugged and giving it higher ground clearance. It must have four full-size doors and seat six to nine passengers. Vans and mini-vans are excluded from this definition.

**CC. “To-and-from route serviced by an SUV”** means a designated course regularly traveled to pick up designated students at their designated pick-up location to take them to school or to deliver designated students from school to a designated drop-off location.

**DD. “Transportation administrator”** means an individual employed by the LEA or transportation service provider who has responsibility to monitor and guide the transportation program, drivers,

and assistants and who is required to make daily observations to detect reasonable suspicion for alcohol or substance use or both.

**EE. “Transportation as a related service”** means specific modifications or support services or both that are required for transportation of a student with an IEP.

**FF. “Transportation service provider”** means an individual or business that has entered into a binding agreement with the LEA to provide school transportation services.

[6.41.4.7 NMAC - Rp, 6.41.4.7 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.8 RESPONSIBILITIES OF THE LOCAL BOARD OF EDUCATION OR CHARTER SCHOOL ADMINISTRATOR:**

Each local board of education or charter school administrator is responsible for adopting transportation policies which ensure a safe, timely, and efficient system of transportation for all eligible students, including children in foster care and homeless children and youth, within its jurisdiction. School transportation services for eligible students shall be provided by use of a school bus, per capita feeder route, or SUVs or a combination of school bus, per capita feeder route, or SUVs. Additional options for transportation of children in foster care or homeless children and youth may be explored while ensuring the safety of students. Therefore, each local board of education or charter school administrator shall establish policies in the following areas.

**A. Community, parent, and staff involvement:** Each LEA shall:

(1) provide a platform for adequate community, parent, staff, and transportation service provider participation in the development of policies and procedures for providing transportation services to eligible students;

(2) approve a policy defining the responsibilities of parents, students, teachers, staff, and transportation service providers;

(3) provide a platform for adequate information and training provided to the community, parents, and school personnel so that each understands the rights and responsibilities associated with transportation services;

(4) approve a policy concerning complaints from parents, students, transportation providers, and others regarding school transportation;

(5) approve a policy concerning transportation as a related service for a student with an IEP as the IEP requires. The transportation administrator or designee, or transportation service provider shall be afforded the opportunity to participate in the development of the IEP as it relates to transportation;

(6) approve disciplinary procedures, including an appeal process, applicable to all students being transported. The procedures shall comply with all applicable federal and state law and department regulation. Information regarding disciplinary procedures shall be provided to parents and students;

(a) the procedures shall include the process for emergency removal of a student from a school bus;

(i) if emergency removal of a student is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident; and

(ii) a written behavioral report shall be filed with the school and a copy of the report provided to the parents;

(b) nothing contained herein or in local board of education policy shall prevent the emergency removal of any student from a school bus if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other student, teacher, or employee;

(7) approve disciplinary procedures including an appeal process applicable to students with an IEP being transported. The procedures shall comply with all applicable federal and state law and department regulation governing students with disabilities. Information regarding disciplinary procedures shall be provided to parents, students, and IEP teams;

(a) disciplinary procedures for a student with an IEP shall be specified in the student's IEP;

(b) the procedures shall include the process for emergency removal of a student with an IEP from a school bus;

(i) if emergency removal of a student is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident; and

- (ii) the transportation administrator shall report each incident or behavior in writing to the LEA's special education director within 24 hours of receiving the driver's report;
- (c) nothing contained herein or in local school board policy shall prevent the emergency removal of any student from a vehicle if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other student, teacher, or employee; and
- (d) suspension of transportation service for a student with an IEP for more than ten cumulative days requires a change in transportation service in that student's IEP; and
- (8) adopt and approve policies in specialized areas affected by federal regulations, state law, and new legislative initiatives related to school transportation.

**B. Student services:** Transportation is provided to students who are eligible for transportation pursuant to Sections 22-16-2 and 22-16-4, NMSA 1978. Students who do not obey the state and local LEA regulations governing student transportation may have their transportation services revoked by the LEA. Each LEA shall adopt:

- (1) a student disciplinary policy for school transportation, including procedures for suspending a student's transportation privilege and for holding parents responsible for any malicious destruction to the vehicle or assault on a driver or others. Policies shall be in agreement with and subject to procedural safeguards and protections specified in federal, state, and department regulations;
- (2) a comparable travel time policy that shall:
  - (a) ensure that transportation time for a student with an IEP is comparable to transportation time provided to neighborhood students who do not have an IEP;
  - (b) consider the least distance from a student with an IEP's home to the school site as compared to the least distance from the homes of neighborhood students who do not have an IEP to the school site;
  - (c) consider the time for other transportation services identified in the IEP.

Any variance from the comparable travel time policy shall be determined on a case-by-case basis by the IEP team and shall be clearly stated in the IEP;

- (3) a policy regarding the transportation of specialized personnel, such as licensed nurses and special education assistants, or other designated persons;
- (4) a policy regarding the transportation of animals that accompany a student with an IEP and shall ensure that the certification, training, and immunization requirements for the animal are completed and current;
- (5) a policy outlining acceptable procedures for medicine transport. The policy shall include the designated place for transport and the personnel authorized to administer medication during transport when necessary;
- (6) a policy regarding the maintenance of a roster or seating chart for students who ride school buses;
- (7) a policy for providing transportation services for students eligible under Section 504 of the Rehabilitation Act of 1973 when such services are specified in the student's accommodation plan; and
- (8) a policy covering a do not resuscitate request from the parents or guardians specific to the student while the student is being transported on a school bus, school-owned activity vehicle, or SUV.

**C. Relationship with transportation providers.** When a transportation service provider is contracted to provide school transportation services, each local board of education or charter school administrator shall:

- (1) approve all contracts and contract amendments with a transportation service provider in accordance with state law and department regulation;
- (2) approve a policy governing the termination of a contract with a transportation service provider in accordance with state law and department regulation;
- (3) include as a part of each contract a scope of work which ensures that this regulation and all other applicable state and federal regulations and state statutes and department regulations are adhered to; and
- (4) develop policy involving fingerprint-based background checks in accordance with state law.

**D. Planned LEA-sponsored activities:** Each local board of education or charter school administrator shall adopt policies and procedures concerning the safety and welfare of students who are

transported to and from planned LEA-sponsored activities. Policies and procedures shall comply with all applicable federal, state, and department regulations.

(1) Vehicles used for school-sponsored activities shall be school-owned, leased, or private vehicles that meet the following department requirements:

- (a) vehicles shall not be vans or minivans;
- (b) excluding buses, vehicles shall not seat less than six or more than nine people including the driver;
- (c) excluding buses, vehicles shall have seat belts available for all occupants and all occupants are required to wear them while the vehicle is in motion;
- (d) vehicles shall have available secure cargo storage or other adequate tie-down for securing items in the vehicle, excluding hitched trailers; and
- (e) trailers shall not be hitched to vehicles while the vehicle is transporting students.

(2) Policies and procedures shall include provision for the use of commercial common carrier buses, taking into account that commercial common carrier buses do not meet current New Mexico school bus construction standards and school bus phase-out pursuant to 6.40.2 NMAC.

(3) Policies and procedures shall include provisions for rest and relaxation for students and the driver(s) during the trip.

(4) Policies and procedures shall include procedures for releasing students on the planned activity trip to parents or guardians.

(5) Policies shall explicitly state that prior to and during work periods all drivers, school bus assistants, and substitute school bus assistants have not used and do not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

[6.41.4.8 NMAC - Rp, 6.41.4.8 NMAC, 3/27/2018]

#### **6.41.4.9 RESPONSIBILITIES OF THE LEA:**

##### **A. General requirements:**

(1) The LEA shall designate a transportation administrator.

(2) The LEA shall observe all federal and state laws, department regulations, and local board of education policies and procedures. The LEA shall follow the New Mexico guide for school vehicle maintenance and safety audit program.

(3) Prior to providing services, the LEA shall ensure that each transportation service provider has a properly executed contract on a form approved by the department.

(4) The LEA shall direct drivers, school bus assistants, and substitute school bus assistants on meeting all transportation requirements of students' IEPs.

(5) The LEA shall, in accordance with applicable federal and state law and department regulation:

(a) verify qualifications which include fingerprint-based background checks and reference checks made and completed for the following positions:

- (i) school bus driver;
- (ii) substitute school bus driver;
- (iii) activity school bus driver;
- (iv) school-owned activity vehicle driver;
- (v) SUV driver;
- (vi) school bus assistant; and
- (vii) substitute school bus assistant;

(b) ensure proper training is provided by a qualified trainer and documented on the applicable pre-service training record as provided by the department. The training shall be completed prior to the drivers, school bus assistants, and substitute school bus assistants performing assigned duties; and

(c) ensure ongoing training is provided and continuing requirements for drivers, school bus assistants, and substitute school bus assistants are met pursuant to 6.41.4.13 NMAC.

(6) The LEA shall establish and provide to all drivers written procedures to be followed:

inspection;

- (a) for immediate replacement of a vehicle when a vehicle fails pre-trip
- (b) during inclement weather; and
- (c) during school bus evacuation drills.

(7) The LEA shall provide to transportation service providers and drivers vital emergency information for all students with an IEP or special medical conditions. All vital emergency information shall be treated as a confidential record as provided by law.

(8) The LEA, shall be available until all school bus drivers have completed their trips and all students have been properly delivered.

(9) The LEA shall develop and implement a school transportation safety curriculum for students who ride school buses to and from planned LEA-sponsored activity trips.

(10) The LEA shall review for safety each student walk zone for each school on an LEA approved cycle. The review cycle shall not exceed five years.

(11) The LEA shall ensure that school bus evacuation drills are performed and documented once per semester.

(12) All school buses, activity school buses, and school-owned activity vehicles shall be alcohol, drug, and tobacco free areas. The LEA shall ensure that, prior to or during work periods, all drivers, school bus assistants, and substitute school bus assistants shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

(13) The transportation administrator shall ensure compliance with 49 CFR Part 382 by maintaining documentation including proof of contract and pools of driver names. Drivers who possess a CDL shall constitute a pool of names and the school-owned activity vehicle drivers shall constitute a separate pool of names for random drug and alcohol testing.

(14) The LEA shall arrange for and document in-service training that meets the department's required hours for applicable staff.

**B. Accidents:** In the event of a school bus accident or emergency, the LEA shall:

- (1) promptly notify the department by telephone if a school bus is involved in an accident that results in the death, serious injury or hospitalization of any occupant of the school bus or other motor vehicle or a pedestrian;
- (2) promptly notify the department if a school bus is involved in an accident in which possible mechanical failure may have been a contributing factor; and
- (3) submit the uniform school bus accident and adjudication report to the department within seven calendar days of any accident.

**C. Plan of action for emergencies:**

(1) The LEA or the transportation service provider shall provide to each driver a written plan of action in case of an emergency covering:

- (a) vehicle trouble requiring evacuation;
- (b) vehicle trouble not requiring evacuation;
- (c) passenger trouble requiring transportation personnel intervention;
- (d) passenger trouble requiring police intervention; and
- (e) passenger trouble requiring medical intervention.

(2) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in a school bus shall:

- (a) be documented;
- (b) be conducted once per semester;
- (c) include all school bus drivers and substitute school bus drivers;
- (d) include all school bus assistants and substitute school bus assistants;
- (e) exempt students when they are limited in their capability to participate;

and

- (f) include the following types of evacuation drills:
  - (i) occupants exit through the rear emergency door;
  - (ii) occupants exit through the front service door;
  - (iii) occupants in the front half of the school bus exit through the front service door and occupants in the back half of the school bus exit through the rear emergency door. If any

emergency door is located mid-bus, it shall be considered the rear emergency door; and

(iv) occupants receive instructions on the proper use of roof hatches.

