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Title 28 EDUCATION

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Title 28 EDUCATION

Part CXIII. Bulletin 119—Louisiana School Transportation Specifications and Procedures

Chapter 1. Introduction

§101. General Authority

A. This handbook was developed by the Department of Education (DOE) to provide information and direction to local education agencies (LEAs) involved in school transportation in Louisiana.

B. Acting under the authority of the State Board of Elementary and Secondary Education (BESE), the State Superintendent of Education is responsible for carrying out such policies as may be adopted by BESE. The legal responsibilities of the DOE are defined by Louisiana law or policies of BESE.

C. Aside from matters concerned with the financial aspects imposed upon it by law, the primary responsibility of the DOE in student transportation is to provide strong leadership and technical assistance in the development of a comprehensive student transportation program for statewide application.

D. Under the authority of BESE, the DOE shall work with all LEAs to ensure all federal standards and laws regarding the design, purchase, operation, and maintenance of school buses and the school transportation program are enforced. The responsibilities listed below are assumed directly by the DOE within the framework of a total cooperative effort whereby the state and the LEA work together to ensure a safe, efficient, and economical transportation system:

1. develop and implement clear and concise student transportation policies;
2. develop and implement a statewide system for the management of student transportation;
3. develop and implement educational programs and materials for school bus drivers, transportation supervisors, school administrators, and school bus passengers;
4. coordinate services with other divisions of State Government to ensure adherence to all federal and state regulations;
5. mandate established chassis, body and equipment standards mandated in the Federal Motor Vehicle Safety Standards (FMVSS) for school buses;
6. study and make recommendations regarding legislation and appropriate research in the field of student transportation;
7. develop and direct a statewide management information system for the collection and analysis of student

transportation data such as operational costs, accidents and injuries, driver certification, and other data as necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:494.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:625 (April 1999), amended LR 36:1466 (July 2010).

Chapter 3. Selection and Employment of School Bus Drivers and Attendants (Aides)

§301. Employment Requirements

A. Any person hired or contracted to transport or assist in the transportation of students to and from school or school-related activities must meet certain requirements. This applies to full-time school bus drivers, substitute drivers, activity bus drivers, and bus attendants. Mechanics, supervisors, or other personnel who are licensed to drive school buses but do not actually transport students must fulfill the requirements of the commercial driver's license (CDL) statutes. They may not otherwise be required to fulfill all requirements specified in this Section.

B. Employment applications and job descriptions must meet the requirements of the Americans with Disabilities Act.

C. Specific job requirements necessitate specialized training for driving personnel and for bus attendants or aides before they are employed and during the entire terms of service in the transportation program. Each LEA shall be responsible for ensuring specific requirements for local school bus drivers are in accordance with state and federal requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 17:168, and R.S. 32:52.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:628 (April 1999), amended LR 36:1467 (July 2010), LR 40:2574 (December 2014).

§303. Certification of School Bus Drivers

A. The term *school bus drivers* included in this Section includes anyone who is certified to transport students to and from school and school-related activities. Full-time drivers, substitute drivers (including bus attendants who may also be certified to drive in emergency situations), activity bus drivers (teachers, coaches, custodians, etc.), and any other person who is employed by the school district or by a private entity that has contracted with the school district to provide student transportation services and who at any time

transports students must be certified prior to transporting students.

B. Initial and Annual Certification

1. Initial certification of new applicants and annual certification of existing school bus drivers must be conducted by LEAs on all full-time and substitute school bus drivers. Documentation of those components required for initial certification must be verified and kept on file for all school bus drivers each year.

C. The following requirements are minimum requirements for certification of all school bus drivers in Louisiana; however, LEAs may establish additional criteria for driving personnel and/or bus attendants.

1. Drivers must be 21 years of age or older.

2. Initial applicants must undergo a criminal record check, including finger printing, as described in R.S. 17:15 and R.S. 15:587.1

3. All drivers must have a current and acceptable driving record verified by the Department of Public Safety and Corrections, Office of Motor Vehicles as required by R.S. 17:491.1, verified by the LEAs transportation supervisor, and maintained in the driver's permanent record. Additionally, these drivers must report moving violation convictions in accordance with CDL requirements.

a. No driver or applicant shall be employed as a school bus driver if within the past five years, he/she has been convicted of, or has forfeited a bond on, any charge of:

i. DUI, possession, distribution, or use of a controlled dangerous substance, as defined by R.S. 40:963 et seq.;

ii. leaving the scene of an accident involving an injury or fatality; or

iii. any felony involving the use of a motor vehicle.

4. Drivers must have a commercial driver's license (CDL) issued by the state of residence, which includes a Passenger (P) and School Bus (S) endorsement. Airbrake authorization may also be required.

5. Drivers must pass a physical and eye examination meeting current CDL requirements annually. A copy of the examination record must be filed with the LEA transportation office before the beginning of each school year. More extensive and/or more frequent exams may be required by the LEA, Head Start or private employer. All school bus drivers must be certified as having normal use of both hands, both arms, both feet, both legs and must possess normal or corrected vision of 20/40 in both eyes, with a field of vision of at least 150 degrees. They must have corrected or normal hearing, be free of communicable disease and of mental, emotion or functional disorders.

a. After a heart attack or other serious illness, a certificate of health and permission to return to work from a licensed physician must be presented and filed with the transportation office and maintained in the driver's record.

Local school boards may require such certification, as well as all annual physical examinations, to be approved by board-appointed physicians, who also may be required to meet requirements of the Federal Motor Carrier Safety Administration.

