

1 Department of Public Safety

2

3 Adopted Permanent Rules Relating to School Bus Safety

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5 Rules as Adopted

6 7470.1000 OPERATION OF TYPE A, B, C, AND D SCHOOL BUSES.

7 Subpart 1. Application. Parts 7470.1000 to 7470.1700

8 govern the operation of Type A, B, C, and D school buses used

9 for transporting ~~school-children~~ pupils to or from school or

10 school-related activities when the buses are owned and operated

11 by a school district or nonpublic school, or privately owned and

12 operated under a contract or agreement with a school district or

13 nonpublic school.

14 Subp. 2. Transportation of pupils. ~~Only-pupils-assigned~~

15 ~~to-the-school-bus-by-the-school-board-or-designated~~

16 ~~administrative-officer-of-the-school-district-may-be-transported~~

17 ~~at-district-expense.~~

18 Pupils are not to be evicted from the bus along the route

19 for a breach of discipline. All breaches of discipline must be

20 reported by the bus driver to the ~~administrative-officer~~

21 authorized person.

22 The entrance door must be closed at all times when

23 transporting pupils and the bus is in motion.

24 All buses must load and unload in the right lane of the

25 roadway, at pupil stops on bus routes approved by the

26 ~~administrative-officer~~ authorized person. Loading or unloading

27 in a designated turn lane or in a lane immediately adjacent to a

28 designated turn lane is prohibited unless the turn lane is a

29 designated school bus stop at which ~~children~~ pupils are not

30 required to cross the road. Under these circumstances, the bus

31 must stop at the extreme right-hand side of the turn lane and

32 the eight-light system and stop arm should not be used. Loading

33 and unloading ~~students~~ pupils within an intersection is

34 prohibited.

35 No pupils may be in the bus while the fuel tank is being



1 filled. On leaving the vehicle when pupils are in the bus, the
2 driver shall stop the motor, remove the ignition key, set the
3 brakes, and otherwise render the bus immobile.

4 The ~~administrative-officer~~ authorized person shall see that
5 no materials, including guns, loaded or unloaded; gasoline cans,
6 empty or full; animals, except service dogs accompanying persons
7 with disabilities; or any other object of a dangerous or
8 objectionable nature are transported in the school bus when
9 ~~children~~ pupils are being transported.

10 Subp. 3. Driving on school grounds. Buses must not be run
11 backwards on the school grounds or at any other point if it can
12 be avoided. If necessary to run a bus backwards, the driver
13 should have adequate visibility to determine if any moving
14 vehicles are within 500 feet in either direction, when on
15 roadways. When there is a pupil pick-up or unloading at a
16 backing point, the driver shall always load before backing and
17 unload after backing. No pupils ~~should~~ may be outside the bus
18 when it is backing.

19 Subp. 4. In case of accidents. In case of an accident or
20 breakdown of the bus the driver shall not leave the bus, but
21 shall send two of the patrol or other responsible pupils to the
22 nearest house to summon help.

23 Immediate reports of all accidents, however slight,
24 involving the school bus must be made by the driver to the
25 ~~administrative-officer~~ authorized person and to any other
26 authorities as required by law, rule, or regulation. The driver
27 shall prepare and keep all records and reports required by
28 the ~~administrative-officer~~ authorized person.

29 7470.1100 DRIVER OF TYPE A, B, C, OR D BUS.

30 The driver of a type A, B, C, or D school bus shall:

31 A. bring the bus to a full stop and disengage gears
32 by shifting into neutral or park before loading and unloading
33 pupils;

34 B. use the prewarning amber flashing signals,
35 flashing red signals, and stop signal arm in accordance with

1 Minnesota Statutes, section 169.443;

2 C. maintain at least a 50-foot interval when
3 following another bus entering or leaving the school ground, and
4 at least 500 feet when traveling on the highway, in accordance
5 with Minnesota Statutes, section 169.18, subdivision 8,
6 paragraph (b);

7 D. load or unload pupils only where the view is
8 unobstructed to the motorist for 500 feet in either direction on
9 a roadway with a speed limit of 35 miles per hour or greater and
10 where the view is unobstructed for at least 100 feet where the
11 speed limit is less than 35 miles per hour;

12 E. be responsible for safely delivering the pupils
13 who must cross the highway to the left side of the road by one
14 of the following methods: the pupil shall pass around in front
15 of the vehicle and cross the road only upon receiving word or
16 signal from the driver; or the pupil shall pass around in front
17 of the bus and be conducted across the road by the school bus
18 patrol or the bus monitor; or the driver shall personally
19 conduct the pupils across the road; and

20 F. stop at all railroad crossings whether carrying
21 passengers or not in accordance with Minnesota Statutes, section
22 169.28. The driver shall activate the four-way hazard warning
23 lights not less than 100 feet from the nearest rail, and stop
24 not less than ten feet from the nearest rail. While so stopped,
25 the driver shall open the driver's window and service door to
26 look and listen in both directions along the track for any
27 approaching train. Eight-lamp prewarning alternately flashing
28 amber signals and flashing red stop signals must not be used at
29 railroad crossings. Hazard warning signals should be used.