(3) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in an SUV shall:

- (a) be documented;
- (b) be conducted once per semester;
- (c) include all SUV drivers and assistants;
- (d) exempt students when they are limited in their capability to participate;

and

- (e) include the following types of evacuation drills:
  - (i) occupants exit through the nearest door;
  - (ii) occupants exit through driver-side doors only; and
  - (iii) occupants exit through passenger-side doors only.

(4) Adequate alternate instruction shall be verbal instruction on the location and operation of emergency exits and shall be presented by the driver to all vehicle occupants.

**D. School bus routes:** The LEA shall follow department regulations and procedures for the establishment and monitoring of school bus routes.

(1) Loading and unloading shall occur, whenever possible, off the roadway and so that students do not have to cross the roadway. When it is impossible for a school bus to completely pull off the roadway, the driver shall remain on the roadway and use procedures provided in Subsection D of 6.41.4.11 NMAC.

(2) LEAs shall establish written procedures regarding adherence to school bus route pick-up and delivery times by both drivers and students. This information shall be available to parents and guardians of the students.

(3) The LEA shall review each school bus route on a district- approved cycle for safety and economy. The review cycle shall not exceed five years.

(4) The LEA shall comply with local board of education policy regarding the number of days allowed to re-configure a school bus route when a student's IEP has been modified and requires an adjustment to the student's transportation.

(5) The LEA shall establish a policy for the minimum time required for the school bus driver to wait for a student with an IEP who is receiving transportation as a related service to arrive at the school bus stop to be picked up. The policy shall also include information regarding the unloading of that student when returning the student to their school bus stop when a parent or guardian is not present to receive the student.

**E. Loading and unloading students at schools:**

(1) All school bus loading and unloading zones shall be properly marked by use of signs and pavement markings.

(2) The school bus loading and unloading zones shall be adequately staffed with designated personnel to monitor the loading and unloading of students.

(3) When loading and unloading, school buses shall be parked in a single file as close as possible to avoid students and other people from going between the school buses.

(4) Whenever possible, loading and unloading shall be done on school premises and separated from general vehicular traffic areas and playground areas.

(5) If loading or unloading must occur on the roadway, the school bus shall be stopped on the side of the roadway nearest the school. Alternating red flasher lights shall be activated when the school bus is stopped on the roadway.

(6) When loading, school buses shall be parked prior to dismissal time, if possible. School buses shall be parked in the order in which they arrive at the school.

(7) When loading or unloading students, the school bus parking brake shall be activated, the transmission shall be in neutral or in park, if equipped, and the engine off.

(8) For LEA's in counties where a heat advisory or excessive heat warning issued by the National Weather Service is in effect, the LEA may elect to review the circumstances and make their own determination as to whether a bus equipped with air conditioning shall remain on for the duration of the heat advisory or excessive heat warning when loading or unloading students. The LEA shall first consider alternatives

that may be available taking into consideration best practices and implementing those other alternatives if practicable. The LEA may also reference any guidance or resource documents issued by the department involving best practices for maintaining student safety during heat advisories or excessive heat warnings.

(9) When loading and unloading students, if the driver is required to leave the driver's seat, the keys shall be removed from the ignition switch. Exceptions to removing the key from the ignition switch include:

(a) school buses built after July 1, 2003 that are equipped with an interlock for wheel chair lifts; and

(b) school buses equipped with a child check safety system. In buses equipped with this system, the service door shall be closed when the driver leaves the driver's seat.

(10) The LEA shall review each school bus loading and unloading area at each school for safety on an LEA-approved cycle. The review cycle shall not exceed five years.

**F. School bus stops:** LEAs shall establish all school bus stops and, when appropriate, include involvement from a student's IEP team. The local public safety organization having jurisdiction shall also be included whenever necessary. Services shall be designed that safely, efficiently, and economically transport students.

(1) The LEA shall review each school bus stop for safety on an LEA approved cycle. The review cycle shall not exceed five years.

(2) School bus stops shall not be established where the view is obstructed to motorists for 500 feet in either direction. If, because of natural conditions, a stop must be established with a view of less than 500 feet, the LEA shall contact the state highway department or other agency having jurisdiction and request the installation of highway signage.

(3) School bus stops shall not be established on any interstate highway. If necessary, school bus stops shall be established on service or frontage roads adjacent to the interstate highway.

(4) School bus stops shall, whenever possible, be established so that students do not have to cross the roadway.

(5) School bus stops shall not be made:

(a) within 25 feet of any intersection.

(b) at a railroad grade crossing where a stop-and-go traffic light controls movement of traffic;

(c) at an abandoned railroad grade crossing which is marked with a sign indicating that the railroad is abandoned;

(d) at an industrial or spur line railroad grade crossing marked with a sign reading "EXEMPT CROSSING"; or

(e) at a railroad grade crossing used exclusively for industrial switching purposes within a business district or a streetcar crossing.

**G. Identification of transportation needs for students with disabilities:**

(1) Transportation needs for students with an IEP who require transportation as a related service is determined by each student's IEP team and shall be included in the IEP.

(2) When modifications to standard transportation are necessary, transportation personnel shall be afforded the opportunity to participate in the development of the IEP. The IEP document shall clearly state the transportation needs or modification or both identified by the IEP team and, if applicable, transportation personnel. If circumstances require changes in services, any team member may request that the team reconvene to consider the student's transportation needs.

**H. Provisions for transportation of students with disabilities:**

(1) In providing transportation as a related service to a student with an IEP, the LEA shall ensure:

(a) all alternatives are considered if, due to serious health or safety considerations, an IEP team determines that a student with an IEP cannot be transported with neighborhood peers who are not disabled;

(b) time transporting a student with an IEP is comparable to that provided for non-disabled neighborhood peers, unless otherwise specified in the student's IEP;

(c) access to and from the designated pickup and drop-off point; and

(d) access to other educational and related services specified in the student's IEP.

(2) Confidentiality of IEP and student medical information shall apply when transportation as a related service is provided to a student with an IEP.

**I. Provisions of transportation for children and youth in foster care:**

(1) The LEA shall develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care. The procedures shall:

(a) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with Section 475(4)(A) of the Social Security Act;

(b) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their school of origin, the LEA will provide transportation to the school of origin if:

(i) the local child welfare agency agrees to reimburse the LEA for the cost of such transportation;

(ii) the LEA agrees to pay for the cost of such transportation; or

(iii) the LEA and the local child welfare agency agree to share the cost of such transportation; and

(c) include, in addition to state and local funds that may be available for transportation, certain federal funds, if allowable under the grants, may be available to cover additional transportation costs to maintain children in foster care in their schools of origin.

(2) LEAs shall provide transportation to maintain children in foster care in their school of origin even if it does not provide transportation for children that are not in foster care.

(3) LEAs shall provide or arrange for adequate and appropriate transportation of children in foster care to and from the school of origin while any disputes are being resolved.

**J. Provisions of transportation for homeless children and youth:**

(1) LEAs are responsible for reviewing and revising transportation policies that may act as barriers to the identification, enrollment, attendance, or success in schools of homeless children and youth.

(2) McKinney-Vento Act requires homeless children and youth to receive transportation that is comparable to what is available to non-homeless students.

(3) LEAs shall adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian or in the case of the unaccompanied youth, the liaison, to and from the school of origin in accordance with the following requirements.

(a) If the child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA shall provide or arrange for the child's or youth's transportation to and from the school of origin.

(b) If the child or youth continues their education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally, pursuant to 6.42.2 NMAC.

(4) LEAs may use McKinney-Vento subgrant funds or Title I funds to defray the excess costs of transporting homeless children and youth to and from their school of origin.

(5) LEAs are required to provide adequate and appropriate transportation for homeless children and youth to and from the school of origin while enrollment disputes are being resolved.

(6) LEAs shall continue to provide transportation to and from the school of origin to formerly homeless children and youth who have become permanently housed for the remainder of the academic year during which the child or youth becomes permanently housed.

**K. Dispute resolution regarding the transportation of children in foster care and homeless children and youth:**

(1) To the extent feasible and appropriate, LEAs must ensure children in foster care remain in their school of origin while disputes are being resolved to minimize disruptions and reduce the number of moves between schools.



- (2) Homeless children and youth shall be provided adequate and appropriate transportation to and from the school of origin while disputes are being resolved.
- (3) LEAs shall work with child welfare agencies, unaccompanied youth liaisons, and parents and guardians to resolve disputes at the lowest level possible.
- (4) If disputes are unable to be resolved at the local level, applicable parties may access dispute resolution procedures available at the department including those pursuant to 6.10.3 NMAC.

**L. Student behavior:**

- (1) When a student's behavior on a school bus or at a designated school bus stop endangers the safety of others, the student shall be suspended from being transported according to LEA policies and department regulations.
- (2) If an incident or behavior occurs involving a student with an IEP, the driver shall report each incident or behavior to the transportation administrator within 24 hours of the incident. Provisions for removal and reinstatement of transportation services for students with disabilities shall be specified in the LEA's policies and in the student's IEP. Any change in transportation as a related service must be made through the IEP process, and the procedural safeguards specified in department regulations shall apply. The transportation administrator shall report each incident or behavior within 24 hours of receiving the driver's report to the LEA's special education director or appropriate administrator. The incident or behavior shall be addressed by the student's IEP team.

**M. Process for pre-employment screening of initial commercial driver's license (CDL) driver applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

- (1) The employer shall verify the following documentation is in each driver applicant's file:
  - (a) a complete LEA-approved application form that meets or exceeds federal, state and department requirements;
  - (b) a copy of the driver applicant's current and valid driver's license, verified by the employer;
  - (c) a fingerprint-based background check. A person applying for full or part-time employment with an LEA or transportation service provider to operate a vehicle for the purpose of transporting students shall, at the person's own expense, submit to a fingerprint-based background check pursuant to Section 22-10A-5 NMSA 1978;
    - (i) the fingerprint-based background check shall be conducted prior to employment;
    - (ii) the applicant shall not qualify if there is a conviction of any violation of the Controlled Substances Act;
    - (iii) the applicant shall not qualify if there is a conviction of child abuse pursuant to Section 30-6, NMSA 1978, Crimes Against Children and Dependents;
    - (iv) the applicant shall not qualify if there is a conviction of any other criminal offense in which a child was a victim as defined or prescribed by the offense;
    - (v) the employer shall maintain on file an agreement, authorization, and waiver and release form in addition to a criminal history affidavit on any newly hired employee employed to operate a vehicle for the purpose of transporting students; and
    - (vi) the fingerprint-based background check requirement does not apply to any person who, as of January 1, 2006 was already engaged in full or part-time employment to operate a vehicle used to transport students, unless the employer's policies require it;
  - (d) a department of transportation (DOT) medical examiner's certificate indicating that a DOT physical examination was passed in accordance with DOT and federal motor carrier safety administration requirements. The DOT physical examination form that is current on the date of the examination must be used. The transportation administrator or the department may require a DOT physical examination be performed at any time, and the medical examiner's certificate shall be provided to all appropriate parties;
  - (e) a completed New Mexico school bus driver pre-service training record per the current SBDI manual provided by the department;
  - (i) an SBDI certified by the department shall conduct instruction using the current SBDI manual provided by the department;

- (ii) all pre-service training shall be documented on the appropriate pre-service training record as per the SBDI manual provided by the department;
- (iii) pre-service training shall be administered in a 65-71 passenger type C school bus. When the driver applicant is expected to operate more than one size and type of school bus, training shall be given on the specific handling characteristics of each size and type of school bus the driver applicant may be assigned to drive once all pre-service training has been completed;
- (iv) all behind the wheel instruction shall be administered under the supervision of an SBDI and without student passengers or other persons on board except other school bus driver applicants;
- (v) observation time shall include riding in a school bus with a licensed school bus driver driving on a school bus route or in observation of other school bus driver applicants driving under the supervision of an SBDI. Observation time shall also include actual school bus route orientation with a licensed school bus driver; and
- (vi) if the school bus driver applicant has completed a department-approved first aid and cardiopulmonary resuscitation (CPR) course taught by a certified instructor and the certificate is current, the certificate shall be provided to the transportation administrator. This shall satisfy the requirement for first aid and CPR training on the school bus driver pre-service training record. Online courses are not acceptable;
- (f) a printout of the driver applicant's current driving record through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle divisions. Verification includes the driver applicant's eligibility to be a driver. The driver applicant shall not be eligible if their driving record shows the driver applicant has:
  - (i) been convicted of driving while intoxicated (DWI) or driving under the influence (DUI) of intoxicating liquor or drugs within three years of the date of application for employment;
  - (ii) been convicted of a DWI or DUI between three years and 20 years prior to the date of application for employment unless the person provides written verification from a licensed counselor or physician that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;
  - (iii) been convicted two or more times for DWI or DUI;
  - (iv) had their driver's license suspended or revoked within five years of the date of application for employment for any serious traffic offense;
  - (v) been convicted of more than three serious traffic offenses within three years of the date of application for employment; or
  - (vi) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (g) a copy of the CDL test results, if available.