6. Drivers must pass initial drug and alcohol screening requirements and United States Department of Transportation-directed random testing, as specified by the Federal Motor Carrier Safety Administration. More stringent requirements may be imposed by individual LEAs and/or private contractors.

7. Initial applicants must complete the following pre-service instruction requirements.

a. Each LEA must provide services for applicants to meet the minimum requirements for certification prior to transporting students on a school bus as outlined in the *Louisiana School Bus Operator Training* manual promulgated by the DOE.

b. Initial applicants must complete the 44-hour pre-service phase of the school bus driver training program which includes 30 hours of pre-service instruction provided by a DOE-certified school bus operator instructor, four hours of vehicle familiarization, and 10 hours of on-the-bus training.

8. Annual or bi-annual in-service training for continued certification of school bus drivers must be conducted by the LEA. School bus drivers, including substitute drivers and activity drivers, must complete eight hours of in-service training within a two-year period. The eight hours of training may be provided in four hour annual in-service training opportunities each year.

D. Documentation of certification of school bus drivers must be maintained by the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 17:492, and 17:493.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:628 (April 1999), amended LR 36:1467 (July 2010), LR 37:2122 (July 2011), LR 38:749 (March 2012), LR 39:80 (January 2013), LR 40:2516 (December 2014).

§305. Bus Attendants (Aides)

A. Bus attendants must be assigned on all school buses as required by the Individualized Educational Plan (IEP). Bus attendants must be physically and emotionally able to assist the bus driver in all activities required to safely transport the student with special needs.

B. LEAs must determine selection criteria for bus attendants. Consideration must be given to annual physical examinations, pre-service and bi-annual in-service training, and transporting students with special needs. The attendant *may* be certified to drive commercially. In the event the attendant is certified to drive commercially, all minimum requirements for school bus drivers must be followed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:629 (April 1999), amended LR 36:1467 (July 2010).

§307. Retaining School Bus Drivers

A. LEAs must enforce the Federal Motor Carrier Safety Act of 1986, Part 383. All school bus drivers must meet the qualifications and guidelines set forth in the Act as follows.

1. School bus drivers shall possess only one valid driver's license issued by their state or jurisdiction of domicile. LEAs shall not knowingly use a driver who has more than one license or whose license is suspended, revoked, or cancelled, or is disqualified from driving. Violation of this requirement may result in civil or criminal penalties.

2. School bus drivers receiving suspension, revocation, cancellation, loss of privilege disqualification and/or right to operate a commercial motor vehicle by any state of jurisdiction, shall notify the school district before the end of the business day following the day the employee received the notice.

3. School bus drivers convicted of violating a state or local motor vehicle traffic law (other than parking violations), in any type of motor vehicle, must notify the LEA within 30 days of conviction.

B. School bus drivers violating Subpart B, License Requirements, and/or Subpart C, Notification Requirements, may be subject to fines and criminal penalties as stated in the Act.

C. The LEA must develop policies that require immediate action when a school bus driver violates any requirements of Part 383 of the Federal Motor Carrier Safety Act regulations.

1. School bus drivers must acknowledge that they understand the requirements of the Act and attest that driving and licensing information is correct.

2. Drivers must complete the Employer Notification Form and submit it to the district office when receiving suspension, revocation, cancellation, loss of privilege, disqualification, and/or right to operate a motor vehicle.

D. Effective January 1, 2011, and thereafter, in accordance with the terms of R.S. 17:491.3 and 3996(B)(24), a school bus operator shall report his arrest for a violation of any law or ordinance that prohibits operating a vehicle while under the influence of alcohol or any abused substance or controlled dangerous substance.

E. The report shall be made by the operator to a person or persons as specified by the governing authority of the school in rules and regulations required by this Section. Such report shall be made within 24 hours of the arrest or prior to the operator next reporting for his work assignment as a school bus operator, whichever time period is shorter. Such report shall be made by the school bus operator regardless of who owns or leases the vehicle being driven by the operator at the time of the offense for which he was arrested and regardless of whether the operator was

performing an official duty or responsibility as a school bus operator at the time of the offense.

F. The required report shall apply to an arrest occurring after December 31, 2010.

1. A school bus operator who fails to comply with the provisions of this Section shall be terminated by the governing authority employing the operator if such operator is serving a probationary term of employment or if the provisions of law relative to probation and tenure of bus operators are not applicable to the operator.

2. A school bus operator employed by a city, parish, or other local public school board who is a regular and permanent employee of the board shall be subject to removal for failure to comply with the provisions of this Section. Written and signed charges alleging such failure shall be brought against the bus operator.

G. The governing authority of each public elementary or secondary school shall adopt rules, regulations, and procedures necessary to administer these provisions. Such rules, regulations, and procedures shall be consistent with these provisions.

H. For the purposes of this Section, *school bus operator* or *school bus driver* means any employee of a city, parish, or other local public school board or other governing authority of a public elementary or secondary school whose duty it is to transport students in any school bus or activity bus to and from a school approved by the state Board of Elementary and Secondary Education or to and from any school-related activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:493

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:642 (April 1999), amended LR 36:1468 (July 2010), LR 37:2122 (July 2011), LR 38:749 (March 2012), LR 39:80 (January 2013).

§309. Tenure and Termination of Bus Drivers

A. Full-time bus drivers who have served the mandatory three-year probationary period and have acquired tenure may be terminated for cause, but only in accordance with the terms of R.S. 17:493. Reasons for dismissal include willful neglect of duty; incompetence; immorality; intoxication while on duty; physical inability to perform duties; failure to keep the school bus in a safe, comfortable and practical operating condition; being a member of or contributing to any group, organization, movement or corporation that is prohibited by law or enjoined from operating in the State of Louisiana.

