

LAW ENFORCEMENT & EDUCATIONAL BULLETIN

The following statutory change will take effect July 1, 2008.

***** School Bus Exemption For School Employees & Volunteers *****

Sec. 49. 23 VSA §4(34)(A)(iv) is amended to read:

(iv) motor vehicles with a manufacturer's rated seating capacity of fewer than 11 persons, including the operator, which are owned, leased, or hired by a school, or for which services are reimbursed by a school. However, if used to transport students, these shall be considered a Type II school bus for purposes of licensure, shall display an identification sign as prescribed in subdivision 1283(A)(1) of this title, and shall be equipped with a simple system of at least two red alternating warning lights; unless the driver is a school employee or a volunteer subject to a criminal background check and is transporting no more than five persons excluding the operator; provided that the vehicle has safety belts for all persons being transported;

The change to this statute permits a school employee or a volunteer to transport up to five people in a vehicle without the need for a school bus endorsement on their operator's license. These individuals are still subject to a criminal background check and must be cleared by the school, prior to operating any vehicle in this capacity. In these instances, the vehicle used to transport these individuals is not required to display a simple light system, which would identify it as a school bus. If more than five persons are being transported, the vehicle would effectively become a type II school bus. In these cases, the operator would need the proper license endorsement and the vehicle would need to display a simple light system, identifying it as a school bus. Keep in mind, this change applies only to vehicles with a manufacturer's rated seating capacity of fewer than 11 persons. Operators in violation of this section could be ticketed per 23 VSA 1282(a)(1), 23 VSA §601 and 23 VSA §612. Please disseminate this information accordingly.