

SUBJECT: QUALIFICATIONS OF BUS DRIVERS

A person shall be qualified to operate a bus only if such person:

- a) Is at least twenty-one years of age;
- b) Has been issued a currently valid operator's or commercial driver's license which is valid for the operation of a bus in New York State;
- c) Has passed the annual bus driver physical examination administered pursuant to Regulations of the Commissioner of Education and the Commissioner of Motor Vehicles. In no case shall the interval between physical examinations exceed a 12-month period;
- d) Is not disqualified to drive a motor vehicle under Sections 509-c and 509-cc and any other provisions of Article 19-A of the Vehicle and Traffic Law;
- e) Has on file at least three statements from three different persons who are not related to the driver/applicant pertaining to the moral character and to the reliability of such driver/applicant;
- f) Has completed, or is scheduled to complete, State Education Department safety programs as required by law;
- g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and control substance testing of bus drivers if and when applicable.
- h) Has taken and passed a physical performance test at least once every two (2) years and/or following an absence from service of sixty (60) or more consecutive days from his/her scheduled work duties;
- i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

Special Requirements For New Bus Drivers

Before employing a new bus driver, the Superintendent or his/her designee shall:

- a) Require such person to pass a physical examination within four (4) weeks prior to the beginning of service;
- b) Obtain a driving record from the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;

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- c) Investigate the person's employment record during the preceding three years;
- *d) Require such person to submit to the mandated fingerprinting procedures/criminal history background check;
- *e) Request the Department of Motor Vehicles to initiate a driving record abstract check;
- f) Require that bus drivers hired after September 1, 1997 take and pass the physical performance test, as mandated by Commissioner's Regulations, before they transport students.

Implementation

Administrative regulations will be developed to implement the provisions of drug and alcohol testing for school bus drivers, as well as to address bus driver physical performance test guidelines.

Sections 509-c, 509-cc, and Article 19-A of the
Vehicle and Traffic Law Education Law Section 3624
15 NYCRR Part 6
8 NYCRR Section 156.3
Omnibus Transportation Employee Testing Act of 1991 (P. L. 102-143)
49 USC Section 521(b)
49 CFR Parts 40, 382, 391, 392, and 395

NOTE: Refer also to Policy #5761 -- Drug and Alcohol Testing For School Bus Drivers and Other Safety-Sensitive Employees.

*Both "d" and "e" are requirements for all *current* bus drivers hired *on or before* September 14, 1985; and also applies to drivers hired on or after September 15, 1985.

Adopted: 8/5/96
Revised: 7/6/98; 8/6/07