B. School bus operators starting employment with a school system on July 1, 2012, or thereafter are not eligible for tenure and may be removed from their position as provided by the personnel policy of the employing school board.

C. Additionally, the abolition, discontinuance or consolidation of bus routes may require a reduction in force, or lay-off of one or more bus drivers. The procedure prescribed in R.S. 17:493 must be followed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 17:492, and 17:493.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:630 (April 1999), amended LR 36:1468 (July 2010), LR 39:80 (January 2013).

Chapter 5. Instructional Program for School Bus Drivers

§501. Driver Training Program

A. The application of federal and state minimum safety standards for school buses has been determined to improve the safety of passengers riding school buses within the state. Emphasis in driver training programs has reduced the school bus accident rate in which the school bus driver is at fault. The driver training program must continue to offer a means of educating drivers in safe, economical, and efficient school transportation operations.

B. LEAs, as well as the DOE, shall cooperate in designing and implementing training programs that will continue to develop the driver's potential for safe, accident-free driving.

C. LEAs are authorized to design specific course content for two distinct categories of drivers:

1. full-time and substitute bus drivers who transport students on daily routes to and from school; and
2. activity bus drivers who transport students occasionally to and from school-related activities (athletic events, parades, field trips, etc.).

D. LEAs must ensure that all school bus drivers, including any school board employee who drives a bus on an occasional basis to transport students to and from school activities and any person who is employed by a private entity that has contracted with the school district to provide student transportation services, have attended in-service training not less frequently than once every other school year.

E. Two types of driver training make up the *Louisiana School Bus Operator Training*. Each LEA must provide pre-service and in-service training for drivers.

1. Pre-service training is designed to develop minimum skills in driver applicants.
2. In-service training is designed to improve skills, attitudes and knowledge of all who drive school buses in the state.

F. In order to ensure safe operation from the onset, all driver trainees must complete the 44-hour pre-service phase of the school bus driver training program. Pre-service certification of school bus drivers shall be through successful completion of the Louisiana School Bus Operator Training course conducted by a certified trainer.

G. Under special circumstances some drivers may be exempted from part of the required training. Examples of exemptions are segments of curriculum regarding:

1. student management and discipline procedures for certified teachers;
2. first aid for first aid teachers;
3. vehicle maintenance for school bus mechanics;
4. transporting students with disabilities; and
5. daily loading/unloading procedures for activity bus drivers.

H. Evaluation of Private Provider Curricula. Curricula developed by private providers for training Louisiana school bus drivers must be submitted to the DOE prior to use for training pre-service drivers. The criteria below will be used by reviewers to evaluate curricula submitted to the DOE for consideration.

1. Does the curriculum include training and topics required in Bulletin 119?
2. Does the curriculum incorporate applicable *Louisiana Revised Statutes* and BESE policies and procedures detailed in Bulletin 119 or other sources?
3. Does the curriculum content conflict with *Louisiana Revised Statutes* and BESE policies and procedures detailed in Bulletin 119 or other sources?
4. Does the curriculum content adhere to specifications in R.S. 17:164 or with best practices, as described in the National Congress on School Transportation publication *Specifications and Procedures*?
5. Does the curriculum adhere to applicable federal motor vehicle safety standards for school buses, as promulgated by the National Highway Traffic Safety Administration of the U.S. Department of Transportation?
6. Does the curriculum comply with regulations for drivers of commercial motor vehicles, as promulgated by the Federal Motor Carrier Safety Administration of the U.S. Department of Transportation?
7. Is the curriculum appropriate for new trainees with limited driving experience in operating commercial motor vehicles?
8. Are reproducibles or other training materials available for use as handouts for participants?

I. Training and Certification of Private Providers

1. Private providers who wish to conduct pre-service training of Louisiana school bus drivers must comply with the requirement that all school bus drivers in Louisiana receive pre-service certification by successfully completing the Louisiana school bus operator training course conducted by DOE-certified trainers.

2. The DOE will certify qualified private providers to deliver required training to Louisiana bus drivers, provided the curriculum includes the training topics prescribed by the DOE. Private providers' trainers must attend and complete the DOE instructor program after the provider's curriculum has been evaluated and approved.

J. Drivers who become certified within a year after pre-service training do not have to complete additional in-service training that same school year unless so required by the LEA.

K. Exemptions based on verification of previously completed courses or job-related experiences are approved at the discretion of the LEA.

L. The required 44 hours of pre-service training shall consist of the following three phases and are described in the subsequent Section:

1. classroom instruction (30 hours);
2. vehicle familiarization and operation (behind the wheel) training (4 hours); and
3. on-the-bus training (10 hours).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:630 (April 1999), amended LR 36:1468 (July 2010), LR 37:2122 (July 2011), LR 38:749 (March 2012), LR 42:230 (February 2016).

§503. Pre-service Training

A. Classroom Instruction. The *Louisiana School Bus Operator Training* manual requires a minimum of 30 hours of pre-service instruction.

