



State of Utah

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Department of Administrative Services Division of Risk Management

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RE: Best Practices and Recommendations for K-12 School Transportation and Student Travel

The following recommendations are offered by the Utah State Board of Education and the Utah Division of Risk Management. Local Education Agencies (LEA) in Utah should follow these recommendations to avoid harm to students and unnecessary risk and liability while transporting K-12 students. Where conflicts exist between United States Department of Transportation (USDOT) rules and these recommendations, Commercial Drivers' License (CDL) operators are expected to abide by the stricter of the two.

1. Whenever possible, students should be transported on school buses operated by properly licensed and trained school transportation employees. The use of private non-commercial vehicles to transport students is discouraged.
2. UCA 53-8-211.5 prohibits LEAs from using a vehicle with a seating capacity of eleven (11) or more, including the driver, to transport students, unless the vehicle meets federal school bus safety standards under 49 U.S.C §30101, et. seq. Due to the protective intent and language of this statute, schools are prohibited from transporting students in large passenger vans, when the manufacturer's seating capacity is eleven (11) or more, including the driver, even after removing one or more of the bench seats. LEAs, representatives and others recognized and associated with the LEA shall not rent, lease or otherwise contract for vehicles that do not meet this standard for the transportation of students. This statutory prohibition does not apply to commercial carriers.
3. LEAs should not authorize anyone under the age of 21 to transport students.
4. Under no circumstances may students be authorized, required, or in any way encouraged by an LEA or its representatives, to drive other students to off-campus school classes or activities. No student may be authorized to act as an agent driver for an LEA. When students are required to leave their home school campus in order to attend classes or other school-related activities, schools should provide transportation to and from those classes or activities. Whenever students are expected to provide their own transportation to classes or activities, this expectation should be expressly included in the course or activity description. Parents and guardians must also be informed of this requirement prior to commencement of the course or activity. Under no circumstances may teachers,

coaches, or counselors facilitate carpools or other transportation groupings that may suggest or imply that the student driver is an agent of the LEA.

5. Travel in adverse or stormy weather is discouraged, especially when that travel will be made in a vehicle other than a school bus or commercial vehicle.
6. Drivers of school buses or other vehicles used to transport students shall comply with all general traffic and safety regulations and all regulations applicable to their licenses.
7. If an LEA utilizes minivans or large SUVs designed to carry up to seven passengers plus the driver for the transportation of students, the driver of these vehicles must successfully complete an LEA-approved driver safety training program that must include actual experience operating the type of vehicle the driver will be operating. Before beginning any trip, drivers of these vehicles shall take sufficient time to familiarize themselves with all operational controls, i.e., head lights, fog lights, windshield washer and wipers, cruise control, emergency lights, etc.,
8. LEA drivers must ensure all items in the vehicle are properly secured.
9. Vehicle occupants, except those in a school bus with no safety restraints, shall always use seat belts while in the vehicle. School bus drivers shall use the seat belt at all times while operating the bus. If three-point seat belts on school buses are available for students, they are expected to use them. It is the responsibility of the driver to remind students to buckle up. Drivers should follow any additional LEA policies for seat belts.
10. LEA drivers who drive LEA vehicles must successfully complete and provide the following:
 - (a) State Risk Management Driver Safety Training;
 - (b) Criminal Background Check, if transporting students;
 - (c) Current Driver's License; and
 - (d) Motor Vehicle Record (MVR), in accordance with LEA Policy.
11. LEA drivers, including employees and approved volunteers, who use their personal vehicle to transport students must successfully complete and provide the following:
 - (a) State Risk Management Driver Safety Training;
 - (b) Criminal Background Check;
 - (c) Current Driver's License;
 - (d) Motor Vehicle Record (MVR), in accordance with LEA Policy; and
 - (e) Proof of Auto Insurance.
12. No vehicle, other than a commercial vehicle that is used for the transportation of students, shall begin a trip between the hours of 11:00 pm and 4:30 am. Trips may start before 4:30 am if transporting students to the airport. Any trip that begins before 11:00 pm should be completed before 1:30 am. If a trip, cannot be completed by 1:30 am, an overnight stay is required. This does not apply to commercial carriers.

13. LEAs are strongly encouraged to utilize a School Bus, Activity Bus or Commercial Transportation for any official, authorized transportation of students more than three hundred fifty (350) miles from the home school.
14. LEAs are strongly encouraged to utilize commercial transportation for out-of-state travel.
15. School bus drivers must conform to the statutory or rule requirements and limitations on CDL hours of service. Further, no individual who is transporting students shall work more than fifteen (15) hours in a 24-hour period. For example, a teacher shall not teach a full day of classes and afterwards transport students to and from activities, sports activities, or events, if the combined amount of work time exceeds fifteen (15) hours.
16. Drivers of school buses and all other vehicles used to transport students shall comply with all United States Department of Transportation (USDOT) rules regarding the number of hours a driver may operate a vehicle, frequency of breaks, and all other applicable rules governing drive time and related matters. Drivers are encouraged to stop every three (3) hours at a minimum for a rest break.
17. LEAs may not lend out, lease, or make available for use, their school buses to any entity except a Utah-State entity or political subdivision of the state. Further, LEAs shall also comply with the provisions of UCA 41-12a-301 and utilize the School District Bus Use Indemnity Agreement approved by the State Risk Manager.