

Watervliet City School District

**TRANSPORTATION DEPARTMENT
HANDBOOK/POLICIES/REFERENCE GUIDE**

2007-2008

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FORWARD

It should be noted that the legal responsibility for establishing the Transportation Policy lies with the Board of Education. The Board of Education must establish policies within the frame of the State and Federal legislation.

As part of our school team, all district employees take on the important role of serving our students and other members of the school community. This handbook is designed to provide an overview of many of the policies, procedures and other information relevant to the transportation department within the Watervliet City School District. The contents of this handbook and the policies and procedures described in it are presented for information and general guidance only. It is your responsibility to review this handbook carefully and become familiar with its contents. If you have specific questions about employment matters, please direct them to your immediate supervisor.

This handbook does not create a contract between the Watervliet City School District and any of its employees. No policies in the handbook or any oral interpretation of the policies and procedures create an express or implied contract of employment between the school district and employees regarding length of service, wages, hours, procedures, policies, benefits or any terms or conditions of employment. Employees subject to a collective bargaining agreement should refer to their union contract with regard to specific terms and conditions of employment. This handbook does not alter the at-will relationship between the school district and its employees whose employment is not subject to a collective bargaining agreement.

The school district reserves the right to interpret, modify, add or eliminate provisions of the handbook in order to comply with state, federal or local laws, rules or regulations or district policies, procedures and practices, with or without notice.

The ultimate goal of this handbook is to better communicate the district's compliance policies, enhance service delivery to our school community and foster positive employee relations. Additionally, it is our hope that you will find your employment with the Watervliet City School District to be both a challenging and rewarding experience.

INTRODUCTION

Our transportation system must be as safe as we can possibly make it. Pupils shall be transported to and from school in approved school buses, over approved routes, to and from approved stops. The drivers shall be people who are friendly and are competent in handling traffic problems. The system must, as much as possible, maintain a regular schedule in service. The buses assigned will be adequate in capacity, and are to be regularly and effectively inspected by both the driver and mechanics.

1. The responsibility for administering the program shall rest with the Transportation Supervisor of the School District. He/She shall adhere to all laws, rules, and regulations of the Commissioner of Education, Department of Motor Vehicles, Department of Transportation, and the Board of Education.
2. Adequate provisions for safety of all children transported have been established and will be monitored.
3. Adequate procedures shall be maintained to guarantee the proper behavior of children on the bus.
4. It should be known and understood by each driver, that this manual does not change local or state Motor Vehicle Traffic Laws and Regulations, or School Board Policy.
5. At no time is a driver allowed to transport students in his/ her own personal vehicle.

EMPLOYMENT GUIDELINES

1. **Alcohol and Drugs/Smoking/Drug Testing:** All drivers must comply with the policy regarding alcohol and drug testing for bus drivers. All new drivers are subject to pre-employment drug screening. All current drivers are subject to random drug testing as well as new drivers.

As per District policy, smoking and other use of tobacco or tobacco products by bus drivers is prohibited on school grounds at all times. "School grounds" shall include buses.

2. **Approval of Drivers:** All drivers shall be at least 21 years of age.
3. **Absenteeism:** The bus schedule is very important since schools operate on a very tight, fixed timeline, and when a bus is late, it can create safety problems with the children who are waiting by the roadside for their buses. The longer they wait, the greater the chances of something happening during that time.

The regular attendance of drivers is necessary as much as possible during the school year. Absence because of illness will occur. Medical clearance may be required from a doctor if you are absent two or more consecutive days. Sick leave and personal leave are allowed for just those reasons.

4. **Sexual Harassment:** The Watervliet City School District has a sexual harassment policy and has established procedures for reporting sexual harassment. All employees should have a working knowledge of the policy so no inadvertent acts of sexual harassment occur. The school district takes sexual harassment very seriously. We all have the right to work in a safe and decent environment. We expect our employees to refrain from any act that creates an intimidating, hostile, and/or offensive environment for other employees or students. If you witness or experience sexual harassment on the job, please report it to your supervisor.
5. **Professional Conduct and Appearance:** The Watervliet City School District is committed to maintaining the respect of students, other employees and the community.
 - a. “Colorful Language”: To protect the status and professionalism of the transportation team, the use of “colorful” or profane language is unacceptable. Yelling, swearing, threatening, the use of profanity or other means of verbal or non-verbal language could result in disciplinary action. This includes profanity directed at students, school personnel, and community members.
 - b. At the Transportation Office: It is important for staff to be able to hear the radio and phones. Please keep this in mind during your conversations and socializing.
 - c. Appearance: As a representative of the Watervliet City School District you should dress appropriately, be neatly groomed and pay careful attention to personal hygiene. Proper footwear, no beer or cigarette logos/sayings or inappropriate sayings/logos, no short shorts or raveling clothing. As an employee of the district you should set an example for students and others to follow.
 - d. Privacy: Do not ask students personal questions or talk about other district employees, students, community members, or district policies in front of students. As transportation personnel, you may be privy to personal information regarding students and/or their families. Please keep any such information in strict confidence.
 - e. Relations with the public: You are driving the most visible vehicle on the road; therefore you may come under more public scrutiny than many other school district employees. Because of that visibility, please deal with students, parents, school officials and employees, other motorists and community members in a polite, professional, courteous, and considerate manner. If you find yourself in the midst of a dispute, courteously withdraw and refer the other party (parties) to the school’s transportation department, District Office, or radio for help. If there is a complaint regarding a bus driver the Director of Transportation will investigate and take corrective action if necessary.
6. **Route Assignments:** All drivers will be assigned to bus routes by the Transportation Supervisor and at times through consultation with the School Business Administrator and/or Superintendent.
7. **Bus Assignments:** The Head Mechanic and/or the Transportation Supervisor will assign buses. Drivers are NOT to take any other vehicle that is not assigned to them without consulting one of these people first.

8. Bus Routes:

1. A copy of each bus route will be contained in the Transportation Office for review by drivers.
2. Emergency numbers such as, police, school garage, fire departments, etc. will be placed on each clipboard.
3. Names of each student riding the bus will be contained in each regular bus used on each bus route.
4. Drivers will keep updated route sheets on the clipboard for each bus.

9. **Student Bus List:** Drivers will keep the student list up-to-date, notifying the transportation supervisor if students are no longer on the run, or have changed their pick-up or drop-off location.

10. **Student Locations:** Drivers will give the precise location of students' pickup and drop off points. This may include landmarks, house color, or other identifying marks when necessary. These landmarks make it easier for the substitute driver when they are covering the run.

11. **K-12 Student Drop Off:** Drivers are not to drop off kindergarten students at their stop without a parent or adult present to receive the said students. If no parent or adult is present to receive a student, the driver must radio the elementary office to notify them that students will be returned to school. The school shall contact the student's parent or guardian.

12. Seniority:

1. Regular seniority begins when you bid and accept what is considered a regular run. (Date of hire for daily regular runs.)
2. All drivers will be listed on regular drivers seniority list.
3. If your run is eliminated and no regular run exists the employee will be placed on a recall list and given the next available regular run during the following two calendar years.
4. If the employees voluntarily remove themselves from the seniority list, they must wait for the next available opening on a regular run.
5. If the employee takes sick leave or family medical leave, it does not affect their seniority or assignment to a regular run.
6. When called for military service, the employees name will be kept on the seniority list.
7. No seniority can accumulate if you are not being paid.

13. Eliminating a Position:

1. Bumping is allowable if a run is eliminated.
2. A more senior driver may bump anyone with less seniority. Bumping can continue down the seniority list.
3. If the least senior driver's route is eliminated, they are placed on the recall list and must be called first for substituting.