(2) The employer shall make available to each driver applicant at the time of hiring a current copy of 6.41.4 NMAC and any applicable LEA handbooks.

**N. Process for pre-employment screening of returning CDL driver applicants:** The employer shall adhere to all applicable federal, state and department employment requirements.

- (1) A returning CDL driver applicant shall:
  - (a) provide a completed New Mexico school bus driver pre-service training record provided by the department or certificates of training conducted by the department prior to 2000; and
  - (b) complete the training as outlined on the New Mexico returning school bus driver pre-service training record per the current SBDI manual provided by the department.
- (2) A returning CDL driver applicant that cannot provide either a New Mexico school bus driver pre-service training record provided by the department or certificates of training conducted by the department prior to 2000 must complete the process for pre-employment screening of initial commercial driver's license (CDL) driver applicants pursuant to Subsection M of 6.41.4.9 NMAC.
- (3) The employer shall verify that the following is completed and in each returning driver applicant's file:

(a) documentation pursuant to the requirements listed in Paragraph (1) of Subsection M of 6.41.4.9 NMAC; and  
 (b) a completed New Mexico returning school bus driver pre-service training record.

(4) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**O. Process for pre-employment screening of school-owned activity vehicle driver applicants:** The LEA shall adhere to all federal, state and department employment requirements when employing a school-owned activity vehicle driver.

(1) The LEA shall verify the following documentation is in each driver applicant's file:  
 (a) a completed employment application form that meets or exceeds federal, state and department requirements unless the applicant is currently employed by the LEA;  
 (b) documentation pursuant to requirements listed in Subparagraphs (b), (c) and (f) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;  
 (c) a current medical examiner's certificate indicating that a physical examination was passed using the DOT physical examination form that is current as of the date of the examination. The transportation administrator or the department may require a physical examination be performed at any time. The medical examiner's certificate shall be provided to all appropriate parties;  
 (d) a completed New Mexico school-owned activity vehicle driver pre-service training record per the current SBDI manual provided by the department;  
 (i) training shall be provided by an SBDI with activity vehicle (AV) certification by the department or an activity vehicle instructor (AVI) certified by the department using the current SBDI manual provided by the department;  
 (ii) as part of the pre-service training, the driver applicant must complete a defensive driving course (DDC) that is nationally recognized and approved by the department. In lieu of AV-certified SBDI or AVI DDC training, a certificate of completion of a DDC course that is approved by the department may be accepted. The certificate of completion shall be dated within four years of the driver applicant's date of application; and  
 (iii) as part of the pre-service training, the driver applicant must complete a department-approved first aid and CPR course taught by a certified instructor. A certificate from the completed course shall be provided to the transportation administrator. If the driver applicant has a current certificate from a department-approved complete first aid and CPR course, this shall satisfy the requirement. On-line courses are not acceptable.

(2) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**P. Process for pre-employment screening of school bus assistant and substitute school bus assistant applicants:** The employer shall adhere to all applicable federal, state, and department employment requirements.

(1) The employer shall maintain the following documentation in each school bus assistant and substitute school bus assistant's file:  
 (a) a completed employment application form that meets or exceeds federal, state and department requirements unless the applicant is currently employed by the LEA;  
 (b) a fingerprint-based background check pursuant to the requirements listed in Subparagraph (c) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;  
 (c) a physical examination record;  
 (i) the physical examination shall be completed before the assistant begins performing duties; and  
 (ii) the transportation administrator or the department may require a new physical examination be performed at any time;  
 (d) a completed New Mexico school bus assistant pre-service training record in accordance with the SBDI manual as provided by the department; and  
 (e) a current first aid and CPR certificate. Online first aid and CPR courses are not acceptable.

(2) The applicant shall not qualify if they have:

- (a) been convicted of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (b) a conviction for any violation of the Controlled Substances Act;
- (c) been convicted of child abuse pursuant to Sections 30-6-1 through 30-6-4, NMSA 1978, Crimes Against Children and Dependents; or
- (d) been convicted of any other criminal offense in which a child was a victim as defined or prescribed by the offense.

(3) The employer shall make available documents pursuant to Paragraph (2) of Subsection M of 6.41.4.9 NMAC.

**Q. Continuing standards for drivers:** Any individual who currently drives a vehicle transporting students shall no longer be eligible to transport students:

- (1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. Online programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;
- (2) for five years if they receive a suspension or revocation of driver's license for any serious traffic offense;
- (3) for three years if they receive convictions for more than three serious traffic offenses; or
- (4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC.

**R. Background check requirements for drivers, school bus assistants, and substitute school bus assistants:** The background check requirements pursuant to 6.41.4.9 NMAC, shall not apply to anyone who, as of January 1, 2006 was already engaged in full or part time employment to operate a vehicle to transport students. LEAs may require additional background check information.

**S. Required documentation for files:** In addition to the required pre-employment screening documentation pursuant to 6.41.4.9 NMAC, the documentation below shall be maintained in the employee's file.

- (1) Employee files for school bus drivers, substitute school bus drivers and activity bus drivers shall include:
  - (a) a copy of current CDL;
  - (b) a current medical examiner's certificate for a DOT physical examination;
    - (i) a DOT physical examination shall be renewed every 24 months from the date of the last examination, or earlier as requested by a licensed medical professional;
    - (ii) the current DOT physical examination form must be used; and
    - (iii) additional DOT physical examinations may be requested by the employer or the department;
  - (c) a driving record printed annually then verified for eligibility. The driver's current driving record shall be obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division. The driver shall no longer be eligible:
    - (i) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;
    - (ii) for five years if they receive a suspension or revocation of their driver's license for any serious traffic offense;
    - (iii) for three years if they receive convictions for more than three serious traffic offenses; or
    - (iv) for 10 years if they receive a conviction for any felony or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
  - (d) documented in-service training as per the department's requirements;
    - (i) in-service training shall be pro-rated for newly hired school bus drivers, substitute school bus drivers, and activity bus drivers for their first year of employment for the number of quarters employed. Quarters during the calendar year are as follows: January 1 to March 31; April 1 to June 30; July 1 to September 30; and October 1 to December 31;

(ii) to remain qualified, school bus drivers, substitute school bus drivers, and activity bus drivers shall complete a total of eight hours in-service training per semester. Semesters during the calendar year are as follows: January 1 to June 30 and July 1 to December 31;

(iii) in-service training shall be documented by the transportation administrator or designee with the date of training, hours trained, trainer's name, printed and signed name of attendees, and topic or topics discussed. Such documents shall be stored in files maintained by the employer,

(iv) drivers who do not complete the required hours of in-service training per semester are disqualified from duty until those hours of in-service training are completed. The department may determine the in-service training topics.

(2) Employee files for school-owned activity vehicle drivers shall include:

(a) a copy of current driver's license;

(b) a current medical examiner's certificate indicating that a physical examination in accordance with DOT and federal motor carrier safety administration requirements was passed;

(i) the DOT physical examination form that is current on the date of the examination must be used; and

(ii) additional physical examinations on the DOT form may be requested by the employer or the department;

(c) a driving record printed annually then verified for eligibility pursuant to the requirements listed in Subparagraph (c) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC.

(3) Employee files for school bus assistants and substitute school bus assistants shall include:

(a) a copy of current first aid and CPR certificate; and

(b) documented in-service training pursuant to the requirements listed in Subparagraph (d) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC.

**T. Planned LEA-sponsored activity trips:** When a planned LEA-sponsored activity trip involves more than 18 people, including the drivers, or would require more than two school-owned activity vehicles to transport students during the same time frame to the same destination, the LEA shall use an activity school bus. Passenger management, as described in Paragraph (7) of Subsection T of 6.41.4.9 NMAC, shall not be an additional responsibility of the driver of the activity bus or a school bus assistant on a planned LEA-sponsored activity trip.

(1) When an activity bus is used for a planned LEA-sponsored activity trip:

(a) the activity bus shall meet the requirements pursuant to 6.40.2 NMAC;

(b) the activity bus shall not carry more than the manufacturer-rated seating capacity;

(c) the employer shall not use a school bus assigned to a school bus route to provide transportation for any planned LEA-sponsored activity trips if doing so will interfere with its operation on its assigned school bus route;

(d) the employer shall not temporarily reassign any students from one school bus route to another school bus route in order to free up a school bus for a planned LEA-sponsored activity trip; and

(e) on an activity bus that includes transporting equipment:

(i) items shall not occupy needed seating space;

(ii) items shall not be placed in the driver's compartment;

(iii) all items shall be properly secured; and

(iv) aisle and exits shall not be blocked.

(2) When a school-owned activity vehicle is used on a planned LEA-sponsored activity trip:

(a) the school-owned activity vehicle shall meet applicable federal motor vehicle safety standards (FMVSS);

(b) the driver operating a school-owned activity vehicle shall meet all requirements for school-owned activity vehicle drivers, pursuant to Subsection O of 6.41.4.9 NMAC;

(c) the school-owned activity vehicle shall not carry more than the manufacturer-rated seating capacity;

(d) the school-owned activity vehicle shall meet the following criteria:

- vans;
- (i) the school-owned activity vehicle shall not be vans or mini-
- (ii) the school-owned activity vehicle shall not seat less than six and no more than nine people including the driver;
- (iii) the school-owned activity vehicle shall have seat belts available for all occupants, and all occupants are required to wear them while the vehicle is in motion;
- (iv) the school-owned activity vehicle shall have available a cargo net or other adequate tie-down for securing items in the vehicle; excluding hitched trailers;
- (v) trailers shall not be hitched to school-owned activity vehicles while the vehicle is transporting students;
- (vi) the school-owned activity vehicle shall not exceed the manufacturer's gross vehicle weight rating (GVWR) as specified on the vehicle license and registration form; the GVWR includes the weight of the passengers and luggage; and
- (vii) the school-owned activity vehicle shall be in compliance with all applicable federal, state, and department regulations, and with child restraint guidelines from the national highway traffic safety administration (NHTSA);
- (e) on a school-owned activity vehicle that includes transporting equipment shall transport equipment pursuant to the requirements listed in items (i), (ii), and (iii) of Subparagraph (e) of Paragraph (1) of Subsection T of 6.41.4.9 NMAC;
- (f) the school-owned activity vehicle shall be replaced in accordance with the LEA's policy which defines the replacement cycle for school-owned activity vehicles.
- (3) The following time limits shall apply to drivers of planned LEA-sponsored activity trips.
  - (a) A driver shall not have more than eight hours continuous driving time and no more than 10 hours total driving time.
  - (b) A driver shall not be permitted to be on-duty more than 15 hours in a 24-hour period.
  - (c) A driver shall have eight consecutive off-duty hours before resuming on-duty time.
  - (d) A driver is considered off-duty if relieved of all duties and responsibilities for the care and custody of the vehicle, its accessories, cargo, and passengers.
- (4) An activity trip ticket that documents and authorizes the activity trip shall be prepared, signed by the LEA, and provided to the driver if the planned LEA-sponsored activity trip requires travel outside of the LEA's geographic boundary.
- (5) LEAs are not required to have an activity trip ticket if a commercial common carrier is used to transport students on a planned LEA-sponsored activity trip. However, the LEA shall maintain a copy of the contract for the transportation services for the planned LEA-sponsored activity trip.
- (6) Drivers shall be informed of and responsible for the following while driving on planned LEA-sponsored activity trips in addition to the applicable responsibilities of drivers pursuant to 6.41.4.11 NMAC:
  - (a) compliance with all federal, state, department and employer policies and regulations;
  - (b) care of and safe and efficient operation of the school bus or school-owned activity vehicle at all times;
  - (c) performance and documentation of a thorough pre-trip inspection of the vehicle and special equipment prior to departure, unless completed and documented by other qualified personnel;
  - (d) conducting an emergency evacuation drill or providing adequate alternate instruction to all passengers prior to departure. An LEA-approved document shall be provided to the driver for the driver and the sponsor to sign in evidence that such has been completed before beginning each planned LEA-sponsored activity trip;
  - (e) ensuring the safety of all passengers while they are in the school bus or school-owned activity vehicle;
  - (f) ensuring all passengers are properly seated with seat belts in use when the driver is operating a school-owned activity vehicle;