30 7470.1200 FLAGGING AT RAILROAD GRADE CROSSINGS.

31 A school bus must not be flagged across railroad grade
32 crossings except at such railroad grade crossings as the local
33 school authorized person may designate.

34 Flagging must be done in the following manner.

35 The pupil or bus monitor shall take a position so as to

1 have a clear view of the railroad tracks in both directions. If
 2 a train is approaching, the pupil or monitor shall not cross the
 3 track but shall face the bus and signal the bus not to proceed
 4 by holding up both hands above the head. On making certain that
 5 the track is clear and safe for crossing, the pupil or monitor
 6 shall signal the driver to cross the tracks by a forward motion
 7 of an upraised arm. The driver must be sure to check for
 8 approaching trains and be certain it is safe to cross before
 9 driving the bus across the tracks. The pupil or monitor shall
 10 not reenter the bus until the bus has crossed the tracks to a
 11 safe distance.

12 ~~A school bus must not be flagged across railroad grade~~
 13 ~~crossings except at such railroad grade crossings as the local~~
 14 ~~school administrative officer may designate.~~

15 7470.1300 EQUIPMENT, INSPECTION AND USE.

16 No school bus shall be driven unless the driver or other
 17 designated person has inspected the vehicle to ensure that, at a
 18 minimum, the following parts and accessories are in good working
 19 order: service brakes, including trailer brake connections;
 20 parking (hand) brakes; steering mechanism; lighting devices and
 21 reflectors; tires; fluid levels; horn; windshield wiper or
 22 wipers; rear-vision and crossover mirrors, including their
 23 proper adjustment; eight-lamp system; and stop arm. A copy of
 24 the current daily pretrip inspection report must be carried in
 25 the bus.

26 7470.1400 OPERATION OF TYPE III SCHOOL BUSES.

27 ~~Subpart 1.---Application.~~ The operating rules in parts
 28 7470.1000 to 7470.1500 govern the operation of Type III school
 29 buses used for transporting ~~school-children~~ pupils when owned
 30 and operated by a school district or nonpublic school, or
 31 privately owned and operated under an agreement with a school
 32 district or nonpublic school. Type III school buses are
 33 restricted to automobiles, station wagons, and other vehicles
 34 having a manufacturer's rated seating capacity of ten or fewer
 35 people including the driver, and a gross vehicle weight rating

1 of 10,000 pounds or less.

2 ~~Subp. 2. Transportation of pupils. Only pupils assigned~~
3 ~~to the vehicle by the school board or designated administrative~~
4 ~~officer of the school district may be transported at district~~
5 ~~expense.~~

6 7470.1500 DRIVER OF TYPE III BUSES.

7 The driver of a Type III school bus shall not:

8 A. operate the vehicle as a Type A, B, C, or D school
9 bus;

10 B. stop traffic;

11 C. load or unload in a vehicular traffic lane or on
12 the shoulder, but is restricted to curb, nontraffic side (normal
13 parking lane), off-street loading areas, driveways, yard
14 service, and other areas to avoid any hazardous conditions;

15 D. load or unload in the right-hand lane of the
16 roadway, designated turn lane, or lane immediately adjacent to a
17 designated turn lane;

18 E. load or unload so that a ~~child~~ pupil has to cross
19 the road, except where not possible or impractical, then the
20 driver or aide shall personally escort the ~~child~~ pupil across
21 the road;

22 F. escort a ~~child~~ pupil across the road under item E
23 unless the motor is stopped, the ignition key is removed, the
24 brakes are set, and the vehicle is otherwise rendered immobile;

25 G. load or unload before making a complete stop and
26 disengaging gears by shifting into neutral or park; or

27 H. operate the vehicle as a school bus, whether
28 carrying pupil passengers or not, without displaying the
29 "Vehicle Stops At RR Crossings" sign and stopping at all
30 railroad crossings. The sign may be covered or removed when the
31 vehicle is not operating as a school bus.

32 7470.1600 TRANSPORTING PUPILS WITH DISABILITY.

33 Subpart 1. **Services provided.** Minnesota Statutes, section
34 120.17, requires school districts to provide special education
35 and services for a school age resident with a disability.

