

**702 KAR 5:130. Vehicles designed to carry nine (9) passengers or less, standards for.**

RELATES TO: KRS 156.153(3), 156.160, 189.540

STATUTORY AUTHORITY: KRS 156.070, 156.160, 189.540

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the transportation of children to and from school and those deemed necessary or advisable for the protection of the physical welfare and safety of public school children. KRS 189.540 requires the Kentucky Board of Education to promulgate an administrative regulation to govern the operation of district-owned passenger vehicles designed to carry nine (9) passengers or less, including the driver, and used for approved school activities under KRS 156.153(3). This administrative regulation establishes the requirements relative to the transportation of pupils by local school districts in vehicles designed to carry nine (9) passengers or less and which are not classified as school buses.

Section 1. Definition. "Vehicle" means a vehicle owned by a school board or contracted to the board which is significantly used to transport pupils to and from school and which is designed by the manufacturer to carry fewer than ten (10) passengers.

Section 2.

- (1) A vehicle may be used for the transportation of pupils:
  - (a) From areas not accessible by a regular school bus to the nearest road available for the safe transfer of pupils to a regular school bus or vice versa;
  - (b) For emergency transportation of students;
  - (c) For approved school activities; or
  - (d) For qualified special needs pupils.
- (2) A vehicle driver shall be a school district employee or a person contracted by the district.

Section 3. A vehicle shall not be used to carry more pupils than the manufacturer's designed passenger capacity for that particular vehicle.

Section 4. A vehicle shall have occupant restraint systems equal in number to the manufacturer's designed passenger capacity and installed in accordance with the original equipment manufacturer's specifications.

Section 5. Liability or indemnity insurance shall be purchased for each vehicle. The coverage limits shall be at least these amounts:

	\$1,000,000 per occurrence combined or
Bodily injury/Property Damage	\$250,000/\$1,000,000 split
Uninsured/Underinsured	\$500,000
Motorist Coverage	\$20,000
"No-Fault" Coverage	per passenger

Section 6. Before a vehicle is initially used to transport pupils, a safety inspection shall be made on the vehicle by an approved school bus inspector to certify the vehicle is in safe operating condition. If the vehicle is found to be in unsafe operating condition, it shall not be used to transport pupils until necessary repairs are made.

Section 7. A vehicle shall be inspected at least once each month that the vehicle is used to transport pupils, utilizing the same criteria for inspection as for school buses on the "Preventive Management Inspection" Form as found in the "Pupil Transportation Management Manual, April 1998".

Section 8. If being used to transport pupils, a vehicle shall display a sign in clear view in the rear of the vehicle stating: "This vehicle is being used to transport school children."

Section 9. Incorporation by Reference.

(1) "Pupil Transportation Management Manual", April 1998, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of District Support Services, Department of Education, 15th Floor, Capitol Plaza Tower, 500 Mero Street, Frankfort, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m.

(11 Ky.R. 1551; 1781; eff. 6-4-1985; 17 Ky.R. 442; eff. 10-14-1990; 23 Ky.R. 1431; 2471; eff. 12-5-1996; 29 Ky.R. 1346; 1791; eff. 1-16-2003; Crt eff. 11-16-2018.)