(g) maintaining an activity trip ticket when one is required. The driver shall, upon request, show the signed activity trip ticket to any state police officer or other law enforcement officer, DOT officer, or staff member of the department;

(h) notifying the transportation administrator or designee and obtaining their approval prior to incorporating a change if there are any changes in the route or itinerary;

(i) notifying the transportation administrator or designee of all emergencies that arise;

(j) maintaining and submitting to designated employer personnel all records pertinent to the planned LEA-sponsored activity trip including signed documentation that adequate emergency evacuation instruction was conveyed to all passengers;

(k) ensuring that prior to departure and the return journey, the school bus or school-owned activity vehicle is clean, completely serviced, and inspected, noting the condition of the vehicle in writing on the appropriate form and signing the form;

(l) ensuring the school bus or school-owned activity vehicle shall not be fueled while passengers are on board unless there are exceptional circumstances when it is impractical to unload;

(m) ensuring that no students remain on the school bus or school-owned activity vehicle unless the driver or a school sponsor is on board. At the conclusion of the planned LEA-sponsored activity trip, ensure that no one is on the school bus or school-owned activity vehicle; and

(n) ensuring that the sponsors are actively supervising students on the bus.

(7) School sponsors shall be notified of the following responsibilities for each planned LEA-sponsored activity trip:

(a) preparing and submitting activity trip requests in accordance with federal, state and department regulations as well as the LEA's policies;

(b) ensuring there are an adequate number of disciplinary staff;

(c) notifying the transportation administrator or designee of any schedule changes;

(d) assuring that student(s) are at the departure point(s) at the appointed time;

(e) supervising the loading and unloading of the vehicle;

(f) maintaining a student roster and taking roll each time students load onto the vehicle;

(g) assuring the orderly conduct and discipline of students on and off the vehicle;

(h) supervising and maintaining control of student passengers in case of an emergency;

(i) providing for adequate rest stops;

(j) making all arrangements on overnight planned LEA-sponsored activity trips for meals and lodging, including the driver's meals and lodging.

(8) Planned LEA-sponsored activity trips shall be paid from budgeted LEA-sponsored activity funds and not from current fiscal year to-and-from transportation funds.

(9) The LEA shall adopt a policy that addresses out-of-state transportation for planned LEA-sponsored activity trips. LEAs shall use the guidelines for school-owned activity vehicles provided in 6.41.4 NMAC whenever possible

**U. Training:**

(1) Transportation administrators shall provide training for other LEA employees who are responsible for supervision of the school transportation program and school employed drivers.

(2) A minimum of two hours of in-service training is required annually. The contents of the training will be determined by the department.

[6.41.4.9 NMAC - Rp, 6.41.4.9 NMAC, 3/27/2018; A/E, 8/4/2023; A, 1/16/2024]

**6.41.4.10 REQUIREMENTS OF TRANSPORTATION SERVICE PROVIDERS:**

**A. General requirements:** The transportation service providers shall:

(1) cooperate with the LEA administration to provide safe and efficient transportation services for all eligible students;

(2) keep all required vehicle maintenance records;

(3) hire all school bus drivers, substitute school bus drivers, activity school bus drivers, school bus assistants, and substitute school bus assistants in accordance with LEA policies, federal, state, and department regulations, and Section 22-10-3.3 NMSA 1978;

(4) maintain all school bus driver, substitute school bus driver, activity school bus driver, school bus assistant, and substitute school bus assistant files with required documentation in accordance with federal, state and department regulations;

(5) hire mechanics and office support personnel;

(6) provide to all drivers written procedures to be followed:

(a) during inclement weather; and

(b) during school bus evacuation drills;

(7) provide to each driver an LEA-approved written plan of action in case of an emergency covering:

(a) vehicle trouble requiring evacuation;

(b) vehicle trouble not requiring evacuation;

(c) passenger trouble requiring transportation personnel intervention;

(d) passenger trouble requiring police intervention; and

(e) passenger trouble requiring medical intervention.

(8) attend IEP meetings as necessary.

**B. Equipment:** The transportation service provider shall:

(1) maintain all school buses to manufacturer specifications and all safety equipment on school buses to federal, state and department specifications;

(2) report complete and accurate information required by the department's transportation director or designee and the LEA; and

(3) comply immediately with equipment recalls by taking a vehicle that has an equipment recall by a manufacturer, a distributor, a federal or state agency, or the department to an approved location as per the recall notification for modification or repair.

**C. Training:** The transportation service provider shall:

(1) provide pre-service and in-service training for all school bus drivers, substitute school bus drivers, activity bus drivers, and all school bus assistants and substitute school bus assistants in accordance with the department regulations;

(2) provide training for transportation service providers' employees who have supervisory responsibility of school bus drivers. A minimum of two hours of training is required annually. The contents of the training will be determined by the department transportation director.

[6.41.4.10 NMAC - Rp, 6.41.4.10 NMAC, 3/27/2018]

**6.41.4.11 RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:** All drivers and, where applicable, all school bus assistants and substitute school bus assistants shall:

**A. Comply with the following.**

(1) Operate the vehicle in a safe and efficient manner in accordance with federal, state, local statutes and regulations, department regulations, and LEA policies.

(2) Cooperate with the transportation administrator's compliance with 49 CFR Part 382 as conducted by the LEA and transportation service provider.

**B. Perform a pre-trip inspection.**

(1) All school bus drivers shall perform and document a daily thorough pre-trip inspection of the school bus and special equipment, unless completed and documented by other qualified personnel. The inspection shall include, at minimum, inspection of the:

(a) outside of the vehicle:

(i) any fluid leaks, including oil, water, power steering, power brakes, transmission, or differential;

(ii) wheels, tires, lug bolts and nuts for serviceability;

(iii) all exterior lights for serviceability and operation;

(iv) all glass, mirrors, and windshields to be clean and unbroken and mirrors adjusted for the driver;



- for electric buses;
- proper fluid levels;
- (v) exhaust system for leaks, looseness, and secure clamps, except
- (vi) engine compartment for serviceability, hoses, belts, wiring, and
- (vii) battery for secure connections and no corrosion;
- (viii) fuel filler cap, except for electric buses;
- (ix) lift system for those vehicles equipped;
- (x) service door, emergency exits, and buzzers; and
- (xi) stop arm and signs;
- (b) inside of the vehicle:
  - (i) all seats and interior lights;
  - (ii) horn, windshield wipers, all gauges, and indicators;
  - (iii) emergency equipment including a first aid kit, fire extinguisher, reflectors, body fluid clean-up kit, and seat belt cutter;
  - (iv) parking brake and service brake;
  - (v) interior mirror;
  - (vi) cleanliness of vehicle;
  - (vii) heaters and defrosters;
  - (viii) air or hydraulic brake check; and
  - (ix) emergency exits and buzzers.

(2) All school-owned activity vehicle drivers shall perform, at a minimum, a thorough pre-trip inspection for operational check of the vehicle and equipment unless completed by other personnel who have completed department-approved pre-service training. The inspection shall, at minimum, include inspection outside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (a) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC and inside of the vehicle pursuant to the requirements listed in items (i) through (viii) of Subparagraph (b) of Paragraph (1) of Subsection B of 6.41.4.11 NMAC. All school-owned activity vehicle drivers shall inspect all gauges, seats, and interior lights of the school-owned activity vehicle.

(3) The driver shall not operate any school bus, activity school bus, or school-owned activity vehicle that does not meet the pre-trip inspection requirements. The driver shall immediately notify the transportation administrator or designee upon failure of the pre-trip inspection and document the reason for the failure.

**C. Use the following basic driving, loading, and unloading procedures for school bus routes.**

(1) Drivers shall obey all traffic laws, ordinances, and rules of the road and not drive the school bus faster than the posted speed limit.

(2) Loading and unloading shall occur, whenever possible, off of the traveled portion of the roadway and so that students do not have to cross the roadway.

(3) Drivers shall load or unload students only at established school bus stops unless an emergency dictates otherwise. School bus stops shall not be changed or the time schedules altered by the school bus driver or transportation service provider without the approval of the transportation administrator or designee. Drivers shall not grant permission for a student to load or unload except at the student's designated school bus stop without written approval from the transportation administrator or designee.

(4) Drivers shall use rear view mirrors to check traffic before arriving at the school bus stop.

(5) Drivers shall reduce the speed of the school bus when approaching the school bus stop.

(6) On morning school bus routes, drivers shall:
 

- (a) bring the school bus to a complete stop eight to 10 feet before the school bus stop, set the parking brake and shift the transmission in neutral or, if equipped, park;
- (b) make a complete stop at all established school bus stops whether students are present or not, unless a parent or guardian or the transportation administrator has notified the driver that the student will be absent;

(c) not wait for students unless they are observed making an effort to reach the school bus stop or unless otherwise specified in a student's IEP; and

(d) use rear view mirrors to check traffic.

(7) When loading, the driver shall check that all students are seated in the school bus before the school bus is put in motion.

(8) When unloading, the driver shall count the students that have exited the school bus. When students exit the school bus, drivers shall ensure the following.

(a) If students are required to cross the roadway, they shall walk eight to 10 feet in front of the school bus and be positioned perpendicular to the right front portion of the school bus where the driver can see them.

(b) The driver shall check rear view mirrors and all traffic lanes to ensure all required traffic is stopped before signaling students to cross the roadway to the left front portion of the school bus.

(c) Before signaling students to proceed the rest of the way, the driver shall check rearview mirrors and all traffic lanes again to ensure all required traffic is stopped.

(d) The driver shall check to be sure that all students have crossed the roadway safely by using the crossover mirrors and perform a final student count.

(e) The driver shall verify that all doors are free of obstructions then close all doors before the school bus is put in motion.

(f) The driver shall use rear view mirrors to check traffic before departing from the school bus stop.

(9) The driver shall not operate the school bus in such a manner as to cause on-board accidents by jerking, stopping suddenly or swerving unnecessarily.

(10) The driver shall not leave the driver's seat without setting the park brake, putting the transmission in neutral or, if equipped, park, stopping the engine, and removing the keys. Exceptions include the following:

(a) school buses with a wheelchair lift that meets 6.40.2 NMAC requiring a vehicle interlock system for school buses built after July 1, 2003, and to deactivate the child check safety system. The driver may leave the key in the ignition with the engine off when deactivating the child check safety system but the service door shall be closed;

(b) school buses equipped with a diesel engine and automatic transmission where the driver shall follow the manufacturer's recommendation for parking in gear.