14. Substituting A Run/Position:

1. If a regular driver is temporarily absent, a driver from the substitute list will temporarily fill their run.
2. If a regular driver is absent for an extended period of time, that run is sub'd out for one regular substitute at the transportation supervisor's discretion. After 30 days of continuous substitute service for the same employee, the substitute will be placed on a regular pay basis.
3. Subbing only mornings or afternoons a week at a time is permissible.

15. **Special Requirements:**

All drivers should be familiar with the destination or route of a trip. If a driver is not familiar with a route, directions can be obtained from the Transportation Supervisor or head mechanic. Drivers are responsible for telling Transportation Supervisor or head mechanic the route they are taking. This is especially true if they plan to deviate from a known standard route. It may be advisable to put this in writing and submit to the Transportation Supervisor or head mechanic.

LICENSING AND CREDENTIALS

Article 19-A Vehicle and Traffic Law: A person is not permitted to operate a bus or any school vehicle for the purpose of transporting students, unless they are qualified as provided in Article 19-A of the New York State Vehicle & Traffic Law, and Part 6 of the New York State Regulations of the Commissioner of the Department of Motor Vehicles.

Complete copies of Article 19-A are on file in the transportation office. Drivers should review them.

All new school bus drivers will be fingerprinted and have a criminal background check done prior to being hired.

1. **Arrests/Citations/Accidents While Operating a Motor Vehicle:** Each bus driver is responsible for upholding traffic and safety laws at all times, on and off the job. If a bus driver receives a citation for a traffic violation or is involved in a motor vehicle accident in their personal vehicle, he/she is responsible for reporting it to the Transportation Supervisor within five (5) working days. Citations that result in a conviction require that you report the conviction to the Transportation Supervisor within 24 hours of the court's decision. Not reporting a citation, accident or conviction will result in disciplinary action as appropriate.
2. **DMV – Annual Review:** According to DMV regulations, each motor carrier (the school district) shall require the following from each driver it employs: An annual review of the employee's driving record, report on physical condition, and a defensive driving performance that must be conducted by a 19A examiner.
3. **DMV – Biennial Review:** According to DMV regulations, each motor carrier shall require the following from each driver it employs: A biennial behind the wheel road test and open book oral/written exam of 20 questions must be evaluated by a 19A Examiner.

4. **Licensing and Credentials:** All drivers must have the necessary, valid NYS Commercial Driver License (CDL) when operating any school vehicle. Each time your license is renewed, a copy must be placed in your 19-A file.
5. **State Education Department:** According to SED regulations, each motor carrier shall require the following from each driver/attendant it employs: An annual superintendent approval, biennial physical performance test, and 2 mandated refresher courses.
6. **Bus Driver Training Course:** All bus drivers and substitutes will attend an approved Bus Driver Training Course with thirty hours of instruction within the first year of employment.

CIVIL SERVICE JOB DESCRIPTION OF SCHOOL BUS DRIVERS

General Statement of Duties: Drives a school bus on an assigned route and may perform minor maintenance tasks in connection with such operation; does related work as required.

Distinguishing Features of the Class: This is manual work of average difficulty, requiring skill in the operation of a large automotive vehicle. The operator is responsible for the safety and conduct of the children who are passengers. The work is performed under general supervision with leeway allowed to the operator in carrying out the details of the work.

Examples of Work: (illustrative only)

Operates a school bus on a regular schedule or on special occasions.

Checks the operating condition of the bus before starting on a trip.

Reports any operational defects to mechanic.

Informs a child about safety practices.

Maintains orderly conduct of children on the bus.

Keeps interior and exterior of vehicle clean.

Perform minor maintenance tasks on the vehicle.

Maintains records of mileage, routes, times and pick-up/drop-off points.

Prepares changes and maintains maps of routes and pick-up/drop-off points.

Required Knowledge, Skills, and Abilities: Good knowledge of driving safety practices and traffic laws and relations; ability to operate a bus under difficult driving and road conditions; ability to make minor repairs to vehicle, ability to understand and follow oral and written directions; ability to maintain good relationship with children, parents, and peers; mechanical aptitude, mental alertness, dependability, good physical condition.

Acceptable Experience and Training: Eligibility to the appropriate level of NYS driver License at the time of application. Possession of appropriate license at time of appointment. Must be at least 21 years of age. In addition, candidate must satisfy the requirements for School Bus Drivers set forth in the Rules and Regulations of the NYS Commissioner of education.

Appropriate Driver License: Eligibility for a Class B Commercial Driver License (CDL) issued by the NYS Department of Motor Vehicles at the time of application for appointment. Possession of the license at the time of permanent appointment.

All school bus drivers and school chauffeur applications shall be processed by the Transportation Supervisor with recommendations to the School Business Administrator, who shall make recommendations to the Superintendent for Board of Education appointment.

Drivers are appointed as “conditional” drivers subject to the receipt of satisfactory qualification review by the Department of Motor Vehicle regarding candidates fingerprint check.

Other Qualifications:

1. Pass a physical (Article 19A of the New York State Vehicle & Traffic Law) each year. To be conducted within a twelve month period.
2. Pass a defensive driving review annually.
3. Maintain a clean driving record. This is checked annually.
4. Produce proof of a good driving record from other states where license was held for previous 3 years.
5. Pass a driving and written test bi-annually.
6. Produce 3 character references for personnel file assessing the driver’s moral character and reliability.
7. Complete 30 hour Basic School Bus Driver course within first year of employment.
8. Pass criminal history check (i.e. fingerprints).
9. Pass drug and alcohol test.

RESPONSIBILITIES OF THE SCHOOL BUS DRIVER

1. Through your own conduct, you will set a desirable standard of courtesy and orderliness for students to follow.
2. To maintain a spirit of pupil cooperation and discipline on the bus.
3. To consult with the principals, teachers, parents and Supervisor in maintaining and operating a safe school bus.
4. To think of your job as “The Guardian of Human Life.”

Guidelines for Student Discipline

The bus driver is legally responsible for maintaining proper behavior of pupils on their bus. This means that the driver must act at all times to prevent or correct student behavior, which could result in an accident or injury. It is important for students to obey the directions of the bus driver and respect his/her authority at all times. If a student misbehaves on the bus, the appropriate steps shall be taken in accordance with the District’s Code of Conduct.

In the event that a student continues to be a serious disciplinary problem on the bus, the transportation supervisor will suspend the student. In such case, the parent/s of the student will become responsible for transporting their child to and from school. All parents and students will receive a Code of Conduct.

Bus drivers are sometimes confronted with unruly passengers that compromise the safety of the other passengers on board. In some cases, you may be faced with having to discipline one or

more passengers. The following guidelines regarding student discipline fall into two categories: preventative action and necessary action. By taking preventative action, the need to take further disciplinary action will diminish.

It is essential that we try to make student discipline as uniform as possible from bus to bus and from day to day. It is only fair to the students that they know what is expected of them and the consequences of their actions. For this reason, you are expected to enforce the bus rules that the district has compiled.

It is suggested that you try to deal with the misbehavior immediately before resorting to a discipline report. Simple solutions such as assigning seats, seating younger students with their older siblings or separating certain students can eliminate many problems.

