

1.1 **Department of Public Safety**

1.2 **Proposed Permanent Rules Relating to School Bus Safety**

1.3 **7470.0100 DEFINITIONS.**

1.4 Subpart 1. **Scope.** For the purposes of this chapter, the ~~following~~ terms ~~shall~~ used
1.5 have the meanings given ~~them~~ in this part and, except as provided in this part, Minnesota
1.6 Statutes, section 169.011.

1.7 Subp. 2. [See repealer.]

1.8 Subp. 3. [See repealer.]

1.9 Subp. 4. [See repealer.]

1.10 Subp. 5. [See repealer.]

1.11 Subp. 6. **Authorized individual.** "Authorized individual" includes a school district's
1.12 superintendent or a charter school director, a school's transportation safety director, an
1.13 individual in charge of school bus transportation for a nonpublic school, and a school bus
1.14 contractor. Authorized individual includes a designee.

1.15 Subp. 7. **Parent or guardian.** "Parent" or "guardian" has the meaning given in part
1.16 7414.0100, subpart 9.

1.17 Subp. 8. **School.** "School" includes a public school, as defined in Minnesota Statutes,
1.18 section 120A.05, subdivisions 9, 11, 13, and 17, and a nonpublic school.

1.19 Subp. 9. **School bus assistant.** "School bus assistant" means an adult assigned to
1.20 assist a school bus driver.

1.21 Subp. 10. **School bus driver.** "School bus driver" means a driver operating a school
1.22 bus.

1.23 Subp. 11. **School-related trip or activity or trip.** "School-related trip or activity" or
1.24 "trip" has the meaning given in part 7414.0100, subpart 14.

2.1 Subp. 12. **Special equipment.** "Special equipment" means assistive or adaptive devices
2.2 used for or by a student with a disability to access school transportation.

2.3 Subp. 13. **Student.** "Student" has the meaning given to "school children" or "pupil"
2.4 in part 7414.0100, subpart 13, except as provided in part 7470.0200, subpart 2.

2.5 Subp. 14. **Student with a disability.** "Student with a disability" means a child under
2.6 Minnesota Statutes, section 125A.02.

2.7 **7470.0200 PURPOSE, SCOPE, AND AUTHORITY APPLICABILITY.**

2.8 Subpart 1. **Purpose.** The purpose of this chapter is to establish rules in accordance
2.9 with Minnesota Statutes, section 169.449, governing the issuance and display operation of
2.10 school bus inspection certificates, consistent with the provisions of Minnesota Statutes,
2.11 section 169.451, and to establish a point system to evaluate the effect on safety operation
2.12 of any variance from law detected during school bus inspection, consistent with the mandate
2.13 of the legislature buses used for transporting students.

2.14 Subp. 2. **Scope and applicability.** This chapter governs the operation of school buses
2.15 used for transporting students to or from school or a school-related trip or activity. This
2.16 chapter does not apply to home schools except when a homeschooled student is receiving
2.17 transportation as a related service through a school under the Individuals with Disabilities
2.18 Education Act.

2.19 **7470.1000 OPERATION OF TYPE A, B, C, D, AND MULTIFUNCTIONAL**
2.20 **OPERATING SCHOOL ACTIVITY BUSES.**

2.21 Subpart 1. [See repealer.]

2.22 Subp. 2. ~~Transportation of pupils~~ **Transporting students.** A school bus driver:

2.23 A. ~~Pupils are not to be evicted~~ must not evict a student from the a school bus along
2.24 the school bus route for a breach of discipline. or trip;

3.1 B. must report to an authorized individual all breaches of discipline must be
3.2 reported by the bus driver to the authorized person. student violations of a school's discipline
3.3 policy under Minnesota Statutes, section 123B.91, subdivision 1, clause (5);

3.4 C. The entrance door must be must ensure that all doors are closed at all times
3.5 when transporting pupils and while the school bus is in motion;

3.6 All buses must load and unload in the right lane of the roadway, at pupil stops on bus
3.7 routes approved by the authorized person. Loading or unloading in a designated turn lane
3.8 or in a lane immediately adjacent to a designated right-hand turn lane is prohibited unless
3.9 the turn lane is a designated school bus stop at which pupils are not required to cross the
3.10 road. Under these circumstances, the bus must stop at the extreme right-hand side of the
3.11 turn lane and the eight-light system and stop arm should not be used. Loading and unloading
3.12 pupils within an intersection is prohibited.