(11) The driver shall keep the school bus clean, well ventilated, and, when necessary, properly heated.

(12) The driver, if traveling in a convoy, shall follow the lead school bus and shall maintain proper distance between vehicles.

(13) The driver shall report all hazards on the school bus route, whether potential or existing, and all causes for failure to operate on schedule to the transportation administrator or designee.

(14) The driver shall not use the school bus outside regular to-and-from transportation or a planned LEA-sponsored activity trip without the approval of the transportation administrator.

**D. In addition to requirements pursuant to Subsection C of 6.41.4.11 NMAC use the following if the school bus must be loaded or unloaded on the roadway.**

(1) If the school bus must be loaded or unloaded on the traveled portion of the roadway:

(a) The driver shall activate the alternating amber flasher lights not less than 100 feet nor more than 300 feet from a stop in urban areas or not less than 300 feet nor more than 1,000 feet from a stop in rural areas to warn motorists that the school bus is about to stop on the roadway.

(b) The alternating red flasher lights and stop arm shall be activated after the school bus is completely stopped and the service door is opened.

(i) If a school bus is approaching another school bus that has stopped to load or unload students with its alternating amber or red flasher lights activated, the approaching school bus shall mimic the other bus by activating its alternating amber or red flasher lights and shall not load or unload students.

- (ii) Once the school bus loading or unloading students has deactivated its alternating amber or red flasher lights, the approaching school bus shall resume operations.
- (2) If the school bus must be loaded or unloaded on the traveled portion of the roadway with multiple traffic lanes in each direction, highway, or a divided roadway:
  - (a) the school bus shall stop in the right-hand or outside traffic lane;
  - (b) students shall not be loaded or unloaded in a designated right-turn lane or in a lane immediately adjacent to a designated right-turn lane;
  - (c) loading and unloading shall occur only on the side of the roadway on which the student lives.
- (3) The alternating red flasher lights shall be deactivated before the school bus is put in motion.
- (4) The driver shall use good judgment when activating and deactivating the alternating flasher lights so as not to impede traffic unnecessarily.

**E. Load and unload students at schools using the following procedures.**

- (1) If loading or unloading must occur on the street, alternating flasher lights shall not be activated unless the school bus is stopped on the traveled portion of the roadway.
- (2) When loading or unloading, the school bus parking brake shall be activated, transmission shall be in neutral or, if equipped, in park, and the engine shall be off. Should the driver be required to leave the driver's seat, the keys shall be removed from the ignition switch. Exceptions to removing the key from the ignition switch:
  - (a) school buses built after July 1, 2003, that are equipped with an interlock for wheel chair lifts; or
  - (b) school buses equipped with a child check safety system. In buses equipped with this system, the service door shall be closed before the driver leaves the driver's seat.
- (3) When loading, school buses may be parked in a single file as close as possible to avoid students or other people from going between the school buses.
- (4) When loading, school buses shall be parked prior to dismissal time, if possible. School buses shall be parked in the order that they arrive at the school.
- (5) The driver shall not back up a school bus on school grounds unless absolutely necessary and then only with assistance from an adult of the driver's choosing.

**F. Operate a school bus on an interstate highway using the following procedures.**

- (1) All loading or unloading shall be done at points off the interstate highway either at an interchange, service, or frontage road.
- (2) The school bus shall not cross over to the opposite roadway or make any other similar maneuver except at interchanges and then only in a manner consistent with the proper procedures at any given interchange unless directed otherwise by a law enforcement officer.
- (3) School buses using portions of the interstate highway shall not stop on or adjacent to the roadway unless there is an emergency or as directed by a law enforcement officer.
- (4) The school bus shall not stop on the interstate highway nor shall any students or other passengers load or unload on the interstate highway except in an emergency.

**G. Follow the procedures for school buses crossing railroad tracks:** The driver is always responsible for the safe movement of the school bus and in no instance shall a railroad signal, active or non-active, abrogate this precaution. The following procedures shall apply to school buses or activity school buses at railroad crossings.

- (1) Before crossing any track or tracks of a railroad, the school bus driver shall activate the hazard warning lights and shall bring the school bus to a full and complete stop not less than 15 feet or more than 50 feet from the rail nearest the front of the school bus.
- (2) On multiple lane roadways, the school bus shall be in the extreme right traffic lane whenever possible.
- (3) If a stop-and-go traffic light controls the movement of traffic at the railroad crossing, the driver need not stop unless the traffic light indicates to stop.
- (4) When approaching a railroad crossing, the driver shall carefully observe traffic and reduce the speed of the school bus in advance of stopping.

(5) While completely stopped prior to crossing and until completely across the railroad crossing, the driver shall:

- (a) fully open the service door;
- (b) fully open the window to the driver's immediate left;
- (c) turn off all noisy equipment, radio, and fans;
- (d) direct passengers to be silent if passengers are making noise;
- (e) listen and look in both directions along the track or tracks for approaching trains or other vehicles; and
- (f) keep the transmission of the school bus in first gear by maintaining a speed which does not cause the transmission to shift.

(6) The school bus driver shall not proceed through the railroad crossing or around crossing gates unless directed by law enforcement officer or railroad personnel if:

- (a) there are operating flashing red lights;
- (b) there is an operating bell;
- (c) a crossing gate is closed or in the process of being opened or closed;
- (d) the rear portion of the school bus cannot be positioned more than 15 feet from the rail nearest the rear of the school bus; or
- (e) the view in either direction is unclear or is obstructed in any way until the driver has secured the school bus and performed a visual inspection to verify that no trains or other vehicles are approaching.

(7) After safely and completely crossing the railroad tracks, the driver shall:

- (a) fully close the service door;
- (b) turn off hazard warning lights;
- (c) adjust the window to the driver's immediate left;
- (d) resume use of any noisy equipment, radio, and fans; and
- (e) continue traveling safely.

(8) When traveling near railroad tracks, even if not crossing, the school bus driver shall be aware of hazardous circumstances on the railroad tracks that could present a danger to the school bus. In such situations, the driver shall remain aware and instruct the students to remain silent until there is no longer a danger.

#### **H. Address student safety.**

(1) The driver shall be responsible for the safety and orderly conduct of school bus passengers.

(2) The driver, school bus assistants and substitute school bus assistants shall meet all requirements of student IEPs when transportation is a related service.

(3) The driver shall report all serious discipline cases to the transportation administrator or designee in accordance with the department and the LEA's policies.

(4) The driver shall have the authority to assign any passenger to a seat.

(5) The driver shall not carry on any unnecessary conversations with passengers while driving.

(6) The driver shall not permit the transportation of firearms, knives, explosives, breakable glass, or other dangerous objects, reptiles, or animals, except a service animal authorized by an IEP.

(7) In transporting musical instruments, shop projects, or other school projects, items shall be transported pursuant to the requirements listed in Subparagraph (e) of Paragraph (1) of Subsection T of 6.41.4.9 NMAC.

(8) On the school bus, the driver shall not permit items to block the aisle or exits.

(9) While a school bus is in motion, the driver shall not permit any passengers to occupy any area in front of the passenger seating area. All passengers shall be properly seated.

#### **I. Perform a post-trip inspection.**

(1) The driver shall, as part of each post-trip inspection, ensure that no passengers remain on board.

(2) The driver shall submit a signed, LEA-approved form reporting all faulty or improperly functioning equipment to the transportation administrator or designee, or the transportation service provider.

**J. Participate in emergency evacuation drills for school buses.** All school bus drivers, substitute school bus drivers, activity bus drivers, school bus assistants, and substitute school bus assistants shall participate in the emergency evacuation drills or adequate alternate instruction scheduled by the transportation administrator.

**K. Be familiar with the location and use of the following emergency equipment:**

- (1) hazard warning lights;
- (2) fire extinguisher;
- (3) first aid kit;
- (4) body fluid cleanup kit;
- (5) triangular warning reflectors; and
- (6) seat belt cutter.

**L. Address emergency evacuations and accidents.**

(1) Emergency evacuations shall take place if there is a fire or danger of fire involving the vehicle. The vehicle shall be stopped and evacuated immediately. Passengers shall move a safe distance away from the vehicle and remain there until given further direction.

(2) Emergency evacuations may take place if the vehicle is stopped in an unsafe position. The driver shall immediately determine whether it is safer for passengers to remain in the vehicle or to evacuate the vehicle. The driver shall direct the passengers to evacuate the vehicle if:

- (a) the vehicle has stopped in the path of a train;
- (b) the position of the stopped vehicle may change, thus increasing the danger to passengers; or
- (c) the position of the stopped vehicle is such that there is danger of another vehicle colliding into it.

(3) In the case of any accident, the driver's first responsibility is for the safety of the passengers. The driver shall:

- (a) stop immediately;
- (b) notify police and the LEA administrator and, if appropriate, the transportation service provider;
- (c) remain calm and reassure passengers;
- (d) if necessary to evacuate the vehicle, direct passengers to a safe place away from traffic and not permit passengers to leave the scene of the accident;
- (e) render reasonable assistance to persons injured in the accident;
- (f) remain at the scene of the accident and not move the vehicle unless required by local ordinance or a law enforcement officer;
- (g) if possible, place reflectors appropriately to warn traffic;
- (h) obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;
- (i) make no admission as to liability nor assume responsibility for the accident;
- (j) comply with federal, state, department regulation and LEA policy and procedures in reporting the accident; and
- (k) adhere to any vital emergency medical information provided.

**M. Alternating flasher lights shall not be used when the school bus is:**

- (1) on school grounds to load or unload students;
- (2) completely off the traveled portion of the roadway;
- (3) at a railroad crossing; or
- (4) stopped, except when loading or unloading students on the roadway.

[6.41.4.11 NMAC - Rp, 6.41.4.11 NMAC, 3/27/2018; A, 1/16/2024]

**6.41.4.12 SCHOOL BUS SAFETY AND EQUIPMENT:** All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2 NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, school bus inspection guide.

**A.** Each school bus shall be equipped with an operable seat belt for the driver that shall be used when the school bus is in motion.

**B.** Each school bus shall have seat belts or a seat harness as required on school buses when required in a student's IEP.

**C.** Each school bus shall have at least one seat belt cutter properly secured in a location within reach of the driver while the driver is belted into the driver's seat pursuant to Paragraph (1) of Subsection YY of 6.40.2.10 NMAC. The seat belt cutter shall be durable and designed to eliminate the possibility of the operator or others being cut during use.

**D.** Each school bus shall carry a first aid kit with contents pursuant to Paragraph (2) of Subsection P of 6.40.2.10 NMAC.

**E.** Each school bus shall carry a body fluid clean-up kit pursuant to Paragraph (3) Subsection P of 6.40.2.10 NMAC.

**F.** Each school bus shall be equipped with at least one UL-approved pressurized dry-chemical fire extinguisher complete with hose. The fire extinguisher shall have a total rating of 2A10BC or greater and meet the requirements of Paragraph (1) of Subsection P of 6.40.2.10 NMAC. The extinguisher shall be securely mounted in the driver's compartment, fully charged and in working condition.

**G.** Each school bus shall be equipped with a minimum of three triangular warning reflectors pursuant to Paragraph (4) of Subsection P of 6.40.2.10 NMAC, and the driver shall be knowledgeable as to their proper placement. Drivers shall use reflectors in the event of prolonged stops on the roadway.

**(1)** On a two-lane road:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the front or rear of the school bus, depending on traffic direction;

**(b)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the rear of the school bus; and

**(c)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the front of the school bus.

**(2)** On a one-way or divided highway, warning reflectors shall be placed on the traffic side of the school bus at 10, 100, and 200 feet from the rear of the school bus and placed so as to direct traffic away from the school bus.