1. **Code of Conduct:** All schools and students follow the code of conduct and the school bus is an extension of the school.
2. **Preventative Measures:** These guidelines are to remind us that students are people too. Like adults, they will often treat others as they are treated. If you maintain a patient, but firm, respectful, fair atmosphere, your passengers will be less likely to “act up”. Keep in mind, however, that you, as the bus driver, are always in charge. On a daily basis try to:
 - a. Set a good example.
 - b. Be consistent, day-to-day, and child-to-child.
 - c. Be fair.
 - d. Be honest in words and actions.
 - e. Be respectful and sincere.
 - f. Take a positive approach.
 - g. Commend good behavior.
 - h. Look for the good qualities in your students.
 - i. Have a sense of humor.
 - j. Hold your temper.
 - k. Do not take personal feelings or prejudices out on the students.
 - l. Listen and consider all suggestions and complaints.
3. **Necessary Disciplinary Action:** Despite the entire preventative measures that you take, there will be times when students will continue to be unruly. Keeping in mind that the safety of the entire bus is your responsibility, you may need to take further action to stop the unacceptable behaviors.
 - a. Before disciplining students, ask yourself, “Is it really them or is it me, because I’m having a bad day?” If you need to discipline a student during arrival or departure from school, call the Transportation Supervisor and/or school administrator for help.
 - b. If you are on the road when a discipline problem arises, pull off the road in a safe area, put your 4-ways on, and report your location and situation via radio to the transportation department. Keep in mind that many people in the community monitor the radio frequency on their scanners so be as generic as possible. Radio base to relay when you are moving again or if you need assistance.
 - c. If you need to leave your seat to manage the problem, pull the key out of the ignition and take it with you.

- d. Under no circumstances should physical punishment be used. Physical contact with a student should not be made unless it is to protect yourself or other students.
 - e. Give firm, clear and enforceable directions to those students causing the disruption.
 - f. Make your requests in simple and polite terms, not in a confrontational manner.
 - g. Give time for them to respond.
 - h. Be sure the consequences fit the action, i.e. assigned seat for not sitting down.
4. **Follow Up:** Once a discipline problem has occurred, be sure to follow up with a discipline report for all students who were involved.

Conduct of the students on the bus

We will not transport any child whose conduct on the bus is of such a nature that is endangers the safety of the other students. Specifically, we have a right to require that every student remain in his/her seat and refrain from excessive noise making. The use of inappropriate language or the annoyance of other students is forbidden. In short, any conduct on the part of students, which result in diverting the driver's attention from their job of driving the bus, endangers the lives of the other passengers. Once we pick up a student in the morning and bring him to school, we are responsible to transport him home. We do not have to pick him up the following day, and the case becomes one of illegal absence and is handled from that point on as such. It seems that the best way to maintain good order, is to bring the bus to a halt and make sure things are straightened out.

Rules Affecting Pupils

1. The driver shall not allow students to enter or leave the bus while it is in motion.
2. Pupils must remain seated at all times while the bus is in motion. Drivers must not start driving until all passengers are seated. Those who must stand should be allowed time to get situated.
3. Students/passengers should wear seat belts in all vans. The District encourages the wearing of seat belts for the safety of students.
4. The driver is held responsible for the reasonable behavior of students.
5. No chewing, spitting or smoking is permitted on the school bus.
6. Glass containers are not permitted. Aerosol cans are prohibited unless required for a school activity and are being transported in another container (bag, box, etc.)
7. Use of vulgar talk or indecent language is prohibited.
8. The driver shall not allow students to extend any part of their body out open windows.
9. The driver of a school bus, when discharging students who must cross, shall instruct the students of the correct crossing procedure: cross approximately 10 feet in FRONT of the bus, walk far enough to be seen and to see the driver, wait for the cross signal. The driver shall keep the school bus stopped with the red lights flashing until the student(s) are across the

road. It shall be the responsibility of the driver to ensure that the highway is clear before signaling the students to cross.

10. No student shall be allowed to occupy any position that will interfere with the vision of the driver or his or her driving ability.
11. The school bus driver must not leave the school bus when students are on board, except in the case of an emergency. In this case, the driver is to shut off the motor, remove the key, and set the brake.
12. Students are expected to ride on the bus they have been assigned. Whenever a student wishes transportation on a different bus for whatever reason, special permission must be received from the school office. No student should be allowed to board a bus for which he/she is not scheduled. Special permission (bus pass) must be received and submitted to the Transportation Supervisor upon return to the bus garage.
13. A seating plan for each bus can be arranged so that students occupy the same seat everyday. This plan is to be arranged so that the first students on the bus take the seats in the middle of the bus. Back seats should be filled last. Students are to remain in their seats until the bus reaches the school or home for unloading. Kindergarten students should occupy the first three sets of seats unless sitting with a sibling.
14. No student should be discharged at any point other than at school or assigned bus stop without written permission from the Transportation Supervisor.
15. The conduct of the students on buses shall be maintained as such for the safety of all students on the bus.
16. Students are not to perform any of the duties of the bus drivers. Specific instances include, opening and closing the doors, putting their feet on the clutch or brake pedals, or turning any switches on or off. Remember if something happens to the student, you will be held responsible.
17. All bus drivers must physically check every seat in the bus for students after the bus run has been completed and before the driver leaves the bus.

Disciplinary Referrals

Referrals should be written after all options have been exhausted (e.g. verbal warnings, seat change, one on one talk.) A referral should be written if the student creates any kind of safety hazard; fighting, not crossing properly. These can be written without exercising the previous options.

1. The driver completes the referral on the incident. **DO NOT INCLUDE PREVIOUS BEHAVIORS.**
2. The referral is then given to the Assistant Principal of Watervliet Elementary School.

3. The Assistant Principal of Watervliet Elementary School will notify the parents and provide a copy of the referral to them, and to the principal(s).
4. Disciplinary referral may result in:
 1. Conference with the student(s)
 2. Detention(s)
 3. Conference with parent(s)
 4. Special Seating
 5. Referral to Committee on Special Education
 6. Suspension from transportation:
 - i. For 1-5 days
 - ii. For more than 5 days with a hearing
 - iii. For the school year with parents providing transportation
 7. In-School Suspension or Suspension from school:
 - i. For 1-5 days
 - ii. For more than 5 days with a hearing
 8. Driver may ask or be asked to meet with the concerned parties to discuss the problem(s).
5. **Serious or dangerous behaviors shall be:**
Corrected or stopped immediately. The driver shall:
 - a. STOP THE BUS, secure the engine and brake.
 - b. Control the situation.
 - c. Call the transportation supervisor or Assistant Principal of Watervliet Elementary School for help.
 - d. Have the transportation supervisor or Assistant Principal assist or get the principal.

OPERATIONAL PROCEDURES

Schedules

Adhering to schedules is very important. Check your time and adjust your speed accordingly. The schedules were established to compensate for inclement weather, traffic conditions, and speed limits. It is important NEVER TO BE EARLY, this causes children to miss the bus and another school vehicle will possibly have to make a trip. If a student is late on several occasions, the Transportation Supervisor should be notified so contact can be made to the parents. You should not arrive at your scheduled schools more than 5 minutes prior to the time students are allowed in the building.

Use of School Vehicles

Only personnel authorized by the Superintendent or his/her designee may utilize vehicles owned by the district. Persons utilizing a vehicle must have the appropriate license for driving that particular vehicle. Users are to be made aware that their insurance and school district insurance become operative.

Non-District Persons

The district does not permit students residing outside of the Watervliet School District to ride the bus to or from any of the schools.

Field Trips

School vehicles may be used during the school day and outside the school hours, to carry pupils on: educational trips, sports events, extracurricular activities, and other educational activities sponsored by the school. These trips can be scheduled by teachers, through their building principals or as authorized by the Superintendent.

Student Medical Condition or Disability

A student's medical condition should be reported to the Transportation Supervisor and the school nurse.

The nurse shall maintain information about a child's disability or medical condition. The information must be kept CONFIDENTIAL and used only for emergency purposes. The information shall include the child's name, nature of the disability or medical condition and the name and telephone number of an emergency contact person.