3.13 D. No pupils may be must ensure that a student is not in the school bus while the
3.14 fuel tank is being filled.; and

3.15 E. On leaving the vehicle when pupils are in the bus, the driver shall must stop
3.16 the motor, remove the ignition key, set the brakes, and otherwise render the school bus
3.17 immobile when the school bus driver leaves a school bus occupied by a student.

3.18 Subp. 2a. **Dangerous weapons, hazardous materials, and animals prohibited.**

3.19 A. The authorized person shall see To the extent known by or observable to a
3.20 school bus driver, the school bus driver must ensure that no materials, including none of
3.21 the following are transported in a school bus while a student is being transported:

3.22 (1) guns, loaded or unloaded a dangerous weapon, as defined under Minnesota
3.23 Statutes, section 609.02, subdivision 6, except when transported for an activity under
3.24 Minnesota Statutes, section 609.66, subdivision 1d, paragraph (f); or

4.1 ~~(2) gasoline cans, empty or full; animals, except companion animals~~
4.2 ~~accompanying persons with disabilities; or any other object of a dangerous or objectionable~~
4.3 ~~nature are transported in the school bus when pupils are being transported~~ hazardous
4.4 materials, as defined under Code of Federal Regulations, title 49, section 171.8, except light
4.5 cleaning solutions used to clean a school bus before, between, or after school bus routes or
4.6 trips.

4.7 B. An animal must not be transported in a school bus except for a service animal,
4.8 as defined under Minnesota Statutes, section 343.20, subdivision 7, accompanying an
4.9 individual with a disability.

4.10 C. Nothing in this subpart requires a school bus driver to inspect a student's
4.11 personal belongings.

4.12 Subp. 2b. Loose items; unobstructed aisles and exits. To comply with Minnesota
4.13 Statutes, section 169.447, subdivision 4, a school bus driver must ensure that any loose
4.14 item, luggage, or equipment is secured or held to prevent the item, luggage, or equipment
4.15 from falling or moving into the aisle and emergency exits.

4.16 Subp. 3. ~~Driving on school grounds~~ Backing a school bus.

4.17 A. Buses must not be run backwards on the school grounds or at any other point
4.18 if it can be avoided. If necessary to run a bus backwards, A school bus driver may back a
4.19 school bus only if:

4.20 (1) the school bus driver should have adequate visibility to determine if any
4.21 moving vehicles are within 500 feet in either direction, when on roadways;:

4.22 (a) when on a roadway, has an unobstructed view of the roadway in all
4.23 directions and can determine that an approaching vehicle will be unaffected by the maneuver;
4.24 or

4.25 (b) when not on a roadway, can safely complete the maneuver; and

5.1 (2) ~~When there is a pupil pick-up or unloading at a backing point, the driver~~
5.2 ~~shall always load before backing and unload after backing. No pupils may be~~ a student who
5.3 ~~is outside the bus when it is backing~~ is at least 50 feet away from the school bus.

5.4 B. Notwithstanding item A, subitem (2), a school bus driver may back a school
5.5 bus if an adult is supervising a student who is outside and within 50 feet of the school bus.

5.6 Subp. 3a. **Approaching railroad grade crossing.**

5.7 A. This subpart applies when a school bus driver of a type A, B, C, or D school
5.8 bus or multifunction school activity bus approaches a railroad grade crossing.

5.9 B. A school bus driver must activate the school bus's four-way hazard warning
5.10 lights at least 100 feet from the nearest rail and stop the school bus according to Minnesota
5.11 Statutes, section 169.28.

5.12 C. Immediately after stopping the school bus, the school bus driver must:

5.13 (1) silence all heaters, fans, and electronic devices within the school bus
5.14 driver's control, not including the two-way voice communications system; or

5.15 (2) use a noise-suppression switch.

5.16 D. While stopped to look and listen along the track as required under Minnesota
5.17 Statutes, section 169.28, subdivision 1, paragraph (a), the school bus driver must:

5.18 (1) fully open both the school bus driver's window and service door; and

5.19 (2) proceed according to Minnesota Statutes, section 169.28, subdivision 1,
5.20 paragraph (a).

5.21 E. The school bus's four-way hazard warning lights must remain activated until
5.22 the entire school bus has cleared the farthest rail. At a railroad grade crossing, a school bus
5.23 driver must not use:

(1) the eight-lamp prewarning alternately flashing amber signals; or

(2) flashing red stop signals.

