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## Minnesota State Patrol

### District 4700 – Office of Pupil Transportation Safety

1110 Centre Pointe Curve Suite 410, Mendota Heights, MN 55120

Phone: 651/350-2000

### **Subject: Becoming a School Transportation Provider:**

I appreciate you reaching out to inquire on what you need to do to become a student transportation provider. Here is a list of requirements that you will need to complete prior to scheduling an inspection.

There are some differences between the driver file training requirement for type III and the traditional yellow school bus. Our website has the training file forms that you must use for the CDL required drivers as well as recommended forms for Type III. [Commercial Vehicles - School Bus Safety \(mn.gov\)](#).

There is a link for our inspection manual that I think you will find very helpful as well.

### **Traditional School Buses:**

The vehicle must meet MN design standards as outlined in MSS 169.4501-169.4504 ,

[Sec. 169.4501 MN Statutes](#)

[Sec. 169.4502 MN Statutes](#)

[Sec. 169.4503 MN Statutes](#)

[Sec. 169.4504 MN Statutes](#)

Your driver training files must contain the information outlined in MSS 171.321

[Sec. 171.321 MN Statutes](#)

### **Type III**

To become a Type III transportation provider you will need to have a vehicle that meets definition of a type III 169.011 sub 71(h)

[Sec. 169.011 MN Statutes](#)

Subd. 71 (h) A "type III vehicle" is restricted to passenger vehicles and buses having a maximum 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. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a seating capacity of ten or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

The vehicle must be equipped as outlined in 169.454;

**169.454 TYPE III VEHICLE STANDARDS.** [Sec. 169.454 MN Statutes](#)

Subdivision 1. Standards. This section applies to type III vehicles used for the transportation of school children when owned and operated by a school district or privately owned and operated. All related equipment provided on the vehicle must comply with federal motor

vehicle safety standards where applicable. If no federal standard applies, equipment must be manufacture's standard.

Subd. 2. Age of vehicle. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571 (Built to school bus seating/compartmentalization standards).

Subd. 3. Color. Vehicles must be painted a color other than national school bus yellow.

Subd. 4. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

Subd. 5. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit, and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.

Subd. 6. Identification. The vehicle must not have the words "school bus" in any location on the exterior of the vehicle, or in any interior location visible to a motorist.

Subd. 7. Lamps and signals. Installation and use of the eight-lamp warning system is prohibited. All lamps on the exterior of the vehicle must conform with and be installed as required by federal Motor Vehicle Safety Standard 108, Code of Federal Regulations, title 49, part 571.

Subd. 8. Stop-signal arm. Installation and use of a stop-signal arm is prohibited.

Subd. 9. Mirrors. The interior clear rearview mirror must afford a good view of pupils and roadway to the rear. Two exterior clear rearview mirrors must be provided, one to the left and one to the right of the driver. Each mirror must be firmly supported and adjustable to give the driver clear view past the left rear and the right rear of the bus.

Subd. 12. Option. Type III vehicles may carry fire extinguisher, first aid kit, and warning triangles in the trunk or trunk area of the vehicle, if a label in the driver and front passenger area clearly indicates the location of these items.

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**The drivers of the vehicle are subject to 171.02 subd 2b. and you as the carrier are responsible for maintaining the records.**

[Sec. 171.02 MN Statutes](#)

**Subd. 2b. Exception for type III vehicle drivers.**

- a) Notwithstanding subdivision 2, the holder of a class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle described in section [169.011, subdivision 71](#), paragraph (h), under the conditions in paragraphs (b) through (o).
- b) The operator is an employee of the entity that owns, leases, or contracts for the school bus.
- c) The operator's employer has adopted and implemented a policy that provides for annual training and certification of the operator in:
  - 1. safe operation of a type III vehicle;
  - 2. understanding student behavior, including issues relating to students with disabilities;
  - 3. encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
  - 4. knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
  - 5. handling emergency situations;
  - 6. proper use of seat belts and child safety restraints;
  - 7. performance of pretrip vehicle inspections;

8. safe loading and unloading of students, including, but not limited to:
    - i. utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
    - ii. refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
    - iii. avoiding a loading or unloading location that would require a pupil to cross a road, or ensuring that the driver or an aide personally escort the pupil across the road if it is not reasonably feasible to avoid such a location;
    - iv. placing the type III vehicle in "park" during loading and unloading; and
    - v. escorting a pupil across the road under item (iii) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
  9. compliance with paragraph (k), concerning reporting certain convictions to the employer within ten days of the date of conviction.
- d) A background check or background investigation of the operator has been conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for school district employees; section 144.057 or chapter 245C for day care employees; or section 171.321, subdivision 3, for all other persons operating a type III vehicle under this subdivision.
  - e) Operators shall submit to a physical examination as required by section 171.321, subdivision 2.
  - f) The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a Breathalyzer or similar device to fulfill random alcohol testing requirements.
  - g) The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required under section 171.321, subdivision 5.
  - h) A person who sustains a conviction, as defined under section 609.02, of violating section 169A.25, 169A.26, 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.
  - i) A person who has ever been convicted of a disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may not operate a type III vehicle under this subdivision.
  - j) A person who sustains a conviction, as defined under section 609.02, of a moving offense in violation of chapter 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.
  - k) An operator who sustains a conviction as described in paragraph (h), (i), or (j) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the employer within ten days of the date of the conviction.
  - l) Students riding the type III vehicle must have training required under section 123B.90, subdivision 2.
  - m) Documentation of meeting the requirements listed in this subdivision must be maintained under separate file at the business location for each type III vehicle operator. The business manager, school board, governing body of a nonpublic school, or any other entity that owns, leases, or contracts for the type III vehicle operating under this subdivision is responsible for maintaining these files for inspection.
  - n) The type III vehicle must bear a current certificate of inspection issued under section 169.451.
  - o) An employee of a school or of a school district, who is not employed for the sole purpose of operating a type III vehicle, is exempt from paragraphs (e) and (f).
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Additionally we will need you to apply for a USDOT number. This is what we use to track carriers and associate inspection reports with your company. You can apply for a USDOT number at, [Federal Motor Carrier Safety Administration \(dot.gov\)](https://www.fmcsa.dot.gov/).

You will need to register your company name with the Secretary of State's Office, ([Minnesota Secretary Of State - Home](#))

If you employ other drivers you will need to be registered with DEED ([Starting a Business / Minnesota Department of Employment and Economic Development \(mn.gov\)](#)) to ensure you have the proper insurance requirements met.

**After you have everything in place;**

- **Vehicle that meets the requirements**
- **USDOT #,**
- **Registered with the Secretary of State's Office,**
- **You have your driver files completed, and**
- **You have an agreement to transport students for a school or school bus carrier**

**You can then contact your regional school bus inspector to schedule an inspection. Bring your documentation with you at the time of the inspection or we will not inspect the vehicle. The list of inspectors is on our website;**

<https://dps.mn.gov/divisions/msp/commercial-vehicles/Pages/school-bus-safety.aspx>

Sergeant Christian Hudson  
Chief Inspector  
[christian.hudson@state.mn.us](mailto:christian.hudson@state.mn.us)

Lieutenant Brian Reu  
Director  
[brian.reu@state.mn.us](mailto:brian.reu@state.mn.us)