Procedure for Reporting Child Abuse and Neglect

All staff is responsible for reporting suspected abuse directly to the transportation supervisor. Information reported to the transportation supervisor must be confidential and not discussed with anyone else unless directed by the Administration.

Items on the School Bus

All of the items that the child will be bringing to school should be packed in a carrying case, such as a tote bag or backpack, which must be small enough to be held on the student's lap. Large items and food for class parties may not be transported by school bus.

Transporting Large Objects and Musical Instruments:

Students are prohibited from bringing large items and musical instruments on school buses. This prevents the blockage of seats and aisles in the event of an accident.

The following items are a partial list allowed on the bus if held on lap:

Piccolo, oboe, flute, soprano clarinet, bassoon, snare drum, alto saxophone, French horn, trumpet, violin, and viola.

Large items are not allowed on the bus – these include, but are not limited to: Alto clarinet, bass clarinet, contra bass clarinet, trombone, baritone saxophone, cello, guitar, tenor saxophone, tuba, baritone horn, string bass, large school projects, skateboards, bikes, fishing poles, skis and poles, and sleds.

Other items not allowed on the bus. These include, but are not limited to: Any weapons, pets or any live animals, glass containers, and aerosol cans.

Lost Articles

Articles left on the bus are normally kept on the bus so that students can reclaim them the next day. If not claimed, articles are returned to the appropriate school or to the bus garage. Students should label their clothes and other possessions. Items will be disposed of at the end of each school year.

MAINTENANCE OF VEHICLES

Each school vehicle owned by the school district must be inspected by the Department of Transportation at least once during each six-month period. Any defects identified by this inspection must be corrected before the bus can operate for the purpose of transporting students. Occasionally, the driver may be required to drive a different vehicle in order to meet the inspection and maintenance requirements. **All** Drivers are responsible to completely fill out the Department of Transportation Daily Driver Inspection Sheets, and turn in on a daily basis. When changes in a route occur, drivers are responsible to hand in, in writing, these changes to the transportation office as soon as possible. All buses must carry a certificate of inspection for the preceding 6 months, prominently displayed in the lower right hand corner of the interior surface of the windshield. *Reference:* Department of Transportation, Transportation Regulations: 17 N.Y.C.R.R. § 721.0 et seq.

Inspection: The vehicles are to be inspected before and after all trips. Any defects or difficulties should be reported immediately on the inspection form provided (daily driver sheets). Drivers are to maintain daily inspection sheets.

Spare Buses: All school vehicles are scheduled periodically for inspections by the school mechanics at the bus garage on a preventative maintenance program. This will require you to drive a spare bus. After use of the spare, the bus should be left in a “ready to go” status.

Maintenance/Care Requirements

1. Each bus driver is responsible for sweeping his/her bus once each day and picking up the accumulation of papers after each trip. Drivers using another bus for trips must pick up any extra accumulation of papers at the end of each trip.
2. Drivers are responsible for putting on tire chains when necessary. Chains become necessary whenever:
 - a. The driver feels that the students’ safety is in question without them.
 - b. The Transportation Supervisor feels that students’ safety is in question without them.In this case, drivers will be expected to put them on.
3. All fuel will be received from the city owned fuel tank. Appropriate accounting records must be maintained, except when instructed by the Supervisor to do otherwise.
4. Any noted or suspected mechanical defect of any bus must be brought to the immediate attention of the mechanic. Report forms are to be completed each day following morning trips.
5. Drivers who take vehicles out of the bus garage when the mechanic is not present are responsible for locking the garage.
6. The same procedure should be followed, and care taken of any other bus used by a driver as with the bus regularly assigned, such as vans and station wagons.

7. Spare buses are to be maintained the same way as those in daily use.
8. Substitute drivers are also responsible for the care and maintenance of vehicles. For the purpose of consistency, substitute bus drivers are expected to sweep the bus if they drive in the morning, and pick up the accumulation of papers if they drive in the afternoon.

Duty List for Driver on Special Trip

1. Pre-trip inspection.
2. Check oil and water.
3. Close and lock all doors that were used.
4. Upon returning, fill fuel tank.
5. Sweep bus.
6. Store bus.
7. Complete special trip form and sign.
8. Report mechanical problems of bus.
9. Close and lock all doors used during this time.
10. Drivers on trips should travel together.
11. Drivers must log in time at the end of the trip.

VEHICLE OPERATION AND SAFETY PROCEDURES

Vehicle Safety: Never leave a bus without first turning off the ignition, removing the key, setting the hand brake, and the transmission in gear. Never leave the bus while students are on board, unless it is an emergency and the above precautions have been exercised.

Backing: NEVER BACK UP A BUS UNLESS IT IS ABSOLUTELY NECESSARY!!!! When it is necessary to back up, you have the responsibility for backing SAFELY. Ask for assistance if possible. If no assistance is available, check the back of the bus (this means getting out of the seat and going to the rear of the vehicle), check mirrors, activate the 4-way flashers, sound horn and back slowly using extreme caution. Check mirrors constantly while backing. Allow for extra length when making a turn. Any scrapes or dents should be reported on the inspection sheet.

Speed Limits: Bus drivers must obey all posted speed limits. 35 to 40 mph is recommended while children are on the bus. Drivers should operate at speeds which are reasonable in terms of road conditions, traffic conditions, and weather conditions. If you do not have enough time to meet your schedule, drivers should report the problem to the Transportation Supervisor.

Seat Belts: All school bus drivers are required by NYS Motor Vehicle Law to wear seat belts while driving a school vehicle. Failure to do so can result in a fine and appropriate disciplinary action.

Lights: Bus drivers must keep their lights on at all times even when not transporting students.

Passenger Conduct: DRIVERS ARE RESPONSIBLE FOR THE CONTROL AND CONDUCT OF PASSENGERS AT ALL TIMES. Proper control of passengers promotes safety, respect, and is in the best interest of all concerned. Student monitors are NOT to be appointed or assigned. Passengers presenting behavior problems should be reported to the transportation supervisor.

Bad Road Conditions: Early morning road checks are made to determine the safety of bus service during inclement weather. If roads are unsafe, school will be closed or delayed for the day. The decision to close school is usually made by 5:30 am. Sometimes a few roads in the district may be hazardous and driving a bus on these roads would jeopardize the safety of the passengers. When school is delayed, it will result in a one or two-hour delay. If this decision is made, ALL runs will start one or two hours later than normal.

Heaves and Bumps: Always watch for bumps and heaves in the road. It is good practice to have students move up to the front of the bus as it becomes empty as there is less bouncing at the front. The heaves and bumps also contribute to the premature destruction of buses so drivers should take it easy.

Cell Phone Usage: In accordance with New York State Vehicle and Traffic Law, bus drivers are prohibited from using cellular phones while driving.

Radio Usage: The two-way radio is provided in the buses for EMERGENCY use only. Excessive “chatter” is prohibited. The district pays for the service of the repeaters and has to be licensed, and the license can be revoked for not using the radio in the manner in which it was intended.

Road Crossing Procedures: The driver is to give instruction EVERY time students must cross the road: I SEE YOU. YOU SEE ME. All students who are to cross the highway upon leaving the bus, must walk far enough in front of the bus so they are in the vision of the driver. They are to then stop, and wait for the signal from the driver to cross. Only after the driver has checked traffic in both directions, is the signal to cross to be given to the student. Before crossing the road to board the bus, students must stand off the roadway and wait for the bus to come to a complete stop. The red lights will be activated. The driver is to then check traffic in both directions, and signal the student across the road. Students are to be instructed on proper crossing procedure everyday.

Any driver failing to follow this procedure will be subject to disciplinary action up to and including termination of employment. Any student not following this procedure should be reported to the Transportation Supervisor, who will in turn notify the appropriate principal and the parents.

