

# **Questions and Answers regarding the CDL “S” Endorsement**

Revised 07/28/2005

## **Does the Michigan Legislature need to approve the changes that are mandated by the federal Motor Safety Carrier Act?**

Yes, the bill has been introduced it is HB 5802. Governor Granholm signed the bill on October 4, 2004 with an effective date of October 4, 2004. It is now Public Act 362 of 2004

## **When will the Secretary of State begin testing drivers?**

October 6, 2004.

## **Who will pay for training and testing?**

The individual drivers must pay for training and testing.

## **Doesn't the Headlee amendment require the state to pay?**

No, this is not a mandate for the schools. It is a requirement of that individual if they desire to work for the schools.

## **How will school bus drivers be informed of MCSIA requirements regarding the S-endorsement?**

The Michigan Department of State sent letters to each school district or company that transports students so they could inform their drivers.

## **Are all regular school bus drivers, substitute school bus drivers, and supervisors/directors required to take the written exam?**

Yes. Supervisors and directors would need to take the written test if they possess a CDL license.

## **Will the State of Michigan be prepared to test the approximately 16,000 school bus drivers?**

School bus drivers have a full year -- until September 30, 2005 -- to comply with the requirement. The written test will be ready for the branches on October 6, 2004.

**What constitutes a “regularly employed school bus driver?” Would that include subs and supervisors/directors?**

To be considered a “regularly employed school bus driver” school bus drivers must have been employed for two years. There is no requirement for a minimum number of hours on the road.

**Will substitute school bus drivers and transportation supervisors/directors that already have a CDL license need to take the skills test?**

Not if they have been employed for the last two years, and their supervisor is willing to sign a letter that attests to their employment.

**Must a mechanic, that takes a school bus out on the highway to perform road tests as part of their maintenance procedure, possess a CDL with a school bus endorsement?**

On July 21, 2005, FMCSA issued a Regulatory Guidance to answer the following question:

“Are drivers required to have both the “P” passenger and “S” school bus endorsement if they are not transporting students when operating a “school bus” as defined in 49 CFR, Part 383.5?”

FMCSA’s answer:

“No. Only drivers actually transporting pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school sponsored events in a school bus are required to have both the “P” and “S” endorsements. Only a “P” endorsement is required by drivers delivering school buses from the manufacturer, by mechanics and other drivers operating empty school buses, and by drivers transporting students and/or adults to and from events that are not sponsored by the school.”

**Why would a driver with less than two years experience, who has likely had more recent training than more experienced drivers, need to take the skills test again while longtime drivers who haven’t been recently tested be “grandfathered” into the S-endorsement?**

This is a federal requirement that attempts to take into account the drivers who have been driving for years. Two years is considered a reasonable time period to gain the required skills to drive a school bus.

**Would the drivers with less than two years experience be required to take the entire skills test or just that which pertains to the “S” endorsement?**

They must take an entire skills test in an “S” vehicle. Michigan policy does not allow for partial tests to be administered.

**If a driver were to fail the written exam the first time they took it, can they retake it?**

Yes, that is consistent with current Department policy. They may retake it the same day if they desire.

**What is going to be required for the S-endorsement skills test?**

It will be the same material as our current skills test, but in a school bus. School bus drivers will have to demonstrate their ability to navigate a school bus safely and display their knowledge of Michigan's road laws and traffic safety requirements.

**Approximately how many drivers will be required to take the skills test?**

Of approximately 18,000 Michigan school bus drivers, it is estimated that approximately one-third, or about 6,000, will be required to take the skills test.

**What documentation will be required of a school bus driver seeking a waiver?**

The driving skills test may be waived if a driver can meet all the following requirements that apply to the two-year period immediately preceding the "S" endorsement application:

1. A valid commercial driver's license with a passenger vehicle (P) endorsement.
2. No suspensions, revocations, cancellations or disqualifications from operating a commercial motor vehicle.
3. No convictions of any disqualifying offense listed in 49 CFR 383.51(b) while operating a commercial motor vehicle, or any disqualifying offense listed in 383.51(b) while operating any motor vehicle.
4. Not more than one serious traffic violation (as defined in 49 CFR 383.51) while operating any motor vehicle.
5. No motor vehicle traffic control convictions (except parking violations) in connection with any traffic crash.
6. No record of an at-fault accident.
7. Regularly employed for the past two years as a school bus driver; is operating a school bus for their current employer; and provides to the Secretary of State a letter certifying their employment. The letter is brought with the driver at the time they are making application at the branch office. The employer's certification letter must include **all** of the following:
  - a) Written on organization letterhead
  - b) Name of employer
  - c) Name of employee
  - d) Explanation of employee's duties
  - e) Beginning date of employment
  - f) If applicable, end date of employment (for multiple employers)
  - g) Signature of school superintendent, business manager or transportation director.

**Can a driver obtain just an S endorsement without a P endorsement?**

No, it is required that the drivers possess a CDL license, and the S endorsement can only be issued with a P endorsement. A P endorsement can be issued without an S if the driver is not driving students for a school district.