**(3)** If the school bus is disabled within 500 feet of a curve, crest of a hill, or other obstruction:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the rear of the school bus in the direction of the obstruction;

**(b)** a warning reflector shall be placed on the traffic side of the school bus 100 feet from the rear of the school bus in the direction of the obstruction; and

**(c)** a warning reflector shall be placed on the traffic side of the school bus up to 500 feet from the rear of the school bus in the direction of the obstruction.

**H.** The hazard warning lights shall be used only when it is necessary to stop the bus on the shoulder of the roadway or on the roadway. The hazard warning lights shall also be used when the speed of the school bus is less than one-half of the posted speed limit.

**I.** The emergency door(s), windows, and roof hatches shall not be fastened or wired so as to prevent opening from the inside or outside.

**J.** Loose items shall be properly stowed underneath in equipment compartments or securely fastened if carried inside the school bus.

**K.** Trailers shall not be attached to a school bus.

**L.** Trailers shall not be hitched to school-owned vehicles while the vehicle is transporting students.

[6.41.4.12 NMAC - Rp, 6.41.4.12 NMAC, 3/27/2018]

#### **6.41.4.13 CONTINUING REQUIREMENTS FOR DRIVERS, SUBSTITUTE DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS:**

**A.** School bus drivers, substitute school bus drivers, and drivers of activity buses shall maintain and provide to the employer a copy of the following:

**(1)** a current CDL with appropriate class and endorsements;

(2) a current DOT medical examiner's certificate in compliance with federal and state CDL licensing requirements;

(3) a driving record obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division and printed annually; and

(4) a current first aid and CPR certificate which has been obtained from a course approved by the department.

**B. School-owned activity vehicle drivers shall maintain and provide to the employer a copy of the following:**

(1) a current driver's license;

(2) a current medical examiner's certificate from a physical recorded on the DOT form;

(3) a driving record pursuant to requirements in Paragraph (3) of Subsection A of 6.41.4.13 NMAC; and

(4) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC.

**C. School bus assistants and substitute school bus assistants shall maintain and provide a copy to the employer of the following:**

(1) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC; and

(2) a physical examination renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional.

**D. In-service training:** To remain qualified, school bus drivers, substitute school bus drivers, school bus assistants, and substitute school bus assistants shall complete a total of eight hours per semester of in-service training that has been approved by the transportation administrator. Persons who do not complete the required hours of in-service training are disqualified from duty until those hours of in-service training are completed.

[6.41.4.13 NMAC - Rp, 6.41.4.13 NMAC, 3/27/2018]

#### **6.41.4.14 USING SPORT UTILITY VEHICLES (SUVS) FOR TO-AND-FROM TRANSPORTATION:**

**A. General requirements. An LEA electing to transport students in an SUV on a to-and-from route shall:**

(1) be limited to transport up to six students who are enrolled in the LEA;

(2) only transport students whose residence is within the boundaries of the LEA, with the exception of those students in foster care or homeless children and youth as required as part of the best interest determination;

(3) only transport students who live five or more miles from the student's or students' school, with the exception of those students in foster care or homeless children and youth as required as part of the best interest determination;

(4) require that the SUV driver be an LEA employee certified as a school-owned activity vehicle driver;

(5) require that the driver meet all federal, state, and department qualifications and licensing requirements. The driver shall:

(a) allow the LEA to obtain the driver's driving record through the New Mexico motor vehicle division, or the national driver register or other states' motor vehicle divisions;

(b) satisfactorily complete a physical examination using the current DOT physical examination form:

(i) physical examination shall be renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional;

(ii) additional physical examinations shall be required at any other time at the request of the LEA or the department's transportation bureau;

(iii) all physical examinations shall be conducted by a licensed medical professional;

(c) meet the requirements of the Controlled Substances and Alcohol Use and Testing in accordance with 49 CFR Part 382;

- (6) require that the driver complete pre-service training as outlined in department guidance. The pre-service training shall be provided only by a school bus driver instructor that has activity vehicle certification or an activity vehicle instructor that has been certified by the department;
- (7) require the SUV driver transporting students on to-and-from routes to obtain two hours of in-service training per semester;
- (8) be required to insure both the SUV and SUV driver through the public school insurance authority;
- (9) establish written procedures for an immediate substitute SUV or school bus should an SUV fail to meet pre-trip inspection requirements; the substitute SUV or school bus shall meet all pre-trip requirements;
- (10) require the SUV driver to immediately report in writing on the appropriate form(s) signed by the SUV driver any faulty or improperly functioning equipment to the transportation administrator or their designee;
- (11) require all passengers to enter and exit on the passenger side of the SUV;
- (12) require the SUV driver to ensure that no student remains in the SUV at the conclusion of the route;
- (13) be required to have the vehicle inspected semi-annually by an authorized dealer including the manufacturer's recommended multi-point inspection. An inspection shall not occur within 90 days from the prior inspection. All inspections shall occur during the school year. Any defects found by the dealer shall be repaired prior to the vehicle being used to transport students. The vehicle shall be considered out of service until all defects are repaired by the dealer. The semi-annual inspections shall be submitted to the department's transportation bureau along with the documentation of all repaired defects;
- (14) require the SUV driver to conduct a daily, thorough pre-trip operational check of the SUV and equipment; the pre-trip shall be documented and shall cover at a minimum:
  - (a) wheels, tires, lug bolts, and nuts for serviceability;
  - (b) all exterior lights for serviceability and operation;
  - (c) all glass, mirrors, windshields (clean, unbroken and mirrors adjusted for the driver);
  - (d) exhaust system for leaks and looseness of connections;
  - (e) fluid leaks under and in the front (oil, water, power steering, transmission, brakes) and in the rear (brakes and differential);
  - (f) engine compartment for serviceability (battery, belts, wiring, hoses, fan);
  - (g) engine compartment for fluid levels (oil, engine coolant, power steering, brake, windshield washer, transmission);
  - (h) fuel filler cap;
  - (i) all gauges, seats, and interior lights;
  - (j) horn and windshield wipers;
  - (k) emergency equipment;
  - (l) cleanliness of SUV;
  - (m) electronic locks; and
  - (n) heaters and defrosters;
- (15) not allow the SUV driver to operate the SUV if it does not meet the pre-trip inspection requirements;
- (16) not allow an employee to operate an SUV for to-and-from transportation if the person's driving record shows:
  - (a) a conviction for driving a vehicle while intoxicated (DWI) or driving under the influence of intoxicating liquor or drugs (DUI) within the previous three years;
  - (b) a conviction for DWI or DUI between three years and 20 years prior to the date of application for employment unless a written verification from a licensed counselor or physician has been provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable;
  - (c) a conviction two or more times for DWI or DUI;
  - (d) their driver's license has been suspended or revoked within the previous five years for any serious traffic offense;



- (e) a conviction of more than three serious traffic offenses within the previous three years;
- (f) a conviction of any felony within the previous 10 years, or there exist other reasonable grounds related to the services of transporting students rendering the applicant ineligible;
- (17) not allow an employee to operate an SUV for to-and-from transportation if the person's fingerprint-based background check shows:
  - (a) a conviction for any violation of the Controlled Substances Act;
  - (b) a conviction of child abuse pursuant to Section 30-6, NMSA 1978, Crimes Against Children and Dependents; or
  - (c) conviction of any other criminal offense in which a child was a victim as required by the offense; and
- (18) ensure all SUVs shall be alcohol, drug, and tobacco free areas. Prior to or during work periods, all SUV drivers shall not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's ability to perform required duties.
- (19) ensure that student evacuation drills or adequate alternate instruction are conducted pursuant to Paragraph (3) of Subsection C of 6.41.4.9 NMAC.

(20) adopt a policy defining the replacement cycle for SUVs.

**B. Procedures and criteria to establish routes.** The local superintendent or charter school administrator shall demonstrate a need before providing to-and-from transportation in an SUV.

(1) Those students receiving to-and-from transportation through the use of an SUV must be approved by the superintendent or charter school administrator. The superintendent or charter school administrator must approve annually. In addition, the superintendent or charter school administrator must approve any changes to an SUV route that occur after the annual approval.

(2) On forms provided by the department, the local superintendent or charter school administrator shall submit the following information to the secretary of education or designee and to the department's transportation director or designee for approval before using an SUV to transport students on a to-and-from route:

- (a) a description of the need to transport students in an SUV;
- (b) a list of students to be transported in an SUV;
- (c) the location of the school and location of the students' residence as shown on a map; and
- (d) the local superintendent or charter school administrator must sign the form submitted to the department.

(3) A revised request for the SUV route must be submitted to the department for approval if there are any changes to the initial request.

(4) LEAs may count the students and miles for transportation funding who receive transportation services through the use of an SUV; however, only half of the miles will be counted through the funding formula.

(5) Written notification shall be given to the department's transportation director or designee immediately when the LEA is no longer providing transportation in an SUV to the student or students who had been previously approved.

(6) Students in foster care or homeless children and youth may be transported as otherwise prescribed and required by law or department rule.

**C. Construction standards.** To provide for the safety of students, all SUVs used to transport students on to-and-from routes shall adhere to construction standards requirements.

- (1) All SUVs used to transport students on to-and-from routes shall:
  - (a) be LEA owned;
  - (b) be a minimum six-passenger, full-size, extended-length, SUV;
    - (i) the SUV shall not accommodate more than nine people including the driver; and
    - (ii) the SUV shall not include vans or mini-vans;
  - (c) meet applicable United States department of transportation federal motor vehicle safety standards;

(d) comply with all applicable state statutes and comply with child restraint recommendations from the national highway traffic safety administration;

(e) have operable seat belts which all occupants are required to wear while the SUV is in motion;

(f) bear the words "SCHOOL VEHICLE" and the name of the LEA in reflective letters at least eight inches high on both sides of the SUV;

(g) bear the words "SCHOOL VEHICLE" and the name of the LEA in reflective letters on the rear of the SUV;

(h) be marked with reflective material that is at least one and three-fourths inches in width, placed horizontal and centerline of the SUV extending the length of both sides and rear of the SUV;

(i) be equipped with red LED strobe lights on the front and back of the SUV that shall be used during loading and unloading; and

(j) be equipped with electronic locks and child safety locks on all doors; all locks shall be engaged when the SUV is in motion.

(2) All SUVs used to transport students on to-and-from routes may:

(a) be equipped with a maximum speed limiter and shall be set at 75 miles per hour;

(b) have a two-way radio communication system;

(c) have an operable recording video camera;

(d) be equipped with a back-up camera; and

(e) be painted national school bus glossy yellow, in accordance with the colorimetric specification of national institute of standards and technology (NIST) federal standards no. 595a, color 13432, except that the hood should be either that color or lusterless black, matching NIST federal standard no. 595a, color 37038.

**D. Safety equipment.** All SUVs used to transport students on to-and-from routes shall have:

(1) a first aid kit with contents pursuant to 6.40.2 NMAC, New Mexico School Bus Construction Standards;

(2) a seat belt cutter within the driver's reach while belted;

(3) operable seat belts available to all passengers;

(4) a fire extinguisher mounted inside the SUV;

(5) a reflective safety vest that must be worn by the driver when the driver is exiting the SUV;

(6) a cargo net to secure all items not under students' control; and

(7) a minimum of three triangular warning reflectors;

(a) the SUV driver shall be knowledgeable of the warning reflectors' operation and proper placement;

(b) the warning reflectors shall be used in the event of prolonged stops on the roadway as follows:

(i) one warning reflector at a distance of approximately 100 feet in front and one reflector approximately 100 feet in back of the disabled SUV in the center of the traffic lane occupied by the disabled SUV;

(ii) one warning reflector at the traffic side of the disabled SUV, not less than 10 feet from the front or rear of the disabled SUV;

(iii) if the SUV is disabled within 500 feet of a curve, crest of a hill, or other obstruction to view, the SUV driver shall place the warning reflector in that direction to afford ample warning. The warning reflector must in no case be less than 100 feet or more than 500 feet from the disabled SUV.