Bus Drill Procedure

Emergency Safety Drills: New York State Education Law requires all students to have three (3) safety drills per school year. The first is to be held the first week of school. The second drill between November 1st and December 31st, and the third drill to be held between March 1st and April 30th. The drills will be conducted under the supervision of the transportation supervisor. The bus drivers will conduct the drills.

1. Emergency drills will take place at the school parking loop three times a year. Days for this will be announced.
2. After securing the bus (engine off and park brake on), sound the alarm.

3. A 6th grade school student should open the emergency door. Two 6th grade school students, when available, should leave first and standing one on each side of the door, assist all others from the bus.
4. All students must go immediately into the school building upon exiting the bus.
5. The names of uncooperative students will be submitted to the school office.

Safety Meetings

All bus drivers and substitutes will attend two safety meetings each year. The first safety meeting is to be held prior to the start of the school year, and the second before February 1st. Each driver initially employed whom exclusively transports students with disabilities must receive an additional hour of instruction concerning the special needs of such students. Drivers who exclusively transport students with disabilities must have instruction relating to the special needs of such students. All drivers are recognized during bus driver appreciation week with a reception and our drivers are recognized for their safety skills and miles driven without an accident.

BREAKDOWN, ACCIDENT AND EMERGENCY PROCEDURES

The driver is to notify the Supervisor, Head Mechanic (or the person in charge at the time) IMMEDIATELY with any accident or incident. After the accident, a description and diagram shall be made by the Transportation Supervisor and the driver involved in the accident. Any driver involved in an accident with students will be brought for Drug and Alcohol testing. The accident packet on the clipboard in the bus is to be reviewed and procedures followed.

Bus Accident Procedures

1. Stop and investigate, turn off ignition, remove keys, set brakes, and REASSURE STUDENTS.
2. Remain calm. Let good common sense be the rule.
3. Radio or call the transportation supervisor and/or administrator to call the police.
4. Check for injured students. Indicate whether ambulance is needed. Give location and seriousness of accident. Help as needed.
5. If there is no danger to the students, keep them on the bus.
6. Use warning devices to protect the scene. Place triangles in front and rear of the bus - 150 to 300 feet.
7. Do not move the bus until instructed to do so by police or other emergency services agency unless it is in a hazardous position.
8. Have nurse and/or EMT personnel assist in checking students.
9. Check off students on bus list according to seating positions.

10. REVIEW ACCIDENT REPORT KIT.
11. Exchange information with other driver, i.e. license, insurance, etc.
12. Do not admit to any blame for the accident.
13. Discuss the accident with proper authorities.
14. Give all necessary paperwork to the Supervisor.

OTHER PHONE NUMBERS:

1. Transportation Office: 629-3202
2. School Office: Elementary: 629-3400 High School: 629-3300
3. Superintendent's Office: 629-3201

Evacuation Procedures

Evacuating the bus safely is a key responsibility of the bus driver. If you are in a position of needing to evacuate your bus:

1. Put the bus in neutral, cock the wheels to the right side of the road, put the emergency brake on, and remove the key and keep it with you.
2. Call via two-way radio and report to the dispatcher:
 - a. The problem (be specific)
 - b. Your location
 - c. Bus number
 - d. Passengers on board
 - e. Any injuries
3. Instruct the passengers to remain calm and explain that you need to evacuate the bus. Explain how to evacuate and where they are to go.
4. Take the fire extinguisher, bus folder, and first aid kit with you.
5. Inform the student leaders to begin evacuating the bus.
6. Wait until the students have been evacuated before you leave the bus. The bus driver must be the last one off the bus; checking the aisle and under seats before leaving the bus.
7. After evacuating the bus, take attendance.

Weapons On The Bus

1. Pull over to the side of the road, set your parking brake, and turn on your 4ways. BE CAREFUL OF SOFT SHOULDERS.
2. Call via the radio or cell phone and report to the supervisor:

- a. The problem (be specific)
- b. Your location
- c. Bus number
- d. Passengers on board
- e. Any injuries

Ask the supervisor to notify the police and specify a meeting location.

3. If the individual with the weapon is threatening you or others, attempt to de-escalate the situation using a calm, reassuring voice. If the person is shouting, do not attempt to talk. When you do get a chance to do so, talk in a normal tone. Do not make threats or false promises. Do not try to touch the individual or invade their space. Avoid threatening body language and confrontation.

Appendix A

Summary of Driver Responsibilities

All bus drivers—and substitutes, should know and understand the following responsibilities;

1. Report to work on time.
2. Be as neat as possible—appearance is important.
3. Dress appropriately.
4. Get to know your students' names and where they live.
5. Be courteous to students, staff and parents at all times.
6. All violations by other motorists regarding the state school bus passing law should be reported to the Supervisor. Give license number, description of vehicle, date, time, and location of the violation. Do NOT take it upon yourself to say anything to the violator.
7. At each scheduled stop, be sure to check traffic conditions in both directions before opening the bus door to take on or discharge passengers. Be sure the way is clear for your passengers and advise them to be careful at all times.
8. Always make a complete stop at each stop sign.
9. Always make a complete stop at ALL railroad crossings.
10. Be alert and careful at all times.
11. Be extra cautious when pulling from parking lot or loading areas.
12. Always use turn signals and be sure they are on well in advance of each turn.
13. When pulling away from curbs, parking areas, or making lane changes, use extra care.
14. Pupils are not allowed to stand on the bus at anytime.
15. Pupils are never to operate the door control. This is your job.
16. Your passengers are to keep all body parts inside the bus at all times.
17. Pupils should not open the emergency door or windows unless instructed to do so during the safety drill.

18. If you should go past a stop, **DO NOT BACK UP**. Pick a safe place to turn around and go back or if you pass the area again, pick up the student then. **BACKING UP** creates unnecessary **HAZARDS**.
19. Practice the three-C's of defensive driving - - Concentration, Control, and Courtesy. Be alert.
20. Avoid sudden stops. This is an indication of a driver not driving defensively.
21. Never let an emotionally upset child rush off the bus. They may dart across the road, not practicing safe crossing procedures.
22. The flashing red lights are to be used as required by law. Use only when picking up or discharging students, or if you are behind a bus picking up or discharging a student.
23. If an injury occurs on your bus, report it to your Supervisor and school nurse. Get name, grade, and details of what happened.
24. Any changes in routes are to be approved by the Supervisor.
25. **NO UNATHORIZED** stops without consent of the Supervisor.
26. Do **NOT** drop a student off at a stop other than their designated drop off stop.
27. Any student not getting off at their regular stop, **MUST** have a bus pass **SIGNED** by the school office.
28. When loading and unloading students, please maintain control.
29. Maintain order on the bus at all times. Students not cooperating are to be reported.
30. Drivers are **NEVER** to administer physical punishment.
31. Smoking, eating, and drinking are **NOT** allowed on the bus.
32. Do **NOT** turn around to talk with students while you are driving.
33. Foul and inappropriate language is forbidden on the bus at all times.
34. Before departing on your run, you are required to do a pre-check inspection.
35. Your windshield and rear windows are to be clean at all times.
36. A post-trip inspection is to be made: checking the bus for marks, scrapes, cut or ripped seats, books, book bags and most important...sleeping or left behind children.
37. Shut off heaters, defrosters, and all lights, and close all windows at the end of your run.

38. The inside of the bus is to be SWEPT DAILY.
39. Do a visual check of gauges on your instrument panel.
40. Maintain your daily driver sheets, as required by law.
41. Equipment failure should be reported in writing on the inspection sheet and brought to the attention of the head mechanic.
42. Do not drive a bus that is not properly functioning. If the bus is not in working order when you start it up, you are not to leave the garage, unless your supervisor or one of the mechanics tells you otherwise. If you are on a trip, and the bus does not function properly, stop immediately and investigate the cause.