F. On a multilane road, a school bus driver must stop in the rightmost lane unless the school bus driver must make a left turn immediately after crossing a railroad track.

Subp. 4. ~~In case of accidents~~ Supervising students after collisions. ~~In case of an accident or breakdown of the~~ If a school bus the is involved in a collision, the school bus driver shall must not leave the bus, but shall send two of the patrol or other responsible pupils to the nearest house to summon help a student unsupervised.

Subp. 5. Reporting collisions.

A. ~~Immediate reports of all accidents, however slight, involving the school bus must be made by the~~ A school bus driver must immediately report a collision to the an authorized person individual and to any other authorities as person required by law, rule, or regulation under Minnesota Statutes, section 169.09.

B. ~~The school bus driver shall must prepare and keep all records and reports required under Minnesota Statutes, section 169.09, and any other reports required by the authorized person~~ a school or school bus contractor.

Subp. 6. Breakdowns. If a school bus breaks down, the school bus driver:

A. must immediately notify an authorized individual; and

B. must not leave a student unsupervised.

7470.1100 ~~DRIVER OF TYPE A, B, C, OR D, OR MULTIFUNCTIONAL SCHOOL ACTIVITY BUS; LOADING AND UNLOADING.~~

Subpart 1. Applicability. ~~The driver of a type A, B, C, D, or multifunctional school activity bus shall:~~ This part applies to a school bus driver of a type A, B, C, or D school bus.

7.1 Subp. 2. **School bus stops.** A school bus driver must load or unload a student at a
7.2 school bus stop approved by a school district. If the school bus driver must deviate from
7.3 the approved school bus stop, the school bus driver must first receive an authorized
7.4 individual's approval.

7.5 Subp. 3. **Multidirectional roadway.** A school bus on a multidirectional roadway
7.6 must be loaded or unloaded in the right lane unless operating in a manner consistent with
7.7 Minnesota Statutes, section 169.18, subdivision 7, clause (4); or 169.443, subdivision 2,
7.8 paragraph (c), or 3.

7.9 Subp. 4. **Intersections and adjacent traffic lanes.** A school bus driver must not:

7.10 A. load or unload a student:

7.11 (1) in an intersection; or

7.12 (2) within 50 feet of an intersection unless the school bus is on a through
7.13 highway; or

7.14 B. unload a student into an adjacent traffic lane.

7.15 Subp. 5. **Multilane one-way roadways.** A school bus on a multilane one-way roadway
7.16 must be loaded or unloaded in the right lane, but a school bus equipped with a left-side
7.17 passenger entrance door may load or unload in the farthest-left portion of a one-way roadway.

7.18 Subp. 6. **Stopping school bus.** A. ~~Bring the~~ Before loading or unloading a student,
7.19 a school bus driver must stop the school bus to a full stop and disengage gears by shifting
7.20 into neutral or park before loading and unloading pupils; and place the transmission in park
7.21 or neutral.

7.22 Subp. 7. **Using four-way hazard warning lights.** B. ~~use the prewarning amber~~
7.23 flashing signals, flashing red signals, and stop signal arm, if equipped, in accordance with
7.24 Minnesota Statutes, section 169.443; When loading or unloading a student as permitted

8.1 under Minnesota Statutes, section 169.443, subdivision 3, the school bus's four-way hazard
8.2 warning lights must be used.

8.3 ~~C. maintain at least a 50-foot interval when following another bus entering or~~
8.4 ~~leaving the school ground, and at least 500 feet when traveling on the highway, in accordance~~
8.5 ~~with Minnesota Statutes, section 169.18, subdivision 8, paragraph (b);~~

8.6 Subp. 8. **Unobstructed view required; exception.** D.

8.7 A. A school bus driver may load or unload ~~pupils~~ students only where if the view
8.8 is unobstructed to the ~~motorist~~ school bus driver or another driver for at least:

8.9 (1) 500 feet in either direction on a roadway with a speed limit of 35 miles
8.10 per hour or greater; and where the view is unobstructed for at least

8.11 (2) 100 feet in either direction where the speed limit is less than 35 miles per
8.12 hour;.

8.13 B. When the conditions in item A, subitem (1), are not met, a school bus driver
8.14 may load or unload students if a sign is posted in accordance with the Department of
8.15 Transportation Traffic Engineering Manual indicating that a school bus stop is ahead.

