

**Department of Human Services
Bureau of Children and Adult Licensing**

**Child Care Centers
Letter Series 2012-02**

Date: August 29, 2012

To: All Child Care Centers

From: James S. Sinnamon, Director
Child Care Licensing Division



Subject: Transporting children to and from school

As a new school year approaches, I would like to remind child care centers of their statutory requirements when providing transportation services to and from school.

The Pupil Transportation Act, 1990 PA 187, defines a school bus as a “motor vehicle with a manufacturer’s rated seating capacity of 11 or more passengers, including the driver, used for the transportation of preprimary, primary, or secondary school pupils to or from school...or a multifunction school activity bus manufactured after September 2, 2003...”. (MCL 257.1807)

This law requires the Michigan State Police (MSP) to inspect each school bus annually. The law further prohibits a person or school from operating a school bus which has not been inspected by the MSP. “Any public or private entity that owns or uses a school bus for pupil transportation shall identify itself to the department of state police so an inspection can be scheduled. If an entity has had school buses inspected in the previous year, it is considered to have identified itself.” (MCL 257.1839)

In addition to these vehicle inspections, a “...person shall not operate a school bus unless that person possesses a valid chauffeur’s license, the appropriate vehicle group designation, a passenger vehicle indorsement, and a school bus indorsement as required under section 312e of the Michigan vehicle code, 1949 PA 300, MCL 257.312e.” (MCL 257.1849)

In plain language, if a center uses a vehicle with a seating capacity of 11 or more, including the driver, to take children to school or to pick children up from school, that vehicle is considered a school bus and the center must comply with all of the provisions in the Pupil Transportation Act. As noted above, multifunction school activity buses manufactured after September 2, 2003 are considered school buses for the purposes of this law. Multifunction school activity buses manufactured before

this date are not considered school buses and may not be used to transport children to and from school.

If your center transports children to or from school using a school bus or a multifunction school activity bus, you must contact Sgt. McLaughlin of the Michigan State Police (MSP) to schedule a vehicle inspection. His phone number is (517) 241-0572.

If your center has a school bus or multifunction school activity bus that is used to transport children to and from home and your center or used for field trips, you are not required to have an inspection from the MSP. These vehicles must be inspected by a licensed mechanic on an annual basis. (R 400.5603)

As a reminder, child care center rules prohibit the use of 11-15 passenger vans for the transportation of children. Removal of seats from these vehicles does not change the manufacturer's rated seating capacity.

If you use vehicles with a seating capacity of less than 11, including the driver the Pupil Transportation Act does not apply to you, even if you transport children to and from school.

This information will be added to the Technical Assistance and Consultation Manual.

If you have any questions about this memo, please contact your licensing consultant.

cc: Child Care Licensing Consultants and Area Managers
Sgt. Mike McLaughlin, MSP