1. Unless exemptions are authorized in accordance with the preceding section, pre-service classroom instruction must include instruction in the following courses:

- a. First Aid Course (any approved first aid course)—4-8 hours;
- b. Drug/Alcohol Awareness Policy and Testing Procedures—2 hours;
- c. National Safety Council Bus Driver Defensive Driving Course, ("Coaching the School Bus Driver")—6-8 hours;
- d. appropriate units of DOE School Bus Driver Instructional Program—6-8 hours;
- e. Assertive Discipline/Passenger Management—1-2 hours;
- f. Transporting Students with Disabilities—1-2 hours;
- g. applicable federal and state laws and regulations, local ordinances, state and local policies governing school bus transportation—2-4 hours;
- h. state and local reporting procedures—2 hours.

2. Additional classroom instruction may include the following topics:

- a. Drug Abuse Prevention Awareness;
- b. Recognizing and Reporting Child Abuse;
- c. Preventive Maintenance;

d. Commercial Driver's License (CDL) Pre-Test Training;

- e. special activity trip requirements; and
- f. other topics approved by the DOE.

B. Vehicle Familiarization and Operation Training (4 hours)

1. Prior to certification as a school bus driver, applicants must complete a minimum of four hours of vehicle familiarization and operation training (behind-the-wheel).

2. This instruction must be conducted in the type of vehicle(s) the applicant will drive and should cover at least the following operational topics:

- a. pre-trip, enroute, and post-trip inspection procedures;
- b. starting, stopping, and turning procedures;
- c. proper use of school bus signals;
- d. proper backing procedures;
- e. loading and unloading students;
- f. emergency procedures, including emergency evacuation;
- g. procedure at railroad crossings; and
- h. student safety instruction.

C. On-the-Bus Training. Prior to certification as a school bus driver, applicants must complete a minimum of 10 hours of driving a school bus. This phase of the training cycle is designed to introduce the driver to the actual school bus driving task. Additional training on-the-bus training may be required as determined by the supervisor of transportation. Supervised on-the-bus training should include, but need not be limited to, the following:

1. observe regular driver—2 hours;
2. drive empty bus—2 hours;
3. drive loaded bus—6 hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:631 (April 1999), amended LR 36:1469 (July 2010), LR 37:2123 (July 2011).

§505. In-service Training

A. In-service training, which is designed to improve the driver's skills, attitude and knowledge, is a vital part of the total school bus safety effort. To maintain certification, all certified school bus drivers must complete a minimum of eight hours of in-service training within a two-year period; however, annual in-service training is encouraged. (The required eight hours may be divided into two annual four-hour blocks, if so desired by the local transportation supervisor.)

B. Bus driver participation in in-service training sessions is mandatory for the driver to maintain certification. Training

topics should be selected from the following courses based on the needs of the LEA:

1. appropriate units of the Louisiana School Bus Driver Instructional Program;
2. National Safety Council Defensive Driving Course: *Coaching the School Bus Driver*;
3. approved first aid course with emphasis on activities designed to meet school bus drivers' needs;
4. assertive discipline/passenger management training;
5. drug abuse prevention awareness training;
6. transporting students with disabilities;
7. recognizing and reporting child abuse;
8. commercial driver's license (CDL) training;
9. special activity trip requirements; and
10. other topics approved by the DOE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:631 (April 1999), amended LR 36:1469 (July 2010).

§507. Remedial Training

A. School bus drivers may require remedial training if their performance does not meet standards set by state and local policy. Remedial training should be designed to improve specific areas of performance.

B. Additional training by the LEA in all phases of student transportation operations is encouraged.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:631 (April 1999), amended LR 36:1470 (July 2010).

Chapter 7. Vehicle Inspection and Maintenance

§701. Inspection and Maintenance

A. Proper maintenance of student transportation vehicles is vital for a safe, efficient, and economical transportation program. Student transportation vehicles include district owned school buses, independently owned school buses, or other approved vehicles used for transporting students to and from school and school-related activities. Each LEA shall adhere to the following procedures.

1. All student transportation vehicles must be maintained in safe operating condition through a systematic preventive maintenance program.

2. All student transportation vehicles must be inspected during the months of June, July, or August and certified as safe by the appropriate authority prior to the beginning of each school session. Re-inspection or more frequent inspections of vehicles may be made at the discretion of the LEA.

3. All student transportation vehicles must be inspected by an approved Commercial Motor Vehicle Inspection Station during December, January, or February of each school year. Re-inspection or more frequent inspections of vehicles may be made at the discretion of the LEA.

4. Accurate maintenance records must be kept for each school vehicle.

5. Student transportation vehicle drivers must conduct pre-trip inspections before beginning each trip, whether morning, mid-day or afternoon. Inspections must include all items required by the current CDL statutes.

6. Any defects or deficiencies in the areas listed above that may affect the safety of the vehicle's operation or result in its mechanical breakdowns must be reported verbally and in writing to the local transportation office and approval must be granted to continue operation of the vehicle.

7. A pre-trip inspection checklist designed by the LEA must be completed by drivers of all student transportation vehicles and maintained in the vehicle until it is filed with the local transportation office. Included in the pre-trip check should be an inventory of required documents: commercial driver's license, Department of Transportation physical verification, proof of vehicle insurance, copy of vehicle registration, student roster, seating chart, route description and stop locations (for daily routes), emergency telephone numbers, accident report forms, etc.

8. A written report shall be made at the completion of each trip or tour of duty regarding any defect, deficiency, malfunction or questionable performance of a student transportation vehicle.

9. A trip inspection must be conducted after each trip or individual run to check for passengers, equipment, medication, etc., that may have been left on the bus.

10. LEAs shall develop and provide pre-trip and post-trip inspection report forms to all school bus drivers and develop a system for collection and evaluation of the data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 36:1470 (July 2010), LR 37:2123 (July 2011).