8.16 Subp. 9. **Crossing highway.** E. ~~be~~ A school bus driver is responsible for safely
8.17 delivering the ~~pupils~~ a student who must cross the highway to the left side of the road by
8.18 one of the following methods:

8.19 A. the ~~pupil shall~~ student must pass ~~around~~ in front of the ~~vehicle~~ school bus and
8.20 cross the road only upon receiving word or signal from the school bus driver that it is safe
8.21 to cross; or

8.22 B. the ~~pupil shall~~ student must pass ~~around~~ in front of the school bus and be
8.23 conducted escorted across the road by the a school bus safety patrol ~~or the bus monitor; or~~

9.1 ~~the driver shall personally conduct the pupils across the road; and, the school bus driver, or~~
9.2 a school bus assistant.

9.3 ~~F. stop at all railroad crossings whether carrying passengers or not in accordance~~
9.4 ~~with Minnesota Statutes, section 169.28. The driver shall activate the four-way hazard~~
9.5 ~~warning lights not less than 100 feet from the nearest rail, and stop not less than ten feet~~
9.6 ~~from the nearest rail. While so stopped, the driver shall open the driver's window and service~~
9.7 ~~door to look and listen in both directions along the track for any approaching train. Eight-lamp~~
9.8 ~~prewarning alternately flashing amber signals and flashing red stop signals must not be used~~
9.9 ~~at railroad crossings. Hazard warning signals should be used.~~

9.10 **7470.1300 EQUIPMENT; INSPECTION AND USE.**

9.11 Subpart 1. Pretrip inspection; required equipment.

9.12 A. No A school bus shall must not be driven operated unless the a school bus
9.13 driver or other a designated person individual trained to inspect school buses has inspected
9.14 the vehicle conducted a pretrip inspection to ensure that, at a minimum, the following school
9.15 bus parts and accessories are in good working order:

9.16 (1) service brakes, including trailer brake connections;

9.17 (2) parking (hand) brakes;

9.18 (3) steering mechanism;

9.19 (4) lighting devices and reflectors;

9.20 (5) tires, wheels, and rims;

9.21 (6) fluid levels;

9.22 (7) horn;

9.23 (8) windshield wiper or wipers and washing system;

- 10.1 (9) rear-vision and crossover mirrors, including their proper adjustment;
- 10.2 (10) instrument panel and controls;
- 10.3 (11) heaters and defrosters;
- 10.4 (12) if equipped, eight-lamp system; and stop
- 10.5 (13) if equipped, stop-signal arm. A copy of the current daily pretrip inspection
- 10.6 ~~report must be carried in the bus.~~ and crossing control arm;
- 10.7 (14) exhaust system;
- 10.8 (15) emergency equipment, including fire extinguisher, emergency triangles,
- 10.9 emergency exits, and buzzers or alarms;
- 10.10 (16) seats;
- 10.11 (17) first-aid kit and body-fluid cleanup kit;
- 10.12 (18) special equipment;
- 10.13 (19) if equipped, wheelchair securement devices and wheelchair lift; and
- 10.14 (20) if equipped, seat belts or a child passenger restraint system.

10.15 B. In accordance with item A, subitem (20), a school bus driver or a designated

10.16 individual trained to inspect school buses must ensure that seat belts or a child passenger

10.17 restraint system are in working order and available for use by visually or physically inspecting

10.18 the seat belts or child passenger restraint system.

10.19 Subp. 2. Pretrip inspection; towing trailer.

10.20 A. This subpart applies when a trailer is towed behind a school bus.

11.1 B. As part of a pretrip inspection, a school bus driver or a designated individual
11.2 trained to inspect school buses must ensure that the following trailer parts and accessories
11.3 are in working order:

11.4 (1) tires, wheels, and rims;

11.5 (2) service brakes, when applicable;

11.6 (3) breakaway or emergency brake, when applicable;

11.7 (4) safety chains or cables;

11.8 (5) hitch connection;

11.9 (6) lighting devices;

11.10 (7) wiring connection; and

11.11 (8) reflectors.

11.12 Subp. 3. **Pretrip inspection report.** After conducting a pretrip inspection under
11.13 subpart 1 or 2, or both, a school bus driver or a designated individual trained to inspect
11.14 school buses must complete a pretrip inspection report. A copy of the signed or electronically
11.15 completed pretrip inspection report must be:

11.16 A. maintained in the school bus for the day of operation; and

11.17 B. made available upon request by a member of the State Patrol under Minnesota
11.18 Statutes, section 299D.06, or any other law enforcement agency.