Appendix B

Two-Way Radio Procedure

The Watervliet City School District's buses are equipped with two-way radios for your safety and that of the children. The Federal Communications Commission (FCC) has strict regulations about the operation of these radios, and the school district has procedures to make sure those rules are not violated. The radios may only be used to transmit messages directly pertaining to the efficient operation of the school bus service or the safety and general welfare of the students being transported. Two-way radio transmissions also have restricted "air" time, so messages must be as brief as possible.

The district's two-way radio procedures are as follows:

1. Radios must be ON at all times while the vehicle is in operations.
2. The bus number identifies each unit.
3. To transmit a message:
 - a. Remove the mike from its bracket.
 - b. Monitor frequency for other communication.
 - c. Key mike before speaking and keep it keyed while delivering your message.
 - d. Identify yourself by using your bus number, for example, "162 to base..."
 - e. Release the key to receive transmissions from the base (wait at least two seconds for a response).
 - f. Wait for acknowledgement from the base before transmitting the rest of the message.
 - g. State your message clearly and concisely.
 - h. If you are not receiving the message clearly, ask for it to be repeated by saying, "Please repeat".
 - i. Whoever initiates the call is the person who clears the air. To clear, say "Bus 162 clear".
4. Inappropriate use of the radio includes, but is not limited to:
 - Use of profane or derogatory language.
 - Transmission of personal messages.
 - Socializing with others.
 - Allowing children to use equipment in a non-emergency situation.
 - Complaining
5. A radio check is part of your pre-trip inspection.

Appendix C

Miscellaneous Provisions of the Regulations of the Commissioner of the Department of Motor Vehicles

6.15 Retests and Re-examinations

(a) Upon a request by or on behalf of an employee for a re-examination of an examination required by Section 6.11 or 6.12 of this Part, a retest shall be given by the motor carrier. Such retest shall be given not less than two days or more than ten days from the date of the first examination excluding Saturdays, Sundays and holidays. However, a motor carrier may require a period of retraining for the employee who submitted the re-examination request before the retest is given to the employee.

(b) In the absence of any contractual agreement, upon submission of a medical report which conflicts with the medical findings made pursuant to Section 6.10 of this Part, the employee is entitled to be re-examined by a third physician or nurse practitioner agreed on by two parties. The cost of such re-examination shall be borne by the employer if the employee passes the re-examination, or by the employee if the employee fails the re-examination.

(c) Until a re-examination is passed, the employee remains disqualified and cannot operate a bus.

(d) (1) Accident re-examinations. Any person employed as a bus driver who has on three occasions been the operator of a motor vehicle involved in an accident as defined in Section 6.2 of this Part, where such accidents occurred within an 18-month period, shall be subject to re-examination. Further, if a driver is subject to disqualification, as set forth in Sections 6.27 and 6.28 of this Part, such re-examination shall occur not more than 45 days prior to the completion of the period of disqualification period. An accident shall not be counted if it is determined that the driver was completely without fault. A driver shall be considered to be without fault in situations including, but not limited to, the following:

(i) Pedestrian walked into side of stopped vehicle.

(ii) Bicyclist collided with stopped vehicle.

(iii) Authorized emergency vehicle, when involved in an emergency operation.

(iv) Door opened into passing traffic - all vehicles except parked.

(v) Load or parts of vehicle fell off - all vehicles except parked.

(vi) Injured while vehicle in motion, no collision.

(vii) Injured while hitching on vehicle, driver unaware.

(viii) All animal accidents except cattle at a marked road crossing.

(ix) Vehicle hit by stone or object thrown by person, if accident results.

- (x) Vehicle hit by stone or object hurled by wheel - all vehicles except parked.
- (xi) Object fell on vehicle.
- (xii) Vehicle struck hole, oil slick, etc., unless warning signs or barricades existed.
- (xiii) Moving or stopped vehicle caught fire.
- (xiv) Other unusual conditions. Each must be reviewed individually. The Department may examine each of the 14 situations in their full context to determine if a driver is completely without fault.

Every person subject to a re-examination shall be required to take a road test in an appropriate vehicle defined as a bus in Section 6.2 of this Part, and which is representative of the class of vehicle such person is licensed to drive.

(2) One accident shall not be counted for the purposes of re-examination if the person successfully completes a motor vehicle accident prevention course approved by the Commissioner. Only one such course may be taken during an 18-month period for the purpose of this paragraph.

(3) Upon the failure of the licensee to successfully complete a re-examination, the commissioner shall take such reasonable action as may be required. Such action may consist of imposing restrictions on the use of the license of such person, suspending such license for a definite or indefinite period, or revoking such license. The Commissioner may revoke or suspend for an indefinite period the license of any person who after reasonable notice fails or refuses to submit to such re-examination. No person whose license has been suspended or revoked under this section shall be qualified to operate a bus until such person successfully completes a re-examination.

(4) Upon a driver's successful completion of a re-examination required by this section, the Commissioner shall issue an eighteen-month probationary license to such driver and all of the provisions of section five hundred ten-b of the Vehicle and Traffic Law shall apply to such license.

(5) Reexamination procedures. A driver subject to re-examination under this paragraph must be accompanied to the re-examination test site by a person validly licensed to operate the test vehicle. If the driver fails the re-examination, such accompanying driver must be prepared to drive the vehicle from the test site. A driver who fails a re-examination shall, at minimum, lose his privilege to operate a vehicle in the license class in which such driver was tested. Any further action taken against such driver's license shall be in the discretion of the motor vehicle license examiner.

§ 6.16 Reproduction of Forms

- (a) All forms referred to in this Part are provided by the Department of Motor Vehicles and cannot be changed or altered.
- (b) A motor carrier will be sent an initial supply of the forms referred to in this Part.

(c) Forms may be photocopied as needed, but must be of acceptable quality.

§ 6.17 Conviction and accident notification program

(a) A motor carrier shall participate in the conviction and accident notification program which will notify such carrier of any conviction or accident resulting from operation of a motor vehicle in New York as well as certain other out-of-state convictions by a bus driver employed by the motor carrier.

(b) To participate in such program a motor carrier must write to BDCU which will provide the carrier with an application for entry into the program and advise the carrier concerning the amount of money such carrier will have to place in escrow with the department to establish and maintain an escrow account.

(c) The department reserves the right to increase the minimum escrow balance for a carrier if it becomes evident after a reasonable period of time that the escrow balance is insufficient to cover the average amount of notices generated to such carrier by the department.

(d) The department will provide a monthly statement noting the escrow balance and amount of money necessary to replenish such minimum escrow balance, unless there has been no activity for a period of three months.

§ 6.18 Curbside verification (a) Agents of the commissioner shall conduct curbside verification of a vehicle as defined in Section 6.2(a) and (b), or of a driver as defined in Section 6.2(d), or of a motor carrier as defined in Section 6.2(e) of this Part to determine: (1) the identity of the registrant and owner of the vehicle, or (2) the vehicles' registration and insurance status, or (3) the identity of the driver, or (4) the status and validity of the drivers' license, or (5) the drivers' qualification and compliance with Article 19-A, or (6) the identity of the motor carrier, or (7) the motor carriers' qualification and compliance with Article 19-A

(b) The verification process set forth in paragraph (a) of this section will be initiated if the Department of Motor Vehicles:

(1) has been unsuccessful in obtaining driver or motor carrier compliance with any of the provisions of Article 19-A of the Vehicle and Traffic Law or of this Part, or

(2) has received evidence of the existence of a driver or motor carrier heretofore unknown or unreported to the department, or

(3) has received evidence that a driver or motor carrier has failed to comply with any of the provisions of Article 19-A of the Vehicle and Traffic Law, or of this Part, or

(4) has conducted a motor carrier record review or departmental hearing and is verifying compliance therewith, or

(5) is investigating a vehicular accident, which occurred when a driver was operating a vehicle while in the employ of a motor carrier.

