

School Transportation 11-15 Passenger Vans

What's the Law?

Federal statute (SAFETEA-LU: *Safe, Accountable, Flexible, Efficient Transportation Equity Act*) prohibits school districts from *purchasing or leasing new* vehicles designed for 10-14 passengers, not including the driver, to transport students unless the vehicles comply with the motor vehicle standards prescribed for school buses. This definition includes the two common types of vehicles usually referred to as 12- or 15-passenger vans and applies to the original seating design of the vehicle.

Previous federal law placed restrictions on dealers who sold these new vehicles to school districts. The expansion of the law to cover school district purchasers includes penalties of up to \$10,000 per restricted vehicle purchased and \$15 million for a pattern of violations.

Vermont State Law addresses the usage of passenger vans (including rentals). **The use of these vans is NOT legally permissible for student transportation.** When asked if school districts could rent or legally purchase 11-15 passenger vans for student transportation, the Vermont Department of Motor Vehicles indicated the following:



LEGAL
EVALUATION
ERGONOMICS
STRATEGY
HUMAN FMLA
RESOURCES
VSBIT
RESOURCES
INSPECTIONS
TRAININGS
REMEDICATION
INSPECTIONS
GRANTS
DE-ESCALATION & DON'TS
ERGONOMIC ASSESSMENTS
FALL PREVENTION
COST SAFETY
SECURITY
PLAYGROUNDS
RISK
MANAGEMENT
METHOD

No. An 11-15 passenger vehicle used to transport school children must be a school bus. Title 23 section 1283 (a)6 states "Types I and II school buses shall be in compliance with the Federal Motor Vehicle Safety Standards for school buses **as of the date of manufacture.**" Vehicles meeting this standard will have a sticker from the manufacturer stating it is a "school bus". Vehicles cannot be retrofitted to meet school bus specifications because of this regulation.

Feel free to contact me if you need any other information.

Paul A. Graves
Vermont Department of Motor Vehicles
120 State Street
Montpelier, VT 05603-001
Phone# 802-828-2068
Fax# 802-828-2092

Recommendation

As mandated by Federal and Vermont law, school districts cannot utilize an 11-15 passenger vehicle to transport school children. If school districts do use these vehicles, not only could there be legal ramifications for the school district, the operator of the vehicle could also be cited.

Resources

Vermont Motor Vehicle statutes: <http://www.leg.state.vt.us/statutes/chapters.cfm?Title=23>

National Highway Traffic Safety Association:

<http://www.safercar.gov/portal/site/safercar/menuitem.13dd5c887c7e1358fefe0a2f35a67789/?vgnextoid=fa2786426c9b9110VgnVCM1000002fd17898RCRD>

