

INTRODUCTION

The purpose of the Commercial Vehicle Enforcement Division School Bus Decal Application Policy is to provide guidance to Division personnel for the inspection of public and non-public school buses and pupil transportation vehicles. This document provides Commercial Vehicle Enforcement Division Vehicle Safety Inspectors with the criteria for the issuance of a red tag or yellow tag to a school bus to ensure the safety of pupil transportation in Michigan. The Michigan Department of State Police reserves the right to make changes in the policy when safety concerns have been identified or resolved.

Vehicles are to be maintained in safe operating condition at all times. All maintenance and repairs shall be performed using parts and repair procedures that meet or exceed the applicable federal motor carrier safety standard.

THE MICHIGAN PUPIL TRANSPORTATION ACT REQUIRES:

MCL 257.1810 (1) Each school bus owned or operated by a public or private nonpublic school, an agent of a school, a private business, or a unit of government for the transportation of pupils to or from school or school-related events shall meet or exceed the federal motor vehicle safety standards applicable to the construction and sale of that vehicle and for all seating positions in that vehicle. A school or an agent of a school may transport pupils with disabilities in mobile seating devices in accordance with federal standards specifically applicable to such pupils, their wheelchairs, and related wheelchair securement and occupant protection systems.

MCL 257.1810 (2): (2) A vehicle, other than a school bus, with a manufacturer's rated seating capacity of 11 or more passengers, including the driver, shall not be used to transport pupils to or from school or school-related events. This subsection does not apply to motor buses that are described in section 10a.

MCL 257.1810a: Sec. 10a. (1) A school may contract with a licensed motor carrier of passengers for a motor bus to be used for occasional transportation of pupils to or from school-related events. A school shall not directly operate a motor bus for the use of pupil transportation to and from school or school-related events. A motor carrier certified by the state transportation department shall not use a motor bus to transport pupils to and from school.

MCL 257.1839 (7): A school, before establishing a contract with a company for school bus services, shall require the company to verify in writing that the buses used by the contractor have been inspected by the department of state police and have passed that inspection. The school shall specify in a written contract that the contractor will not use any school buses that have not been inspected or have failed inspection, and that a violation of this provision of the contract will result in revocation of the contract. The contract shall specify that the contractor shall submit, in writing, the inspection results of its entire fleet of buses to the school within 30 days of the completion of the department of state police inspection. A school shall identify to the department of state police all of the contractors the school is using upon request.

MCL 257.1839 (4) 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. If an entity stops pupil transportation in 1 year and restarts pupil transportation in a later year, it must identify itself to the department of state police as requiring inspection before restarting pupil transportation. An entity is considered to have identified itself by notifying a person of the department of state police responsible for conducting inspections under this act.

MCL 257.1839 (5) When an inspection is scheduled by the department of state police, an entity shall identify to the state police inspector all of the school buses that it intends to use for pupil transportation in that school year. Any school bus that is not submitted for inspection shall be rejected and have a red sticker affixed pursuant to section 41.

A school may purchase a multifunction school activity bus manufactured after September 2, 2003 as defined in 49 CFR 571.3, 571.108, and 571.131. These vehicles are allowed for school-related transportation only and cannot be painted in the configuration specified in 257.1833 (1).

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The following reference documents have been used through out the Commercial Vehicle Enforcement Division School Bus Decal Application Policy:

ADA - Americans with Disabilities Act (Federal)

ADA Accessibility Guidelines - Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles (CFR Title 49 - Transportation)

ANSI-RESNA - American National Standards Institute Rehabilitation Engineering and Assistive Technology Society of North America

CFR - Code of Federal Regulation **CVSA** - Commercial Vehicle Safety Alliance

FMVSS - Federal Motor Vehicle Safety Standards

MCLA - Michigan Compiled Laws Annotated

NST-SBI - Nation School Transportation Specifications and Procedures School Bus Inspection

Questions regarding the inspection procedure and the use of the Division policy may be directed to the Michigan State Police Commercial Vehicle Enforcement Division, 333 S. Grand Avenue, P.O. BOX 30634, Lansing Michigan 48909-0634, Telephone number (517) 241-0545