§ 6.19 Records motor carriers are required to have on file

(a) A motor carrier must keep all records with respect to original employment of a bus driver in the employee's file. All records and employee files must be kept for a minimum period of three years plus the current year by the motor carrier. All completed forms and examinations required to be kept in the employee's file pursuant to this Part are subject to inspection by Department of Motor Vehicles' authorized agents. In addition, all completed examination forms must be in the employee's file except when the motor carrier has received written permission from the Commissioner exempting such carrier from keeping a copy of all completed examinations in the employee's file. (NOTE: If the examinations required by this Part have been conducted by one motor carrier within the time periods specified by this Part, they may be utilized by a second motor carrier who also employs or has employed the same bus driver. Reports obtained by the second carrier must be retained in accordance with Section 6.5 of this Part.)

(b) Unless waived by the commissioner's designee pursuant to section 6.14 of this part, a motor carrier must keep the following items in each employee's file:

(1) A copy of the application for the position of bus driver, the Article 19-A Driver Application form (DS-870) (i.e., for all drivers hired after July 1, 1985).

(2) The original annual review of employee's driving record form (DS-872), plus an abstract from this state and, if applicable, copies of abstracts from all other states and statements of personal interview.

(3) The original annual observation of defensive driving performance form (DS-873).

(4) The original initial qualifying medical examination form (DS-874), biennial (annual for school bus drivers) physical examination form (DS-874), and all appropriate medical reexamination or medical follow-up reports.

(5) The original biennial oral and/or written examination (DS-875X) and Score Sheet (DS-875Y).

(6) The original biennial behind-the-wheel examination form (DS-875)

(7) All communications from the Department of Motor Vehicles regarding driver's qualifications, disqualifications, requalifications, criminal history clearance for school bus drivers; and any subsequent correspondence regarding a driver's compliance under Article 19-A including any add/drop notice form DS-885 on each driver.

(c) The carrier must provide a safe, clean, and adequate work environment for DMV employees conducting such record review.

(d) Record reviews may, at the discretion of the Commissioner of Motor Vehicles, be conducted at a site other than the carrier's place of business.

§ 6.20 Bus drivers not properly licensed

The motor carrier shall not knowingly permit any person to operate a bus carrying passengers unless such operator has fulfilled the requirements of Sections 6.3, 6.8, 6.10, 6.11, and 6.12 of this Part. All bus drivers must possess a commercial driver license issued by a state or province that meets the requirements of the Federal Commercial Motor Vehicle Safety Act of 1986.

§ 6.21 Notification of an accident or a conviction resulting from a violation of the Vehicle and Traffic Law or a motor vehicle conviction in another state and license revocation

(a) A driver who receives a notice that his or her license, permit or privilege to operate a motor vehicle has been revoked, suspended or withdrawn or who is convicted of a violation of such provisions of this Part as shall constitute a misdemeanor or a felony in any jurisdiction shall notify the motor carrier that employs such person of the contents of the notice before the end of the business day following the day he or she received it. A driver who fails to notify his or her employer of such suspension, revocation or conviction of a violation of such provisions of this Part as shall constitute a misdemeanor or a felony shall be subject to a five (5) working day suspension, or a suspension equivalent to the number of working days such driver was not in compliance with this Part, whichever is longer.

(b) Any driver who is involved in an accident as defined in Section 6.2 of this Part, or who is convicted of a traffic infraction in any jurisdiction shall notify his or her employer within five (5) working days from the date of conviction or such accident. A driver who fails to notify his or her employer of such conviction or accident within the five (5) working day period shall be subject to a five (5) working day suspension. Working day, for the purposes of this section, shall mean any day in which a bus driver is scheduled to work, excluding regularly assigned days off.

§ 6.22 Compliance required

(a) Every motor carrier or school district, its officers, agents, representatives, and employees responsible for the management, maintenance, operation or driving of motor vehicles, or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in and comply with this Part.

(b) Nothing contained in this Part shall prevent a motor carrier from disqualifying a person who has been issued a conditional or restricted use license pursuant to the provisions of article twenty-one or twenty-one-A of the Vehicle and Traffic Law.

(c) Every motor carrier shall submit an affidavit to the commissioner attesting to its compliance with this Part. Such affidavit shall be notarized and submitted annually, no later than the first day of July each year to BDCU, New York State Department of Motor Vehicles, Empire State Plaza, Albany, New York 12228-0220.

(d) Notwithstanding any provision of any other article of the Vehicle and Traffic Law, where an affidavit is not submitted pursuant to this section, the commissioner may, at his or her discretion, suspend the registrations of all the vehicles owned and/or operated by the motor carrier, deny registration or renewal to all the vehicles owned or operated by the motor carrier and/or suspend the motor carrier's privilege of operation in this state. Such suspension or denial shall only remain in effect as long as the motor carrier fails to submit a properly executed affidavit and such is accepted as valid.

(e) The commissioner or any person deputized by the commissioner, may require any motor carrier to pay to the people of this state a civil penalty, if, after the motor carrier has had an opportunity to be heard, the commissioner finds that the motor carrier has violated any provision of this Part, or has made any false statement or misrepresentation on any affidavit of compliance filed with the commissioner or with respect to violations of Sections 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10, 6.11, 6.12, 6.19, 6.20, 6.21, 6.23, 6.24, 6.27 and 6.28. The commissioner may in lieu of or in addition to a civil penalty suspend all of a motor carrier's registrations. Any civil penalty assessed shall not be less than five hundred dollars nor more than two thousand five hundred dollars for each failure to comply with these regulations or for each false statement or misrepresentation found to have been made. If the registrant fails to pay such penalty within twenty days after the mailing of such order, postage prepaid, certified and addressed to the last known place of business of such registrant, unless such order is stayed by an order of a court of competent jurisdiction, the commissioner may revoke the vehicle registrations or out-of-state registration privilege of operation in the state of such motor carrier or may suspend the same for such periods as the commissioner may determine.

(f) As an alternative to civil action under subdivision (e) of this section and provided that no proceeding for judicial review shall then be pending and the time for initiation of such proceeding shall have expired, the commissioner may file with the county clerk of the county in which the registrant is located a final order of the commissioner containing the amount of the penalty assessed. The filing of such final order shall have the same force and effect as a judgment duly docketed in the office of a county clerk and may be enforced in the same manner and with the same effect as that provided by law.

(g) Every motor carrier shall submit written notification within ten days, to BDCU when any change occurs in:

(1) the carrier's name (business, corporation ownership, noncorporate business ownership e.g. dba, data, etc.), address, or federal identification number;

(2) the names, addresses, and identification of all public and non-public school districts, political subdivisions, public and private elementary and secondary schools or a place of vocational, academic or religious instruction or service, including a nursery school, day care center, or camp for persons under the age of twenty-one, or persons of any age who are mentally or physically disabled and any other parties with whom the carrier has newly acquired or terminated contract services including identification numbers issued by federal and state agencies.

(3) corporate ownership which results from the acquisition, sale, merger, or liquidation of any business enterprise which is defined as a motor carrier in accordance with Section 6.2(e) of this Part;

(h) Nothing contained in this Part shall prevent the Department of Motor Vehicles from conducting, on its own initiative, any observation, examination, or review of any requirements of this Part in order to determine compliance therewith.