Chapter 9. Vehicle Operation

§901. Specific Procedures

A. Specific procedures have been developed to ensure the highest possible degree of safety for school bus drivers and their passengers. All school bus drivers must be focused on safe operation of the vehicle. In addition to state and federal regulations, the school bus operation policies for each LEA must be in compliance with the Highway Safety Program Guideline No. 17, *Pupil Transportation Safety*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 36:1470 (July 2010).

§903. Loading and Unloading**A. Warning Signals**

1. As required in R.S. 32:80 and R.S. 32:318, amber and red flashing warning signals must be used for student loading and unloading. At no other time are these lights to be used.

2. Amber and red Eight-Light Flashing Warning System. For buses equipped with a amber and red eight-light flashing warning system, drivers must activate the amber flashing lights at least 100 feet but not more than 500 feet before coming to a stop. Red flashing warning lights must be activated when the bus is stopped and must continue flashing while children board, alight, and/or cross roadways.

B. Locations

1. It is the bus driver's responsibility to select a safe stopping point within LEA guidelines for students to load and unload from the school bus, even if this requires students to walk a distance.

2. Students shall be loaded or unloaded on a shoulder unless the LEA determines that loading or unloading on a shoulder is less safe for the student. If there is no shoulder or if the shoulder is determined to be less safe, a bus driver may load or unload a student while the bus is in a lane of traffic but only if the bus is in the lane farthest to the right side of the road so that there is not a lane of traffic between the bus and the right-side curb or other edge of the road.

3. A driver shall not load or unload a student in a location on a divided highway such that a student, in order to walk between the bus and his home or school, would be required to cross a roadway of the highway on which traffic is not controlled by the visual signals on the school bus.

4. Buses shall not stop within intersections to pick up or discharge students.

5. The school bus shall not be operated on school grounds except to pick up and discharge students or during student safety instruction exercises, but then only when students are carefully supervised.

C. Operations: Preparing to Safely Load or Unload Students

1. The bus driver must activate stop arms after the bus has stopped and before students are permitted to board or alight from the bus. When traveling on undivided roadways, the Louisiana "School Bus Stop Law" (R.S. 32:80) requires drivers of vehicles meeting or overtaking school buses stopped on a highway for the purpose of loading or unloading students to stop the vehicle not less than 30 feet from the school bus when flashing warning lights and stop arms have been activated and to remain stopped until the signals have been deactivated and the bus has resumed motion. (Bus drivers must deactivate signals before resuming motion.)

2. The bus driver must ascertain that traffic has stopped and only then open the door for entrance or exit of students.

3. The bus driver assumes a position behind the wheel before the first student boards and remains seated until the last student is discharged, except for approved loading and unloading of students with disabilities, emergencies, and securing pre-school students into occupant restraints.

4. Emergency doors shall not be used for routine student loading and unloading.

D. Operations: Safe Loading and Unloading Students

1. As the bus approaches a bus stop for student unloading, all students must remain seated until the bus comes to a complete stop and the bus driver has determined that it is safe for students to walk to the front of the bus and to exit.

2. The bus driver should be especially watchful for clothing, book bags, knapsacks, or other carry-on items that can be caught in the handrail or the bus door, thereby possibly causing student injury. The bus driver should always scan the area around the bus door before placing the bus in motion at bus stops.

3. The bus driver must allow all passengers to reach their respective seats before placing the bus in motion after passengers have boarded the bus.

4. Before crossing to the opposite side of the road, students must walk 10 to 15 feet in front of the bus on the shoulder of the roadway, checking the traffic, and then crossing when it is safe to do so. At no time should students be permitted to cross the road behind the school bus. Students who must walk parallel to the bus should walk approximately 10 feet from the side of the bus where space permits. Where space does not permit such a distance, the bus driver must determine that students are clear of the bus before setting the bus in motion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 32:80, and R.S. 32:318.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 25:2169 (November 1999), LR 36:1470 (July 2010), LR 37:2123 (July 2011), LR 42:231 (February 2016).

§905. Crossing Railroad Tracks**A. Railroad Crossings: Stopping Requirements**

1. The driver of any school bus, with or without students, shall come to a complete stop no closer than 15 feet but within 50 feet of the rail nearest the front of the bus.

2. Drivers making stops for railroad crossings shall observe traffic. Bus speed shall be reduced far enough in advance of the stop to avoid trapping other motorists in panic stops or rear-end collisions with the bus. On multiple lane roadways, the bus should stop in the right lane whenever possible.

3. During wet, stormy, or foggy weather, before placing part of the bus on the tracks, the bus driver must know that the crossing can be made safely. Any use of flares or warning signals must be taken as an additional warning of danger.

4. Turn signal lights may be operated in their hazard mode except when prohibited by state statute or local regulation. Except for hazard lights and brake lights, no other school bus signals will be activated for the railroad crossing.

5. When any school bus must stop for any railroad track at grade, all students must be silent until the crossing is completed.

6. After a train has passed the crossing on multiple tracks, the bus driver shall not drive the bus onto any track until the driver is certain that no other train (possibly hidden by the first train) is approaching on an adjacent track.

B. Railroad Crossings with Traffic Signals: Requirements

1. The driver of a school bus that has stopped at any railroad track or tracks at which any crossing gate or barrier is closed or is being opened or closed, and flashing red lights and/or bells have been activated shall not proceed across such tracks unless by authorization from a law enforcement officer. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

2. At crossings controlled by traffic signals, the bus driver shall obey the traffic signals.

C. Railroad Crossings: Procedures for Crossing

1. When the bus has stopped, the driver shall fully open the service door, listen and look in both directions along the track or tracks for approaching engines, trains or train cars.

