

**189.540 Regulations for school buses -- Operator required to have commercial driver's license with school bus endorsement.**

- (1)
  - (a) The Kentucky Board of Education shall promulgate administrative regulations to govern the design and operation of all Kentucky school buses and to govern the operation of passenger vehicles owned, leased, or privately contracted by the district that transport students under KRS 156.153(3).
  - (b) The board shall, with the advice and aid of the Department of Kentucky State Police and the Transportation Cabinet, enforce the administrative regulations governing the operation of all school buses, whether owned by a school district or privately contracted, and all passenger vehicles owned, leased, or privately contracted by the district that transport students under KRS 156.153(3).
  - (c) The administrative regulations covering the operation shall by reference be made a part of any contract with a school district. Every school district and private contractor referred to under this subsection shall be subject to those regulations.
- (2)
  - (a) The administrative regulations promulgated by the Kentucky Board of Education under subsection (1) of this section or under KRS 156.160 may include requirements for regular instruction of pupils in school bus safety.
  - (b) A school district shall be exempt from the pupil instruction requirements authorized in paragraph (a) of this subsection if:
    1. The school district had a gross average daily attendance of transported pupils under KRS 157.370 for the previous school year of forty-eight (48) pupils or fewer without any additional factors included;
    2. The school district's local board of education adopts a policy for instructing pupils on school bus safety prior to the pupil's use of a district-owned or privately contracted school bus; and
    3. The local board of education submits a copy of the district's policy to the Kentucky Department of Education.
  - (c) A school district's failure to implement an instruction policy adopted under paragraph (b) of this subsection shall be grounds for the Kentucky Board of Education to revoke the school district's pupil instruction exemption until the school district implements the policy.
- (3) Any employee of any school district who violates any of the administrative regulations in any contract executed on behalf of a school district shall be subject to removal from office. Any person operating a school bus or passenger vehicle to transport students under contract with a school district who fails to comply with any of the administrative regulations shall be guilty of breach of contract and the contract shall be canceled after proper notice and a hearing by the responsible officers of such school district.
- (4)
  - (a) Any person who operates a school bus shall be required to possess a commercial driver's license issued pursuant to KRS 281A.170 with a school bus endorsement as described in KRS 281A.175.
  - (b) Any person who operates a passenger vehicle that is owned, leased, or

privately contracted by the district to transport students shall be required to possess a valid Class D operator's license in accordance with KRS 156.153(3)(c).

**Effective:** April 1, 2025

**History:** Amended 2025 Ky. Acts ch. 151, sec. 1, effective April 1, 2025. -- Amended 2007 Ky. Acts ch. 85, sec. 209, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 165, sec. 9, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 22, sec. 2, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 216, sec. 2, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 455, sec. 32, effective July 13, 1990; and ch. 476, sec. 609, effective July 13, 1990. - - Amended 1988 Ky. Acts ch. 262, sec. 4, effective July 15, 1988. -- Amended 1958 Ky. Acts ch. 126, sec. 24. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739g-69m.

**Legislative Research Commission Note (7/13/90).** The Act amending this section prevails over the repeal and reenactment in House Bill 940, Acts Ch. 476, pursuant to Section 653(1) of Acts Ch. 476.