§ 6.23 Ill or fatigued operator

No driver shall operate a bus and a motor carrier shall not permit a driver to operate a bus while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue,

illness or any other cause, as to make it unsafe for him to begin or continue to operate the bus. At the request of the driver or the motor carrier such illness, fatigue, or other cause shall be certified by a qualified physician. However, in a case of grave emergency where the hazard to occupants of the bus or other users of the highway would be increased by compliance with this section, the driver may continue to operate the bus to the nearest place at which that hazard is removed.

§ 6.24 Drugs, controlled substance and intoxicating liquor

(a) No person shall:

(1) consume a drug, controlled substance or an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor or drug, within six hours before going on duty or operating, or having physical control of a bus, or

(2) consume a drug, controlled substance or an intoxicating liquor, regardless of its alcoholic content while on duty, or operating, or in physical control of a bus, or

(3) possess a drug, controlled substance or an intoxicating liquor, regardless of its alcohol content while on duty, operating or in physical control of a bus. However, this paragraph does not apply to possession of a drug, controlled substance or an intoxicating liquor which is transported as part of a shipment or personal effects of a passenger or to alcoholic beverages which are in sealed containers.

(b) No motor carrier shall require or permit a driver to:

(1) violate any provision of subdivision (a) of this section; or

(2) be on duty or operate a bus if, by such person's general appearance or by such person's conduct or by other substantiating evidence, such person appears to have consumed a drug, controlled substance or an intoxicating liquor within the preceding six hours.

§ 6.25 Penalties

Upon conviction for a violation of any provision of Article 19-A of the Vehicle and Traffic Law, the court shall impose a sentence consisting of a fine of not less than \$ 100 nor more than \$ 250. Penalties imposed under this section are not the same as any civil penalties imposed in accordance with and under Section 6.22 (e) of this Part.

§ 6.26 Duties of the department

The Department of Motor Vehicles shall:

(a) At least once every three years, review the bus driver files of each motor carrier, provided, however, that the commissioner may review such bus driver files at his or her discretion at any other time during regular business hours.

(b) Upon receipt of information that a driver's license, permit or privilege to operate a motor vehicle has been revoked, suspended or withdrawn in this state or elsewhere, notify all motor carriers who have notified the commissioner of the employment of such driver, and provide such

notice to the political subdivision, public and nonpublic school districts, and any other parties with whom the carrier has notified BDCU as having contractual agreements for services as a motor carrier as defined in Section 6.2(e) of this Part.

(c) Provide each motor carrier, under the accident/conviction notification program as set forth in Section 6.17 of this Part, with information regarding any accident or conviction for any traffic violation resulting from operation of a motor vehicle against a bus driver reported to the BDCU as employed by such motor carrier; and may, if requested by a political subdivision which contracts with a motor carrier for the transportation of school children, provide such notice to the political subdivision.

(d) Upon receipt of the criminal history record report of a school bus driver, notify the motor carrier of disqualification of an applicant or school bus driver or the potential disqualification of such applicant or driver based on a pending criminal charge which would or could disqualify such driver under the provisions of Section 6.28 of this Part. Notification to the carrier shall be without specification of the grounds for disqualification, those grounds to be made available only to the school bus driver or his or her representative.

(e) Prepare and distribute a form for the provision of objective data concerning the driving history of a bus driver who is subject to regulation under this Part. Such form shall be completed by current or former employers of such bus drivers upon the request of a prospective or subsequent employer (see Appendix).

§ 6.27 Disqualification of bus drivers (other than school bus drivers)

(a) A person is disqualified to operate any bus if he or she:

(1) has failed to pass the physical examination as set forth in Section 6.10 of this Part; or

(2) has failed the biennial behind-the-wheel driving test as set forth in Section 6.11 of this Part;
or

(3) has failed the biennial oral or written examination as set forth in Section 6.12 of this Part; or

(4) was employed as a bus driver prior to September 15, 1985 and has been convicted of a crime or has received a conviction or convictions for a violation or violations under Section 509-c of the Vehicle and Traffic Law on his or her New York State driving record; or

(5) was employed as a bus driver on or after September 15, 1985 and has been convicted of a crime or has accrued nine or more points on his or her New York State driving record as set forth under Section 509-c of the Vehicle and Traffic Law.

(6) was the operator of a motor vehicle involved in two or more accidents as defined in Section 6.2 of this Part, where such accidents occurred within an 18 month period following a reexamination conducted pursuant to Section 6.15 of this Part, provided that accidents in which the driver was completely without fault shall not be included in determining whether such disqualification is required.

(7) fails to pass a road test administered pursuant to Section 6.15 of this Part; provided, however, that such person shall be given the opportunity to complete a motor vehicle accident prevention course approved by the Commissioner and to then undergo a second road test, and such disqualification shall cease if such person passes such second road test.

(b) For a person to be qualified to drive a bus, if previously disqualified under Section 6.27(a) (4) or (5); he or she must contact BDCU and request a written requalification letter. Such requalification letter is required to be kept in the driver's file in accordance with Section 6.19 of this Part. The driver may be approved or denied requalification to drive a bus. No motor carrier may permit a driver to operate a bus until the BDCU has notified the motor carrier that such driver has been requalified and is eligible to drive a bus. No other release, waiver or issuance of conditional or restricted license otherwise obtained by the driver shall cancel a disqualification imposed under this Part.

§ 6.28 Disqualification of School Bus Drivers

(a) A person is disqualified to operate a school bus if he or she:

(1) has failed to pass the physical examination as set forth in Section 6.10 of this Part; or

(2) has failed the biennial behind-the-wheel driving test as set forth in Section 6.11 of this Part; or

(3) has failed the biennial oral or written examination as set forth in Section 6.12 of this Part; or

(4) was employed as a school bus driver at any time between January 1, 1985, to June 30, 1985, and has been convicted of a crime or has received a conviction or convictions for a violation or violations under Section 509-cc of the Vehicle and Traffic Law on his or her New York State driving record.

(5) was employed as a school bus driver on or after July 1, 1985, and was not employed as a school bus driver between January 1, 1985 and June 30, 1985, and has been convicted of a crime or has received a conviction or convictions for a violation or violations under Section 509-cc of the Vehicle and Traffic Law on his or her New York State driving record, or has accumulated nine or more points on his or her driving record during an 18 month period.

(6) was the operator of a motor vehicle involved in two or more accidents as defined in Section 6.2 of this Part, where such accidents occurred within an 18 month period following a reexamination conducted pursuant to Section 6.15 of this Part, provided that accidents in which the driver was completely without fault shall not be included in determining whether such disqualification is required.

(7) fails to pass a road test administered pursuant to Section 6.15 of this Part; provided, however, that such person shall be given the opportunity to complete a motor vehicle accident prevention course approved by the Commissioner and to then undergo a second road test, and such disqualification shall cease if such person passes such second road test.

(b) For a person to be qualified to drive a bus, if previously disqualified under Section 6.28(a) (4) or (5); he or she must contact BDCU and request a written requalification letter. Such

requalification letter is required to be kept in the driver's file in accordance with Section 6.19 of this Part. The driver may be approved or denied requalification to drive a bus. No motor carrier may permit a driver to operate a bus until the BDCU has notified the motor carrier that such driver has been requalified and is eligible to drive a bus. No other release, waiver or issuance of conditional or restricted license otherwise obtained by the driver shall cancel a disqualification imposed under this Part.

**Watervliet City School District
School Bus Driver Handbook**

Receipt of Handbook

I confirm that I have received a copy of the Watervliet City School District's Transportation Handbook, and have received training on the content of the policy contained therein. In addition, I been afforded the opportunity to address any questions or concerns that I may have regarding the handbook.

Employee Signature: _____

Date: _____

Print Name: _____