2. For improved vision and hearing, the window at the driver's left and the service door should be opened, and all noisy equipment (radios, fans, etc.) should be turned off and should remain turned off until the bus has safely cleared the crossing.

3. If the view of the tracks is obstructed for 1,000 feet or less in either direction, no portion of the bus may be driven onto the tracks until the driver has made certain that no train is approaching. Although railroad signals may indicate the tracks are clear, the driver must develop and use visual and auditory senses to determine whether or not it is safe to proceed.

4. The bus driver must never accept a lack of movement as an indication that the railroad signal is working or is out of order. A bus driver must always consider a railroad grade crossing as conclusive warning of danger and shall not cross the track until the bus driver has determined that no train is approaching.

5. The school bus driver shall always drive across the tracks in an appropriate low gear and not change gears while crossing the tracks.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 32:80, R.S. 32:171, R.S. 32:173.1, and R.S. 32:174.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999),

amended LR 25:2169 (November 1999), LR 36:1471 (July 2010), LR 37:2123 (July 2011).

§907. Intersections, Turns, Driving Speeds, and Interstate Driving

A. Intersections

1. Use only brake lights as signals when coming to a stop.

2. For buses equipped with standard transmissions, place the gearshift in neutral while waiting for the traffic to clear or for the traffic light to change to green.

3. Use the hand ("parking") brake if on a grade to prevent rolling backward or forward.

4. School buses shall not stop within intersections to pick up or to discharge students.

B. Turns

1. Always activate turn signals at least 100 feet before beginning the turning maneuver.

2. Keep the bus as far right as possible for right turns to prevent other vehicles from passing on the right of the bus.

3. For left turns, keep the bus as close to the center line as possible. If two left turn lanes are designated, stay in the outside lane if possible to provide better visibility and a wider turning area.

4. Keep front wheels pointing forward until it is safe to make the turn. This will help to prevent the bus from being knocked into oncoming traffic in the event of a rear-end collision.

C. Driving Speeds

1. School buses must not be driven faster than 55 mph on highways, and no faster than legal speeds on city streets, in school zones, etc.

2. The maximum speed for school buses shall be 35 miles per hour under conditions that require frequent stops to receive and discharge students when the posted speed is 35 miles per hour or greater.

D. Interstate Driving

1. School buses must use the right lane except for passing, for exiting to the left, or for hazardous conditions.

2. At no time shall a school bus be operated in excess of 55 miles per hour, including interstate highway travel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:62.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 25:2169 (November 1999), LR 36:1472 (July 2010), LR 37:3204 (November 2011), LR 42:231 (February 2016).

§909. Use of Cell Phones

A. No person shall engage in a call on a cellular radio telecommunication device while driving a school bus except in emergency situations.

B. A cellular radio telecommunication device is defined as a device capable of sending or receiving telephone communications without an access line for service and which requires the operation to dial numbers manually or by voice recognitions. It does not include citizens band radios.

C. The use of cellular telephones by school bus operators shall be authorized for communication with any of the following regarding an emergency situation:

1. an emergency system response operator, 911 public safety communications dispatcher, or school administrator;
2. a hospital or emergency room;
3. a physician's office or health clinic;
4. an ambulance or fire department rescue service; and
5. a fire department or law enforcement agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:289.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 25:2169 (November 1999), amended LR 36:1472 (July 2010).

§911. Prohibition of Drugs and Weapons

A. School buses are an extension of the school campus and are designated as a drug-free zone.

B. Smoking shall be prohibited on any school bus used for the transportation of children attending any public elementary or secondary school.

C. The ownership, possession, or custody of illegal weapons (carried or concealed) as defined in state law is prohibited on a school bus.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:95, R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 17:240, and R.S. 17:405.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:1472 (July 2010), amended LR 37:2123 (July 2011).

§913. Passengers

A. Passengers must be instructed to remain seated with hands, arms, and heads inside the bus at all times.

B. All standing is prohibited. At no time may a student stand while the bus is in motion.

C. In compliance with R.S. 32:293, it shall be unlawful for anyone responsible for the transportation of children to permit a number of passengers exceeding 100 percent capacity of a bus to be transported at one time. (School bus capacity is determined by the bus body manufacturer.)

D. The LEA must determine the number of students to be transported in a school bus, but the number must not exceed the manufacturer intents. Auxiliary seating accommodations are not permitted.

E. The bus must never be fueled while passengers are on board or while the engine is running.

F. Drivers shall not leave their buses while passengers are on board unless there is an extreme emergency. If an

emergency requires the driver to leave the bus, the engine must be stopped and the ignition key removed by the driver.

G. While the engine is running, the driver shall not leave the bus at any time when passengers are on board. When the bus is empty, the driver should not leave the bus when the engine is running except when inspecting, servicing, or repairing the bus requires the driver to do so. Drivers of buses transporting students with disabilities who must assist in the loading and unloading of passengers in wheel chairs are not considered to have left the bus so long as they remain on or beside the bus to assist with the loading or unloading, itself.

H. Passengers in Type A school buses (buses with a gross weight of 10,000 pounds or less) are required to wear occupant restraints when the vehicle is in motion. Occupant restraints must comply with the requirements of the FMVSS Numbers 208, 209, and 210.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:293.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 25:2169 (November 1999), LR 36:1472 (July 2010)

§915. Miscellaneous

A. Drivers should constantly scan the interior of the bus as well as the areas ahead, to the sides, and to the rear of the bus.