1 Accordingly, free transportation services must be provided to
2 any child with a disability who requires special transportation
3 services because of the child's disabling conditions or special
4 program needs.

5 Parts 7470.1600 and 7470.1700 apply to transportation of a
6 child with a disability, as defined in Minnesota Statutes,
7 section 120.03, when the disabling conditions of the child are
8 such that the child cannot be safely transported on the regular
9 school bus route or when the child is transported on a special
10 route for the purpose of attending an approved special education
11 program.

12 Parts 7470.1600 and 7470.1700 are not applicable to parents
13 who transport their own child under contract with a school
14 district or nonpublic school.

15 Subp. 2. **Appeal process.** Any parent of a child with a
16 disability who believes that the transportation services
17 provided for that child are not in compliance with parts
18 7470.1600 and 7470.1700 may utilize the due process procedures
19 provided for in Minnesota Statutes, section 120.17.

20 Subp. 3. **Length of transit time.** The length of time a
21 ~~child~~ pupil with a disability is transported must be appropriate
22 to the physical, mental, and emotional well-being of the ~~child~~
23 pupil. In general, a ~~child~~ pupil with a disability should not
24 spend more time in transit than a ~~child~~ pupil without a
25 disability except as may be required because of the unique
26 location of the ~~child's~~ pupil's educational program.

27 Subp. 4. **Type of vehicle.** The school district shall
28 determine the type of vehicle used to transport pupils with a
29 disability on the basis of the disabling conditions of those
30 pupils. These vehicles must comply with Minnesota Statutes,
31 section 169.4504.

32 Subp. 5. **Additional assistance; determination.** Vehicles
33 used to transport pupils with a disability must be equipped with
34 a two-way communications system or have a responsible aide, or
35 both, to provide necessary assistance and supervision that
36 cannot safely be provided by the driver. A school district may

1 determine that ~~neither-a-communication-system-nor~~ an aide is
 2 required. The determination of whether ~~a-communication-system~~
 3 ~~or an aide, or both, are~~ is required must reflect the needs of
 4 the pupils and be based on such factors as disabilities of
 5 pupils transported, distance traveled, density of population,
 6 terrain, and any other factors that may affect the safety of the
 7 pupil passengers. Exceptions to this subpart may be made upon
 8 mutual agreement between the parents and the school district.

9 Subp. 6. **Special equipment.** Specially adapted seats,
 10 support, or protective devices must be provided for all pupils
 11 who require the devices to ensure their safe transportation.
 12 These devices must be selected by the school district in
 13 consultation with the ~~child's~~ pupil's parents and on the basis
 14 of the specific needs of the individual ~~child~~ pupil with a
 15 disability.

16 Subp. 7. **Wheelchair securement.** A school bus used to
 17 transport ~~students~~ pupils in wheelchairs must be equipped with
 18 fastening devices that will hold the wheelchairs securely in a
 19 fixed position.

20 7470.1700 DRIVERS AND AIDES FOR PUPILS WITH DISABILITY.

21 Subpart 1. **Drivers generally.** Each driver of a vehicle
 22 for pupils with a disability ~~should~~ shall be carefully selected
 23 to ~~fulfill-the-unique~~ assure the driver can perform the
 24 requirements of the job. Drivers must be assigned to each route
 25 on a regular basis whenever possible.

26 Subp. 2. **Information necessary.** Each aide assigned to a
 27 vehicle transporting pupils with a disability, or driver if no
 28 aide is assigned, or both, shall have available to them in the
 29 vehicle a typewritten card indicating:

- 30 A. the pupil's name and address;
- 31 B. the nature of the pupil's disabilities;
- 32 C. emergency health care information; and
- 33 D. the names and telephone numbers of the pupil's
- 34 physician, parents, guardians, or custodians, and some person
- 35 other than the pupil's parents or custodians who can be

1 contacted in case of an emergency.

2 Subp. ~~2~~ 3. **Training.** Each driver and aide assigned to a
3 vehicle transporting pupils with a disability must:

4 A. be instructed in basic first aid and procedures
5 for the pupils under their care;

6 B. within one month after the effective date of
7 assignment, participate in a program of in-service training on
8 the proper methods for dealing with the specific needs and
9 problems of pupils with disabilities;

10 C. assist pupils with disabilities on and off the bus
11 when necessary for their safe ingress and egress from the bus;
12 and

13 D. ensure that protective safety devices, as required
14 in part 7470.1600, subpart 6, are in use and fastened properly.

15 REPEALER. Minnesota Rules, parts 3520.2400; 3520.2500;

16 3520.2600; ~~3520-2850~~ 3520.2800; ~~3520-3000~~; 3520.3100; and

17 ~~3520-3300~~ 3520.3400, are repealed.