11.19 Subp. 4. **Posttrip inspection.**

11.20 A. After a school bus route, series of routes, or trip is completed and before leaving
11.21 the school bus's immediate vicinity, a school bus driver must inspect the school bus's interior
11.22 to ensure that no one remains in the school bus. A posttrip inspection need not occur at a
11.23 school.

B. For purposes of this subpart, "immediate vicinity" means an area within 50 feet of a school bus and within a school bus driver's direct, unobstructed line of sight.

7470.1400 OPERATION OF OPERATING TYPE III VEHICLES AND MULTIFUNCTION SCHOOL ACTIVITY BUSES.

Subpart 1. Applicability. The operating rules in Parts 7470.1000 to 7470.1500 and 7470.1300 to 7470.1700 govern the operation of type III vehicles and multifunction school activity buses used for transporting pupils students when:

A. leased, rented, or owned by and operated by a school district or nonpublic school; or

B. privately leased, rented, or owned and operated under an agreement with a school district or nonpublic school. Type III vehicles are restricted to automobiles, station wagons, and other vehicles having a manufacturer's rated seating capacity of ten or fewer people including the driver, and a gross vehicle weight rating of 10,000 pounds or less.

Subp. 2. Multifunction school activity buses. A multifunction school activity bus must not be used to conduct home-to-school or school-to-home transportation.

7470.1500 DRIVER OF TYPE III VEHICLES AND MULTIFUNCTION SCHOOL ACTIVITY BUSES.

Subpart 1. Applicability. This part applies only to a school bus driver of a type III vehicle or a multifunction school activity bus.

Subp. 2. Stopping traffic prohibited. The A school bus driver of a Type III vehicle shall must not: stop traffic.

A. operate the vehicle as a Type A, B, C, or D school bus;

B. stop traffic;

13.1 Subp. 3. **Loading and unloading in traffic lane prohibited.** ~~C. A school bus driver~~
13.2 must not load or unload a student in a vehicular traffic lane or on the shoulder, but is restricted
13.3 a school bus driver may load or unload a student to curb, nontraffic side (normal parking
13.4 lane), off-street loading areas, driveways, yard service, and other areas as needed to avoid
13.5 any hazardous conditions.

13.6 ~~D. load or unload in the right-hand lane of the roadway, designated turn lane, or~~
13.7 ~~lane immediately adjacent to a designated right-hand turn lane;~~

13.8 Subp. 4. **Escorting student across road.** ~~E. A. load or unload so that a pupil has to~~
13.9 If a student must cross the a road, except where not possible or impractical, then the a school
13.10 bus driver or aide shall personally school bus assistant must escort the pupil student across
13.11 the road.

13.12 ~~F. B. A school bus driver must not escort a pupil student across the road under~~
13.13 ~~item E unless the motor is stopped, the ignition key is removed, the brakes are set, and the~~
13.14 ~~vehicle school bus is otherwise rendered immobile; or.~~

13.15 Subp. 5. **Loading and unloading.** ~~G. A school bus driver must not load or unload~~
13.16 ~~before making a complete stop and disengaging gears by shifting into a student until the~~
13.17 school bus driver stops the school bus and places the transmission in park or neutral or park.

13.18 Subp. 6. **Training for type III drivers; documenting training.**

13.19 A. Before operating a school bus, a school bus driver of a type III vehicle must
13.20 complete one hour of training on seat belts and child passenger restraint systems under
13.21 Minnesota Statutes, sections 169.685 and 169.686. The training must be provided annually
13.22 by:

13.23 (1) an individual who is certified and approved by the Office of Traffic Safety
13.24 in accordance with Minnesota Statutes, section 142B.51, subdivision 2, paragraph (d);

(2) a nonprofit company that has a stated mission of providing training on child passenger safety; or

(3) a nationally certified child passenger safety technician.

B. A school bus driver under this part must document the completed training under item A, as applicable; part 7470.1700, subpart 1a; and Minnesota Statutes, section 171.02, subdivision 2a or 2b, in a format prescribed by the commissioner of public safety.