**E. Route requirements.** All to-and-from transportation shall adhere to route requirements.

(1) Loading and unloading shall occur, whenever possible, off of the roadway.

(2) Students shall not cross the roadway for loading or unloading purposes.

(3) The SUV driver shall load and unload at established route stops only unless an emergency dictates otherwise.

- (4) The student shall load or unload only at the student's designated route stop unless the driver has written approval from the transportation administrator or designee.
- (5) The SUV driver shall ensure all doors are closed and locked before putting the SUV in motion.
- (6) The SUV driver shall keep the SUV clean, well ventilated, and properly heated when necessary.
- (7) The SUV driver shall obey all traffic laws, ordinances, and rules of the road.
- (8) The SUV driver shall report all hazards, whether potential or existing, on the route and all causes for failure to operate on schedule to the transportation administrator or designee.

**F. Loading and unloading on route.** All to-and-from transportation shall adhere to loading and unloading requirements.

- (1) The SUV driver shall use mirrors to check traffic when approaching the stop.
- (2) The SUV driver shall reduce the SUV's speed.
- (3) The SUV driver shall activate the strobe lights not less than 100 feet nor more than 300 feet from a route stop in urban areas and not less than 300 feet nor more than 1,000 feet from a route stop in rural areas to warn motorists that the SUV is about to stop.
- (4) On morning routes, a complete stop shall be made at all established route stops whether students are present or not, unless a parent or guardian or transportation administrator has notified the driver that the student will be absent. The SUV driver shall not wait for students unless they are observed making an effort to reach the route stop or unless otherwise specified in the student's IEP.
- (5) When loading students, the SUV shall be brought to a complete stop, the transmission put in park and the emergency brake activated.
- (6) When unloading students, the SUV shall be brought to a complete stop, the transmission put in park and the emergency brake activated.
- (7) When the SUV driver leaves the driver's seat, the keys shall be removed from the ignition switch.
- (8) When all students have been completely and safely loaded or unloaded, the strobe lights shall be turned off.
- (9) The SUV driver shall check mirrors and make a thorough live sight inspection of all traffic before resuming travel.

**G. Loading and unloading at schools.** All to-and-from transportation shall adhere to requirements when loading and unloading at schools.

- (1) The SUV driver shall load and unload students in the same location that loading and unloading of school buses occur.
- (2) The SUV shall be parked in place for loading prior to dismissal of school. If loading or unloading on the street, the SUV shall be stopped parallel to the curb. Strobe lights shall not be activated unless the SUV is stopped on the traveled portion of the roadway.
- (3) The vehicle shall be brought to a complete stop, the transmission put in park, and the emergency brake activated before loading or unloading students.
- (4) When the SUV driver leaves the driver's seat, the keys shall be removed from the ignition switch.
- (5) The driver shall not back up the SUV on school grounds unless absolutely necessary.

**H. Operating on interstate highways.** All to-and-from transportation shall adhere to operating requirements on interstate highways.

- (1) The SUV driver shall not make any stop except in an emergency nor shall any student load or unload while the SUV is on the interstate. All loading or unloading shall be done at points off the interstate.
- (2) The SUV driver shall not drive the SUV onto an opposite roadway or make any other similar maneuver except at interchanges and then only in a manner consistent with the proper procedures at any given interchange.

**I. Railroad crossings.** The driver shall use extreme caution when approaching and crossing highway-grade railroad crossings.

**J. Continuing standards for drivers:** An SUV driver shall no longer be eligible to transport students:

- (1) for three years if they receive a conviction for DWI or DUI. They may requalify if a written verification from a licensed counselor or physician is provided that the person has successfully completed an alcohol or drug abuse program. On-line programs are not acceptable. They are permanently ineligible if they have two or more DWI or DUI convictions;
- (2) for five years receive a suspension or revocation of their driver's license for any serious traffic offense;
- (3) for three years receive convictions for more than three serious traffic offenses;
- (4) if they receive any convictions pursuant to Paragraph (2) of Subsection P of 6.41.4.9 NMAC; or
- (5) if they do not complete the previous semester's required in-service training; to become eligible again, they must complete the training.

**K. Driver files.** LEAs shall maintain SUV driver files that include the following:

- (1) annual driving record check;
- (2) copy of current medical examiner's certificate from the physical;
- (3) copy of current and valid driver's license;
- (4) pre-service training record;
- (5) documentation of required in-service training pursuant to item (iii) of Subparagraph (d) of Paragraph (1) of Subsection S of 6.41.4.9 NMAC and Paragraph 7 of Subsection A of 6.41.4.14 NMAC;
- (6) proof that the driver is enrolled in a random drug and alcohol testing program; and
- (7) a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC.

[6.41.4.14 NMAC - Rp, 6.41.4.14 NMAC, 3/27/2018]

**HISTORY OF 6.41.4 NMAC:**

6.41.4 NMAC, Standard for Providing Transportation for Eligible Students; filed 12/31/1998 - Repealed and Replaced with 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students, effective 3/27/2018.

**PRE-NMAC REGULATORY FILING HISTORY:** The material in this regulation was derived from that previously filed with the State Records Center and Archives under State Board of Education Regulation 95-1 Standards for Providing Transportation for Eligible Students, filed February 2, 1995; and State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations, filed July 12, 1983, State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations Amendment #1, filed December 5, 1988; and State Board of Education Regulation 83-3 State of New Mexico Standards for School Bus Operations Amendment #2, filed January 24, 1990; and State Board of Education Regulation 77-6 Governing the Transportation of School Age Children Participating in School Sponsored Activities, filed September 13, 1977; State Board of Education Regulation 77-12 School Bus Driver's Manual, Revised Edition, filed January 16, 1978; and State Board of Education Regulation 77-12 Amendment #1 Special Education Supplement to the School Bus Driver's Handbook, filed August 21, 1978; and State Board of Education Regulation 71-9 School Bus Driver's Handbook, filed September 22, 1971; and State Board of Education Regulation 68-4 Regulations, Operating Procedures and Information for School Bus Drivers, filed March 12, 1968.

**HISTORY OF REPEALED MATERIAL:** 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students; filed 12/31/1998 - Repealed effective 3/27/2018.

# Classroom/Hands-on Instruction



## Section 3-E

### Safety Equipment

**30 Minutes of Instruction**

## **INSTRUCTOR OVERVIEW**

### **Materials Needed:**

1. Fire extinguisher rated 2A10BC with hose
2. First aid kit
3. Three reflective triangles
4. Handouts for trainees

**INSTRUCTOR NOTE:** Any of the following pages may be reproduced for use as handouts.

### **OBJECTIVES:**

1. Provide trainee instruction on the location and use of the emergency equipment. The equipment may be in various locations on different types and sizes of school buses.
2. Provide trainee instruction on emergency evacuation drills and procedures and explain the different types of evacuations.
3. Provide the trainee instruction on how to secure the bus in case the driver cannot.

**6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT:** All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2 NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, school bus inspection guide.

**C.** Each school bus shall have at least one seat belt cutter properly secured in a location within reach of the driver while the driver is belted into the driver's seat pursuant to Paragraph (1) of Subsection YY of 6.40.2.10 NMAC. The seat belt cutter shall be durable and designed to eliminate the possibility of the operator or others being cut during use.

**D.** Each school bus shall carry a first aid kit with contents pursuant to Paragraph (2) of Subsection P of 6.40.2.10 NMAC.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

###### **2. First-aid kit**

- a. The bus shall have a removable, moisture-proof, and dust-proof first aid kit in an accessible place in the driver compartment.
- b. It shall be properly mounted and identified as a first aid kit.
- c. The location for the first aid kit shall be marked.
- d. Contents of first aid kit shall be in compliance with the following standards. A first-aid kit for all school buses in New Mexico is described as follows:

**INSTRUCTOR NOTE: The bus assistant needs to understand that if an item or items are removed or used, they must be replaced.**

- ✓ 2 – 1 inch x 2 ½ yards adhesive tape rolls
- ✓ 24 – sterile gauze pads 3 inches x 3 inches
- ✓ 100 – ¾ inch x 3 inches adhesive bandages
- ✓ 8 – 2 inch bandage compress
- ✓ 10 – 3 inch bandage compress
- ✓ 2 – 2 inches x 6 yards sterile gauze roller bandages
- ✓ 2 – non-sterile triangular bandages approximately 40 inches x 36 inches x 54 inches with 2 safety pins
- ✓ 3 – sterile gauze pads 36 inches x 36 inches
- ✓ 3 – sterile eye pads
- ✓ 1 – rounded-end scissors
- ✓ 1 – pair of medical examination gloves
- ✓ 1 – mouth-to-mouth airway

#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**E.** Each school bus shall carry a body fluid clean-up kit pursuant to Paragraph (3) Subsection P of 6.40.2.10 NMAC.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

##### **3. Body Fluid clean-up kit**

- a. Each bus shall have a removable, moisture-proof, and dust-proof body fluid clean-up kit in the driver's compartment.
- b. It shall be properly mounted and identified as a body fluid clean-up kit.
- c. The location for the body fluid clean-up kit shall be marked.
- d. Contents of body fluid clean-up kit shall be in compliance with the following standards. A body fluid clean-up kit for a school buses in New Mexico is described as follows:

**INSTRUCTOR NOTE: The bus assistant needs to understand that if an item or items are removed or used, they must be replaced.**

- ✓ 1 - Disposable bag with securement device
- ✓ 1 - Scoop
- ✓ 1 - Scraper
- ✓ 1 - Disinfectant (absorbent powder)
- ✓ 1 - Surface wipe (paper towels)
- ✓ 1 - Pair of medical examination gloves (minimum)



#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**F.** Each school bus shall be equipped with at least one UL-approved pressurized dry-chemical fire extinguisher complete with hose. The fire extinguisher shall have a total rating of 2A10BC or greater and meet the requirements of Paragraph (1) of Subsection P of 6.40.2.10 NMAC. The extinguisher shall be securely mounted in the driver's compartment, fully charged and in working condition.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

##### **1. Fire extinguisher**

The bus shall be equipped with at least one UL-approved pressurized, dry chemical fire extinguisher.

- Extinguisher shall be mounted in a bracket, located in the driver compartment and readily accessible to the driver and passengers.
- A pressure gauge shall be mounted on the extinguisher and be easily read without moving the extinguisher from its mounted position.
- The fire extinguisher shall have a total rating of 2A10BC or greater. The operating mechanism shall be sealed with a type of seal which will not interfere with the use of the fire extinguisher.

## **FIRE EXTINGUISHER OPERATING DIRECTIONS**

*Follow the directions on the extinguisher or use the following:*

1. Remove extinguisher from bracket.
2. If possible, stand upwind from burning material to prevent standing in smoke and heat.
3. Hold extinguisher in UPRIGHT position. Because of the cylinder's construction, extinguisher should not be laid on side to operate.
4. Remove safety lock pin by breaking seal.
5. Push lever down to break seal in cartridge.
6. Squeeze nozzle handle. Direct the flow of chemical to the base of the fire.
7. Do not walk onto unburned material that could catch fire in a back flash and cause injury to yourself.
8. Use fire extinguisher at will and release and re-squeeze nozzle as needed.
9. Replace safety pin.
10. Replace or recharge immediately after use.

**INSTRUCTOR NOTE:** Regardless of the length of time it was discharged or how much chemical was discharged, a fire extinguisher must be recharged or replaced after use.

### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**G.** Each school bus shall be equipped with a minimum of three triangular warning reflectors pursuant to Paragraph (4) of Subsection P of 6.40.2.10 NMAC, and the driver shall be knowledgeable as to their proper placement. Drivers shall use reflectors in the event of prolonged stops on the roadway.