B. Drivers are required to wear seat belts and other safety devices provided by the bus manufacturer at all times while the bus is in motion.

C. The service (entrance) door and the emergency exit door(s) must remain closed at all times while the bus is in motion. School bus aisles must be kept clear and doors and emergency exits must remain unobstructed at all times.

D. Buses must not be backed except in situations where there is no safer alternative. If there is no safe alternative to backing, these warnings should be heeded.

1. Students must be boarded and seated and remain on board the bus when the bus is being backed.

2. The school bus driver must arrange for assistance during backing maneuvers.

E. Headlights shall be turned on whenever it is necessary to use windshield wipers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:281.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:835 (May 1999), amended LR 25:2169 (November 1999), LR 36:1473 (July 2010).

Chapter 11. Emergency Evacuations

§1101. Determining Emergency Evacuations

A. Safety is the key word for school transportation in Louisiana. The most important obligation shared by all persons involved in school transportation is their collective responsibility for the safety of the passengers at all times.

The safety of the passengers must be considered first when evacuating a school bus.

B. Mandatory emergency evacuation procedures as defined by BESE and outlined in the *Louisiana School Bus Operator Training Manual* must be enforced for all emergency evacuations.

C. School bus drivers are responsible for determining when it is safe for students to exit the bus when an emergency occurs. If the bus is not in danger, the decision to exit the bus must be based on the security of the passengers.

D. Decide whether or not to evacuate the bus. Evacuate the bus if any of these conditions exist:

1. presence of fire or toxic fumes;
2. danger of fire;
3. unsafe position of the bus; or
4. hazardous weather conditions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 9:2793, R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:398.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:838 (May 1999), amended LR 36:1473 (July 2010).

§1103. Fire or Danger of Fire Evacuations

□□□he bus should be stopped and evacuated immediately if the engine or any portion of the bus is on fire.

B. Being near an existing fire and unable to move the bus away, or being near the presence of gasoline or other combustible material should be considered as "danger of fire," and students should be evacuated.

C. Students should move to a safe place 100 feet or more from the bus and remain until the driver of the bus has determined that no danger exists.

AUTHORITY NOTE: Promulgated in accordance with R.S. 9:2793, R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:398.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:642 (April 1999), amended LR 36:1473 (July 2010).

§1105. Unsafe Position Evacuations

A. In the event that a bus is stopped due to an accident, mechanical failure, road conditions, or human failure, the driver must determine immediately whether it is safe for students to remain in the bus or evacuate.

B. The driver must evacuate if any of these conditions exist.

1. The final stopping point is in the path of any train or adjacent to any railroad tracks.

2. The stopped position of the bus changes and increases the danger. If, for example, a bus should come to rest near a body of water or near the edge of a cliff, it should be evacuated. The driver should be certain that the evacuation is carried out in a manner that affords maximum safety for the students.

3. The stopped position of the bus is such that there is danger of collision. In normal traffic conditions, the bus should be visible for a distance of 300 or more feet. A position over a hill or around a curve where such visibility does not exist should be considered reason for evacuation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 9:2793, R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:398.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:838 (May 1999), amended LR 36:1473 (July 2010).

Chapter 13. Student Instruction

§1301. Safe Riding Practices

A. Because of the increased number of students being transported and the ever increasing number of accidents on the highways, there is a need to instruct students on safe riding practices and on proper evacuation of a school bus in case of an emergency.

B. It is the responsibility of each LEA to develop policy that requires safe riding practices and proper emergency evacuation instruction for all students. Each LEA must have measures in place to ensure that all students have received intensive classroom instruction. Instruction must include the following:

1. student behavior;
2. identifying individuals who have authority over passengers;
3. loading and unloading procedures;
4. seat assignments;
5. acceptable conduct on the bus, e.g. talking, moving around, and use of windows;
6. keeping the bus clean;
7. care of the bus and its equipment;
8. emergency procedures, including evacuation drills;
9. meeting the bus, waiting for the bus, leaving the area after unloading; and
10. all other applicable local and state rules and regulations.

C. This instruction shall be presented twice each year, at the beginning of each semester. Student instruction information should be coordinated to involve bus drivers, bus attendants, teachers and principals.

D. The designated school administrator shall complete the safe riding practices classroom instruction form (Form T-7) each semester and send the completed form to the transportation office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:95, R.S. 17:223, R.S. 17:240, R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 17:405, and R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:839 (May 1999), amended LR 36:1473 (July 2010), LR 42:231 (February 2016).

§1303. Emergency Exit Drills

A. Students who ride a school bus must be instructed in organized emergency exit procedures. Schools shall organize and conduct, in accordance with the *Louisiana School Bus Operator Training Manual*, emergency drills for all students who may ride school buses.

B. One emergency exit drill shall be held during the first six weeks of each school semester. LEA administrators must provide opportunities at the beginning of each semester for all students riding a school bus to and from school and/or school-related activities to participate in emergency drill exits.

C. The designated school administrator shall complete the emergency evacuation drill verification form (Form T-8) each semester and send the completed form to the transportation office.

D. Three exit drill methods are required.

1. All passengers exit through the service (front) door.
2. All passengers exit through the rear emergency exit.
3. Passengers in the front half of the bus exit through the service door; passengers in the rear half exit through the rear emergency exit.