7470.1600 TRANSPORTING ~~PUPILS~~ STUDENTS WITH A DISABILITY.

~~Subpart 1. Services provided. Minnesota Statutes, sections 125A.03 to 125A.24, requires school districts to provide special education and services for a school-age resident with a disability. Accordingly, free transportation services must be provided to any child with a disability who requires special transportation services because of the child's disabling conditions or special program needs.~~

A. Parts 7470.1600 and 7470.1700 apply to ~~transportation of~~ transporting a child student with a disability, as defined in Minnesota Statutes, section 125A.02, when:

(1) the ~~disabling conditions of the child are such that~~ student's disability prevents the ~~child cannot be~~ student from being safely transported on the regular school bus route; or when

(2) the ~~child~~ student is transported on a special route for the ~~purpose of attending~~ to attend an approved special education program.

B. Parts 7470.1600 and 7470.1700 ~~are not applicable~~ do not apply to parents or guardians who transport their own child under ~~contract~~ an agreement with a school district or nonpublic school.

Subp. 2. Appeal process. Any parent or guardian of a ~~child~~ student with a disability who believes that the transportation services provided for ~~that child~~ the student are not in

15.1 compliance with parts 7470.1600 and 7470.1700 may ~~utilize~~ use the due process procedures
15.2 ~~provided for in~~ under Minnesota Statutes, sections 125A.03 to 125A.24.

15.3 Subp. 3. **Length of transit time.** The ~~length of time that a pupil~~ student with a
15.4 disability is transported must be appropriate to the student's physical, mental, and emotional
15.5 well-being ~~of the pupil. In general, a pupil with a disability should not spend more time in~~
15.6 ~~transit than a pupil without a disability except as may be required because of the unique~~
15.7 ~~location of the pupil's educational program. A determination under this subpart must be:~~

15.8 A. made by the student's individualized education program team in consultation
15.9 with the school and the student's parents or guardians; and

15.10 B. communicated to the school bus contractor in accordance with part 7470.1700,
15.11 subpart 2.

15.12 Subp. 4. **Type of ~~vehicle~~ school bus.** ~~The school district shall determine~~ The type of
15.13 ~~vehicle~~ school bus used to transport ~~pupils~~ a student with a disability must be determined
15.14 on the basis of the ~~disabling conditions of those pupils~~ student's disability. ~~These vehicles~~
15.15 ~~must comply with Minnesota Statutes, section 169.4504. The determination must be made~~
15.16 by the school in consultation with the school bus contractor, the student's parents or
15.17 guardians, and the student's individualized education program team.

15.18 Subp. 5. **~~Additional assistance; determination~~ Two-way voice communications**
15.19 **system; school bus assistant.**

15.20 A. ~~Vehicles~~ Each school bus used to transport ~~pupils~~ a student with a disability
15.21 must be equipped with a two-way voice communications system or ~~have a responsible aide,~~
15.22 ~~or both, to provide necessary assistance and supervision that cannot safely be provided by~~
15.23 ~~the driver~~ another electronic means of communication.

15.24 B. A school district may student's individualized education program team must
15.25 determine ~~that an aide~~ whether a school bus assistant ~~is required~~ needed to assist and

16.1 supervise the student and must consult with the school, the student's parents or guardians,
16.2 and the school bus contractor. The determination of ~~whether an aide is required~~ must reflect
16.3 ~~the student's needs of the pupils and be based on such factors as~~ and be based on an evaluation
16.4 of:

16.5 (1) ~~disabilities of pupils transported,~~ the student's disability;

16.6 (2) ~~the distance traveled, density of population, terrain,~~ and

16.7 (3) any other factors that may affect the safety of the ~~pupil passengers~~ all
16.8 students transported. ~~Exceptions to this subpart may be made upon mutual agreement~~
16.9 ~~between the parents and the school district.~~

16.10 Subp. 6. **Providing and selecting special equipment.**

16.11 A. ~~Specially adapted seats, support, or protective devices~~ Special equipment must
16.12 be provided for all ~~pupils~~ students who require the ~~devices to ensure their safe transportation.~~
16.13 ~~These devices~~ equipment. The special equipment must be selected:

16.14 (1) by the ~~school district~~ student's individualized education program team in
16.15 consultation with the ~~pupil's~~ school bus contractor, the student's parents or guardians, and
16.16 the school; and

16.17 (2) on the basis of the ~~specific~~ student's needs of the individual pupil with a
16.18 disability.

16.19 B. A school must notify the school bus contractor of the needed special equipment
16.20 in accordance with part 7470.1700, subpart 2.

