

Requirements for Transporting Students in Private Vehicle or Agency Vehicle

OAR 581-53-545, which went into effect in October, 1985, provides the standards and rules for transporting students in vehicles that have a capacity of not more than 10 persons (including the driver). These vehicles are called Type 10 vehicles. Any special education staff who transports students in a car for the purpose of school activities such as a field trip, community experience, work experience at a job site, or recreational activities falls under these rules.

The major requirements for the drivers are:

1. School Activity Use Only:
 - a. Be at least 18 years of age;
 - b. Possess a valid driver's or Class 1, 2, 3, 4, or commercial class C license;
 - c. Possess a valid first aid card within 120 days of first use of Type 10 vehicle;
 - d. Pass a driving record check (done by ODE);
 - e. Pass a criminal record check (licensed teachers exempted);
 - f. Receive training (extent locally determined) on:
 - (1) Emergency procedures;
 - (2) Evacuation;
 - (3) Pre-trip inspection; and
 - (4) Other driver rules (e.g., accident reports, laws, and limitation).
 - g. Be judged, by local officials, to have the ability to operate a Type 10 vehicle safely and perform related duties;
 - h. Be maintained on an approved drivers list at the Department of Education.
 - i. Operate the vehicle in accordance with driver rules prescribed in OAR 581-53-545;
 - j. Report driving and criminal convictions as required in OAR 581-53-015(6);
 - k. Report accidents as required in OAR 581-53-006 (within 15 days).
2. To and From School Use (same rules as above plus the following):
 - a. Pass a behind-the-wheel test;
 - b. Demonstrate knowledge of laws and regulations applicable to Type 10 vehicles used for to and from school transportation;
 - c. Complete a pre-trip inspection prior to each trip.
3. Occasional/Emergency Use Provision:
 - a. May not operate a Type 10 vehicle more than three times in any fiscal year (July 1 - June 30);
 - b. Be judged competent by an authorized official;
 - c. Possess a valid driver's or Class 1, 2, 3, or 4 license;

- d. May not transport students to and from school on a regularly scheduled route.
4. Construction, equipment and inspection requirements for the vehicle:
- a. Have a maximum capacity of 10 persons (including the driver) unless operating in accordance with OAR 581-53-545 (1);
 - b. Be manufacturer's standard construction;
 - c. Have a maximum gross vehicle weight rating of not more than 10,000 lbs.;
 - d. Carry a 24 unit first aid kit (see exceptions: OAR 581-53-545 (3)(b)(A and B));
 - e. Carry a 5 lb. 2A10BC fire extinguisher (see exceptions: OAR 581-53-545 (3)(b)(A and B));
 - f. Carry D.O.T. approved triangle road reflectors;
 - g. Be equipped with Oregon approved seat belts at each seat position;
 - h. Annual inspections in accordance with OAR 581-53-008 (1 and 2).