**(1)** On a two-lane road:

**(a)** a warning reflector shall be placed on the traffic side of the school bus 10 feet from the front or rear of the school bus, depending on traffic direction;

**(b)** a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the rear of the school bus; and

(c) a warning reflector shall be placed in the center of the traffic lane or shoulder occupied by the disabled school bus 100 feet from the front of the school bus.

(2) On a one-way or divided highway, warning reflectors shall be placed on the traffic side of the school bus at 10, 100, and 200 feet from the rear of the school bus and placed so as to direct traffic away from the school bus.

(3) If the school bus is disabled within 500 feet of a curve, crest of a hill, or other obstruction:

(a) a warning reflector shall be placed on the traffic side of the school bus 10 feet from the rear of the school bus in the direction of the obstruction;

(b) a warning reflector shall be placed on the traffic side of the school bus 100 feet from the rear of the school bus in the direction of the obstruction; and

(c) a warning reflector shall be placed on the traffic side of the school bus up to 500 feet from the rear of the school bus in the direction of the obstruction.

#### **6.40.2.10 NMAC BUS BODY STANDARDS**

##### **P. EMERGENCY EQUIPMENT**

##### **4. Warning devices**

- a. Each school bus shall contain at least three (3) reflectorized triangle road-warning devices mounted in an accessible place.
- b. These devices must meet requirements in 49 CFR 571.125 (FMVSS) and must be mounted in an accessible location in the driver compartment.

**INSTRUCTOR NOTE: How to set-up warning devices will be covered in Section 3-I.**

#### **6.41.4.12 NMAC SCHOOL BUS SAFETY AND EQUIPMENT (continued)**

**INSTRUCTOR NOTE:** The following language is directed to the LEA but trainees should be made aware of what is expected of them as a school bus assistant in regards to participating in evacuation drills.

#### **6.41.4.9 NMAC RESPONSIBILITIES OF THE LEA:**

##### **C. Plan of action for emergencies:**

(2) Student evacuation drills or adequate alternate instruction as provided in Paragraph (4) of Subsection C of 6.41.4.9 NMAC for to-and-from transportation services in a school bus shall:

- (b) be conducted once per semester;
- (d) include all school bus assistants and substitute school bus assistants;
- (e) exempt students when they are limited in their capability to participate; and
- (f) include the following types of evacuation drills:
  - (i) occupants exit through the rear emergency door;
  - (ii) occupants exit through the front service door;
  - (iii) occupants in the front half of the school bus exit through the front service door and occupants in the back half of the school bus exit through the rear emergency door. If any emergency door is located mid-bus, it shall be considered the rear emergency door; and
  - (iv) occupants receive instructions on the proper use of roof hatches.

(4) Adequate alternate instruction shall be verbal instruction on the location and operation of emergency exits and shall be presented by the driver to all vehicle occupants.

##### **T. Planned LEA-sponsored activity trips**

(6) Drivers shall be informed of and responsible for the following while driving on planned LEA-sponsored activity trips in addition to the applicable responsibilities of drivers pursuant to 6.41.4.11 NMAC:

- (d) conducting an emergency evacuation drill or providing adequate alternate instruction to all passengers prior to departure. An LEA-approved document shall be

provided to the driver for the driver and the sponsor to sign in evidence that such has been completed before beginning each planned LEA-sponsored activity trip;

## **EVACUATION GUIDELINES**

### **6.41.4.11 NMAC RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS**

**INSTRUCTOR NOTE:** In deciding whether or not to evacuate the school bus, keep in mind that the primary responsibility for the driver is the safety and well-being of the passengers. Knowing the proper procedures as well as the different types of evacuations will help in making a good, well informed decision that is in the best interest of the passengers. The following are some guidelines that will help in making an informed decision in any situation.

#### **L. Address emergency evacuations and accidents.**

(1) Emergency evacuations shall take place if there is a fire or danger of fire involving the vehicle. The vehicle shall be stopped and evacuated immediately. Passengers shall move a safe distance away from the vehicle and remain there until given further direction.

(2) Emergency evacuations may take place if the vehicle is stopped in an unsafe position. The driver shall immediately determine whether it is safer for passengers to remain in the vehicle or to evacuate the vehicle. The driver shall direct the passengers to evacuate the vehicle if:

- (a) the vehicle has stopped in the path of a train;
- (b) the position of the stopped vehicle may change, thus increasing the danger to passengers; or
- (c) the position of the stopped vehicle is such that there is danger of another vehicle colliding into it.

**INSTRUCTOR NOTE: REMEMBER that in the above situations, it is safer for the students to evacuate than remain on the bus.**

(3) In the case of any accident, the driver's first responsibility is for the safety of the passengers. The driver shall:

- (a) stop immediately;
- (b) notify police and the LEA administrator and, if appropriate, the transportation service provider;
- (c) remain calm and reassure passengers;
- (d) if necessary to evacuate the vehicle, direct passengers to a safe place away from traffic and not permit passengers to leave the scene of the accident;
- (e) render reasonable assistance to persons injured in the accident;

- (f) remain at the scene of the accident and not move the vehicle unless required by local ordinance or a law enforcement officer;
- (g) if possible, place reflectors appropriately to warn traffic;
- (h) obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;
- (i) make no admission as to liability nor assume responsibility for the accident;
- (j) comply with federal, state, department regulation and LEA policy and procedures in reporting the accident; and
- (k) adhere to any vital emergency medical information provided.

## **TYPES OF SCHOOL BUS EVACUATION DRILLS**

### **EVACUATING THROUGH THE SERVICE DOOR OR BACK/SIDE**

*Use this method to evacuate a school bus in an emergency when only one exit (service door or back/side) is accessible.*

1. Open the service door if accessible. Stand and get the students' attention.
2. Inform the students that evacuation will be through the service door or the back/side.
3. Remind students to leave all belongings behind and to listen carefully to all directions.
4. Assign at least one (1) dependable student to lead students a minimum of 100 feet away from the bus. Instruct the students to remain there until help arrives.
5. Remind the students to remain calm. Start evacuating the bus and continue until everyone is safely off.
6. Confirm that all students are off of the school bus.
7. **If possible**, take the student roster and first aid kit when exiting the bus.
8. Join the students and stay with them to ensure their safety until help arrives.

## **EVACUATING THROUGH THE SERVICE DOOR AND BACK/SIDE**

*Use this method to evacuate a school bus in an emergency when both the service door and the back/side are accessible.*

1. Open the service door. Stand and get the students' attention.
2. Inform the students that evacuation will be through both the service door and the back/side. Inform the students which row is the dividing point. Students in front of the dividing point exit through the service door. Students behind the dividing point exit through the back/side.
3. Remind students to leave all belongings behind and listen carefully to all directions.
4. Assign at least two (2) dependable students (one for the front and one for the back) to lead students a minimum of 100 feet away from the bus. Instruct the students to remain there until help arrives.
5. Remind the students to remain calm. Start evacuating the bus and continue until everyone is safely off.
6. Confirm that all students are off of the school bus.
7. **If possible**, take the student roster and first aid kit when exiting the bus.
8. Join the students and stay with them to ensure their safety until help arrives.

## **EVACUATING THROUGH ROOF VENTS AND EMERGENCY WINDOWS**

*Use this method **ONLY** in severe accidents when exit doors are blocked or inaccessible or the bus has overturned.*

1. Instruct students on operation of roof hatches and emergency windows.
  - ROOF HATCH – Turn RED knob and push it in or the handle and push the vent door out.
  - EMERGENCY WINDOW – Pull up on RED handle and push out.
2. Caution students to be extremely careful when exiting (the ground may not necessarily be close).

### **FURTHER GUIDELINES:**

- ❑ Remember that **the driver's FIRST responsibility** is for the safety of all the passengers.
- ❑ If evacuating the bus was necessary and help is on the way, administer first aid to injured passengers.
- ❑ If the bus is on fire:
  - **Do Not** attempt to extinguish the fire unless necessary to facilitate evacuation of the school bus (such as extinguishing small fires that block the aisle or exits.)
- ❑ In the event you are physically unable to move or have been rendered unconscious, have a pre-selected, approved, and reliable student or students trained on how to properly secure the bus:
  - a. Apply Parking Brake
  - b. Shift transmission to NEUTRAL or PARK
  - c. Turn OFF the engine
  - d. Open the service door
  - e. Lead passengers a minimum of 100 feet away from the bus to a safe location.

**Most importantly before making a decision to evacuate, remember that in some cases it could be safer to keep students on the bus.**

**In the final analysis, each driver must make the determination whether to evacuate the bus or not. Above all, make a well informed decision relying on training, common sense and good judgment.**



## **EVACUATING STUDENTS WITH SPECIAL NEEDS**

The purpose of lifting a student properly is to keep from causing injury to the student or self when moving them.

### **BASIC RULES:**

1. Tell the student what you are going to do.
2. Estimate the weight of the student. **NEVER** lift a person or student by yourself who weighs more than half your weight.
3. Ask for help if you have any doubts about your ability to lift the student.
4. Plan ahead. How you will lift the student and where you will go?
5. For good balance, stand with both feet firmly planted about shoulder width apart with one foot slightly in front of the other.
6. Always bend from the knees, not the back, use your thigh muscles rather than your back muscles to do the lifting.
7. When lifting and carrying, keep the student close to your own body.
8. Shift the position of your feet to move. Do not twist your body. Take small steps to turn.

### **SINGLE PERSON LIFT:**

1. Follow the Basic Rules 1-8. Most strains, fatigue, and back injuries are caused by lifting using the wrong muscles.
2. Keep equal weight on both feet and lower yourself to the level of the student by bending your knees before lifting.
3. Once in position, put one arm around the upper back and the other under both knees.
4. Hold the student close to your body, bend at the knees and lift with your leg muscles.

### **TWO PERSON LIFT:**

1. Follow the Basic Rules 1- 8.
2. To lift from a wheelchair:
  - a. To save time and congestion, leave the chair where it is secured and carry the student to the exit.
  - b. One person stands in front of the student. The other person stands at the back to the side of the student.
  - c. The person in back removes the arm rest if easily detachable.
  - d. The person in front folds up the footrest and removes the seatbelt and any other positioning device.
  - e. The person in front, bending from the knees, lowers him/herself to place his/her arms under the students' knees.
  - f. The person in back places his/her arms under the student's armpits, reaching forward to grasp both of the student's wrists, firmly. Your right hand should grasp the student's right wrist, your left hand to the students left wrist.
  - g. Lift together on the count of three; remember to use your legs to lift.
  - h. Walk to the area where the student is to be placed and lower him/her on the count of three. Remember to bend from your knees.

### **TO LIFT FROM A BUS SEAT:**

1. Use the same procedures as above, but first, slide the student to the edge of the bus seat near the aisle before lifting.
2. The weight of the student will determine whether a one or two person lift is used.

**BLANKET DRAG:**

1. Fold a blanket in half, place on floor as close to the child as possible.
2. Follow the basic rules 1 – 8 then lower the student to the blanket.
3. For one person lift, place the students head toward the direction of the exit, lift the blanket from the head end and slide to safety.

**NO BLANKET DRAG:**

If a blanket is not available, jackets or coats may be used.

1. The person doing the drag should position themselves at the student's head, squat down, and place hands, palm up, under student's arms.
2. Put elbows together so that the student's head can rest against forearms.
3. Gently drag the student to the nearest exit.

# Hands-on Instruction



## Section 3-I

# Hands-on Training

## 1 Hour of Instruction

**INSTRUCTOR NOTE:** Instruct the school bus assistant on how to operate a wheel chair lift both with and without power, how to secure wheel chairs, how to clean belts, how to set up emergency warning devices (triangles, see Section 1-J for information), and any additional employer policies and procedures, etc.