16.21 Subp. 7. **Wheelchair ~~securment~~ equipment.**

16.22 A. A school bus used to transport ~~pupils in wheelchairs~~ a student who uses a
16.23 wheelchair must be equipped with ~~fastening devices that will hold the wheelchairs securely~~
16.24 in a fixed position. ~~securment~~ devices, seat belts, and lifts or ramps that:

17.1 (1) comply with Minnesota Statutes, sections 299A.12 and 299A.13,
17.2 subdivisions 1 and 3; and

17.3 (2) are installed, maintained, and used according to manufacturer instructions.

17.4 B. Any special equipment that a student needs while being transported must be
17.5 secured during transportation.

17.6 Subp. 8. **Emergency evacuation plan.**

17.7 A. For each student being transported under this part, a student's individualized
17.8 education program team, in consultation with the student's parents or guardians and the
17.9 school, must develop a written emergency evacuation plan that details procedures for
17.10 evacuating the student from a school bus if the student cannot be safely evacuated under
17.11 the school's emergency evacuation plan for all students.

17.12 B. An emergency evacuation plan must be:

17.13 (1) updated as needed to reflect changes in a student's disability or needed
17.14 special or medical equipment; and

17.15 (2) communicated to the school bus contractor in accordance with part
17.16 7470.1700, subpart 2.

17.17 Subp. 9. **Exception to consultation and communication requirements.** A person
17.18 does not need to consult or communicate with a school bus contractor under parts 7470.1600
17.19 and 7470.1700 if a school does not contract with a school bus contractor for student
17.20 transportation under this chapter.

17.21 **7470.1700 DRIVERS AND AIDES SCHOOL BUS ASSISTANTS FOR PUPILS**
17.22 **STUDENTS WITH A DISABILITY.**

17.23 Subpart 1. ~~Drivers generally~~ **Assigning drivers and school bus assistants.** Each
17.24 school bus driver of a vehicle for pupils and school bus assistant transporting a student with

18.1 a disability ~~shall be carefully selected to assure the driver can~~ must be able to perform the
18.2 ~~requirements of the job~~ duties and responsibilities of their respective positions. ~~Drivers A~~
18.3 school bus driver and school bus assistant ~~must be assigned to each~~ the same daily route on
18.4 ~~a regular basis~~ whenever possible.

18.5 Subp. 1a. **Training.** Before being assigned to a school bus that is transporting a student
18.6 with a disability, each school bus driver and school bus assistant must receive training in:

18.7 A. first aid;

18.8 B. meeting the needs of any student with a disability as prescribed under subpart
18.9 2, item A, subitems (2) and (3);

18.10 C. inspecting, maintaining, and using any special equipment needed by a student;

18.11 D. emergency evacuations, including student-specific procedures under a student's
18.12 written emergency evacuation plan in part 7470.1600, subpart 8, if any; and

18.13 E. the confidentiality requirements relating to a student's disability under the
18.14 federal Family Educational Rights and Privacy Act, the federal Individuals with Disabilities
18.15 Education Act, and the Minnesota Government Data Practices Act.

18.16 Subp. 1b. **Driver and school bus assistant responsibilities.** A school bus driver or
18.17 school bus assistant must:

18.18 A. ensure that any special equipment is installed, maintained, and used according
18.19 to manufacturer instructions;

18.20 B. assist a student with a disability to enter and exit the school bus when needed
18.21 for the student to safely enter and exit the school bus;

18.22 C. ensure that no one stands on the wheelchair lift during lift operations; and

19.1 D. follow the confidentiality requirements relating to a student's disability under
19.2 the federal Family Educational Rights and Privacy Act, the federal Individuals with
19.3 Disabilities Education Act, and the Minnesota Government Data Practices Act.

19.4 Subp. 2. Student information ~~necessary~~.

19.5 A. Each school bus driver and ~~aide assigned to a vehicle~~ school bus assistant
19.6 transporting pupils a student with a disability shall have available to them must be able to
19.7 access the following information in ~~hard copy~~ either a printed or electronic format or
19.8 immediately accessible through a two-way communication voice communications system:

19.9 ~~A. (1) the pupil's~~ student's name and address;

19.10 ~~B. (2) the nature of the pupil's disabilities;~~ student's disability and any other
19.11 information on the student's:

19.12 (a) special or medical equipment;

19.13 (b) behavioral or health conditions that may affect the ability to safely
19.14 transport the student; and

19.15 (c) restrictions or medical care necessary to safely transport the student;

19.16 ~~C. (3) emergency health care~~ information on the student's transportation needs
19.17 under the student's individualized education program; and

19.18 ~~D. (4) the names and telephone numbers of the pupil's physician, parents,~~
19.19 ~~guardians, or custodians, and some person other than the pupil's parents or custodians who~~
19.20 ~~can be contacted in case of an~~ student's emergency contacts; and

19.21 (5) the student's written emergency evacuation plan under part 7470.1600,
19.22 subpart 8, if any.

