SAFETY STANDARDS

The District shall meet or exceed the safety standards for school buses established by the Department of Public Safety (DPS), with the advice of TEA. If the District fails or refuses to meet these standards, it shall be ineligible to receive its transportation allotment until the first anniversary of the date the District begins compliance. *Education Code 34.002; Trans. Code 547.102; 37 TAC 14.51–.52*

STUDENT SAFETY

PROHIBITIONS

The District may not require or allow a child to stand on a moving bus or passenger van. *Education Code 34.004*

An operator of a school bus, while operating the bus, shall prohibit a passenger from:

1. Standing in the bus; or
2. Sitting:
   a. On the floor of the bus, or
   b. In any location on the bus that is not designed as a seat.

Trans. Code 545.426

SEAT BELTS

REQUIRED ON BUSES

A bus, including a school bus and a school activity bus, operated by or contracted for use by the District for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This requirement applies to:

1. Each bus purchased by the District on or after September 1, 2010, for the transportation of schoolchildren; and
2. Each school-chartered bus contracted for use by the District on or after September 1, 2011, for the transportation of schoolchildren.

The District is required to comply with this requirement only to the extent that the legislature has appropriated money for the purpose of reimbursing the District for expenses incurred in complying with the requirement.

Trans. Code 547.701(e)–(f)

STUDENT REQUIREMENT

The District shall require a student riding a bus operated by or contracted for operation by the District to wear a seat belt if the bus is equipped with seat belts for all passengers on the bus. The District may implement a disciplinary policy to enforce the use of seat belts by students. *Education Code 34.013*

DONATIONS

The Board shall consider any offer made by a person to donate three-point seat belts or money for the purchase of three-point seat

belts for the District's school buses. The Board may accept or decline the offer after adequate consideration.

The Board may acknowledge a person who donates three-point seat belts or money for the purchase of three-point seat belts for a school bus by displaying a small, discreet sign on the side or back of the bus recognizing the person who made the donation. The sign may not serve as an advertisement for the person who made the donation.

Education Code 34.014

SCHOOL BUS EMERGENCY EVACUATION TRAINING

Pursuant to the safety standards established by DPS under Education Code 34.002, the District may conduct a training session for students and teachers concerning procedures for evacuating a school bus during an emergency. A district that chooses to conduct a training session is encouraged to conduct the school bus emergency evacuation training session in the fall of the school year. "Fall" is defined as July 1 to December 31. The District is also encouraged to structure the training session so that the session applies to school bus passengers, a portion of the session occurs on a school bus, and the session lasts for at least one hour.

The training must be based on the recommendations of the most recent edition of the National School Transportation Specifications and Procedures, as adopted by the National Congress on School Transportation, or a similar school transportation safety manual.

Immediately before each field trip involving transportation by school bus, the District is encouraged to review school bus emergency evacuation procedures with the school bus passengers, including a demonstration of the school bus emergency exits and the safe manner to exit.

Not later than the 30th day after the date that the District completes a training session, the District shall provide DPS with a record certifying the District's completion of the training.

Note: The Reporting of School Bus Evacuation Training form is available at http://www.txdps.state.tx.us/internetforms/FormDetail.aspx?Id=821&FormNumber=SBT-7.doc.

Education Code 34.0021; 37 TAC 14.54

WIRELESS COMMUNICATION DEVICES

An operator may not use a wireless communication device while operating a motor vehicle within a school crossing zone, unless:

1. The vehicle is stopped; or

2. The wireless communication device is used with a hands-free device.

An operator may not use a wireless communication device while operating a passenger bus with a minor passenger on the bus unless the passenger bus is stopped.

Trans. Code 545.425

DISRUPTION OF TRANSPORTATION

Any person, with the exception of a student who was in sixth grade or below at the time the student engaged in the conduct, who intentionally disrupts, prevents, or interferes with the lawful transportation of students to and from school on a vehicle owned or operated by the District or to or from activities sponsored by a school on a vehicle owned and/or operated by the District shall be guilty of a misdemeanor. *Education Code 37.126*

If the illegal act is conducted through use or exhibition of a firearm, the person shall be guilty of a felony. *Education Code 37.125*

ACCIDENT REPORTS

NOTICE TO DPS

The District shall provide DPS written notification of any accident directly or indirectly involving a school bus operated by or for the District that bears advertising or another paid announcement. *37 TAC 14.65(a)(2)*

Notice must be received not more than five days from the date of the accident and shall include the following:

1. The name and address of the owner of the school bus;
2. The name and driver's license number of the school bus operator;
3. The date of the accident;
4. The city or county where the accident occurred; and
5. The investigating police agency.

37 TAC 14.65(c)

Notices to DPS may be delivered by facsimile, electronic mail, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. *37 TAC 14.65(d)*

NOTICE TO TEA

School districts shall report annually to TEA the number of accidents in which their buses were involved in the past year in a manner prescribed by the Commissioner. School districts shall file annual reports to TEA only in the period beginning July 1 and ending July 31 and shall include the following information in the report:

1. The total number of bus accidents;

2. The date each accident occurred;

3. The type of bus, as specified in 19 Administrative Code 61.1028(a), involved in each accident;

4. Whether the bus involved in each accident was equipped with seat belts and, if so, the type of seat belts;

5. The number of students and adults involved in each accident;

6. The number and types of injuries that were sustained by the bus passengers in each accident; and

7. Whether the injured passengers in each accident were wearing seat belts at the time of the accident and, if so, the type of seat belts.

The District shall report a bus accident involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus is owned, leased, contracted, or chartered by the District and was transporting District personnel, students, or a combination of personnel and students; or

2. The bus was driven by a District employee or by an employee of the District's bus contractor with no passengers on board and the accident involved a collision with a pedestrian.

EXCEPTIONS

The District shall not report a bus accident involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus was driven by a District employee or by an employee of the District's bus contractor, the accident occurred when no passenger other than the District's driver or bus contractor's driver was on board the bus, and the accident did not involve a collision with a pedestrian; or

2. The accident involved a bus chartered by the District for a school activity trip and no District personnel or students were on board the bus at the time of the accident.

The District shall not report an accident that occurred in a vehicle that is owned, contracted, or chartered by the District and is not a school bus, a multifunction school activity bus, a school activity bus, or a motor bus.

Education Code 34.015(b); 19 TAC 61.1028(b)