19.23 B. A school must:

20.1 (1) maintain the information in this subpart and provide the information and
 20.2 any changes to a school bus driver, school bus assistant, and school bus contractor before
 20.3 transportation; and

20.4 (2) provide to a school bus driver, school bus assistant, and school bus
 20.5 contractor only the information on a student's disability and the other information under
 20.6 item A that is needed for the school bus driver, school bus assistant, and school bus contractor
 20.7 to provide transportation services according to the student's individualized education program.

20.8 Subp. 3. [See repealer.]

20.9 **RENUMBERING INSTRUCTION.** Each part of Minnesota Rules listed in column A is
 20.10 renumbered with the number listed in column B. Cross-reference changes consistent with
 20.11 the renumbering are made.

20.12	<u>Column A</u>	<u>Column B</u>
20.13	<u>7470.0100, subpart 1</u>	<u>7470.2010, subpart 1</u>
20.14	<u>7470.0100, subpart 6</u>	<u>7470.2010, subpart 2</u>
20.15	<u>7470.0100, subpart 7</u>	<u>7470.2010, subpart 3</u>
20.16	<u>7470.0100, subpart 8</u>	<u>7470.2010, subpart 4</u>
20.17	<u>7470.0100, subpart 9</u>	<u>7470.2010, subpart 5</u>
20.18	<u>7470.0100, subpart 10</u>	<u>7470.2010, subpart 6</u>
20.19	<u>7470.0100, subpart 11</u>	<u>7470.2010, subpart 7</u>
20.20	<u>7470.0100, subpart 12</u>	<u>7470.2010, subpart 8</u>
20.21	<u>7470.0100, subpart 13</u>	<u>7470.2010, subpart 9</u>
20.22	<u>7470.0100, subpart 14</u>	<u>7470.2010, subpart 10</u>
20.23	<u>7470.0200</u>	<u>7470.2000</u>
20.24	<u>7470.1000, subpart 2</u>	<u>7470.2020, subpart 1</u>
20.25	<u>7470.1000, subpart 2a</u>	<u>7470.2020, subpart 2</u>
20.26	<u>7470.1000, subpart 2b</u>	<u>7470.2020, subpart 3</u>
20.27	<u>7470.1000, subpart 3</u>	<u>7470.2020, subpart 4</u>

21.1	<u>7470.1000, subpart 3a</u>	<u>7470.2020, subpart 5</u>
21.2	<u>7470.1000, subpart 4</u>	<u>7470.2020, subpart 6</u>
21.3	<u>7470.1000, subpart 5</u>	<u>7470.2020, subpart 7</u>
21.4	<u>7470.1000, subpart 6</u>	<u>7470.2020, subpart 8</u>
21.5	<u>7470.1100</u>	<u>7470.2030</u>
21.6	<u>7470.1300</u>	<u>7470.2040</u>
21.7	<u>7470.1400</u>	<u>7470.2050</u>
21.8	<u>7470.1500</u>	<u>7470.2060</u>
21.9	<u>7470.1600</u>	<u>7470.2070</u>
21.10	<u>7470.1700, subpart 1</u>	<u>7470.2080, subpart 1</u>
21.11	<u>7470.1700, subpart 1a</u>	<u>7470.2080, subpart 2</u>
21.12	<u>7470.1700, subpart 1b</u>	<u>7470.2080, subpart 3</u>
21.13	<u>7470.1700, subpart 2</u>	<u>7470.2080, subpart 4</u>
21.14	<u>REPEALER.</u> <u>Minnesota Rules, parts 7470.0100, subparts 2, 3, 4, and 5; 7470.1000, subpart</u>	
21.15	<u>1; 7470.1200; and 7470.1700, subpart 3, are repealed.</u>	
21.16	<u>EFFECTIVE DATE.</u> <u>Minnesota Rules, parts 7470.0100 to 7470.1700, and the repealer</u>	
21.17	<u>are effective August 1, 2027.</u>	