E. If an additional emergency exit door is installed on the bus, passengers should be taught how to exit through this door. It is not necessary to require exiting through emergency exit windows and roof-top hatches during drills, but evacuation procedures using these exits should be explained to passengers.

F. The following guidelines are given for conducting the emergency exit drills:

1. have a local written policy covering the drills;
2. school officials should schedule drills with drivers;
3. practice drills on school grounds, during school hours, in a safe place, and under supervision of the principal or by persons assigned by the principal to act in a supervisory capacity;
4. time and record each drill;
5. practice exiting the bus through the service (front) door and the emergency rear and/or side door. Instruct students on use of other available emergency exits; and
6. students shall practice going a distance of at least 100 feet from the bus and remain there in a group until further directions are given by the principal or persons assigned by the principal to act in a supervisory capacity. Practice drills must provide instruction for student helpers to assist passengers from the bus. Further direction regarding student helpers is discussed in §1307. Students must be instructed in how and where to get help in emergencies.

G. Important Factors Pertaining to School Bus Evacuation Drills

1. Safety of students is of the utmost importance and must be considered first.

2. All drills should be supervised by the principal or by persons assigned to act in a supervisory capacity.

3. The bus driver is responsible for the safety of the students. In the event of driver incapacitation, see Section 1307.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:632 (April 1999), amended LR 36:1474 (July 2010), LR 37:2123 (July 2011), LR 42:231 (February 2016).

§1305. Verification of Classroom Instruction and Drill Procedures

A. The school principal is responsible for certifying that the passenger instruction and emergency drill procedures have been completed as required.

B. A copy of the *Certification of Passenger Instruction* form and *Emergency Evacuation Drill* form must be verified by the school principal and submitted to the LEA to be maintained in the current transportation files.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:632 (April 1999), amended LR 36:1474 (July 2010), LR 37:2123 (July 2011).

§1307. Student Helpers

A. Student helpers can be valuable assistants in times of emergency, especially if the driver is incapacitated and unable to direct emergency procedures at the scene of an emergency and no trained adult is available to assist. If student helpers are included in the emergency plan, they should be responsible, should be regular riders, and should live near the end of the bus route. Written parental consent should be obtained by the driver before students are designated for this purpose.

B. Designated students should be taught these basic procedures:

1. how to turn off the ignition switch;
2. how to set the parking brake;
3. how to summon help;
4. how to direct emergency exits;
5. how to set emergency reflective markers; and
6. under what conditions they are authorized to take action and what action they are to take.

C. The bus driver should perform all these functions when possible and should use student helpers only to help with orderly evacuations, except when the driver is unable to direct the operation personally.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:839 (May 1999), amended LR 36:1474 (July 2010), LR 37:2123 (July 2011).

Chapter 15. School Bus Routes

§1501. Routes: Authority and Responsibilities

A. The term *route* shall apply to the combined total daily trips (or “runs”) regularly assigned to the bus driver. The statutory authority governing the establishment and continuation of school bus routes in Louisiana is R.S. 17:158 and R.S. 17:497. BESE has been granted the authority under the provisions of R.S. 17:164, et seq., to establish and adopt regulations relating to the operation of school buses in the transportation of students to and from school. These statutes shall be used as a basis in decisions concerning the transportation program in a LEA.

B. The primary responsibility for establishing and continuing school bus routes rests with the LEA. Each LEA has the authority to set additional policies that are not in conflict with state or federal regulations.

C. LEAs are responsible for maintaining safe, efficient, economical school transportation programs by:

1. establishing and continuing only those routes that are needed to assure timely arrivals and departures within the framework of established school hours;

2. designing routes to achieve maximum utilization of buses and the elimination of unnecessary and duplicated mileage; and

3. consolidating and eliminating bus routes when they are no longer needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:497.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:633 (April 1999), amended LR 36:1475 (July 2010), LR 37:2124 (July 2011).

§1503. Determining Bus Routes

A. School bus routes must be designed so they begin at the farthest point from the school or schools served and proceed on the shortest charted course.

B. Exceptions may exist when local school officials determine it is more economical to do otherwise and/or when there are hazardous conditions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:634 (April 1999), amended LR 36:1475 (July 2010).

§1505. Routes: Filling Vacancies

A. When filling school bus route vacancies for LEA-owned school buses, the procedures as outlined in R.S. 17:493.1 must be followed.

1. The opportunity to change from the current assigned route to the vacant route must be offered to tenured school bus operators in the order of seniority.

2. If no tenured operator chooses to change to the vacant route, the route shall be offered to a full-time probationary bus operator.

3. If no tenured or probationary operator chooses to change to the vacant route, a substitute bus operator shall be selected from a list of approved substitute school bus operators.

B. When filling school bus route vacancies for contracted owner-operator school buses, procedures for new owner-operator acquisition of the school bus are stipulated in R.S. 17:493.1.

1. The vacated route shall be offered first to any person meeting the requirements of the LEA who is willing to acquire the bus of the retiring operator.

2. The acquisition of the school bus by the new owner-operator must guarantee that the retiring owner-operator driver received full appraised value for the bus using regularly accepted appraisal methods to determine fair market value.

3. These requirements are applicable only when the bus owned by the retiring operator has been manufactured within a period of five years immediately prior to the operator's retirement and the operator is retiring due to a documented physical disability.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, R.S. 17:493, and R.S. 17:500.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:633 (April 1999), amended LR 36:1475 (July 2010).

Chapter 17. Compensation of School Bus Drivers

§1701. Salary Compensation Based on School Bus Routes

A. The term *route* shall apply to the combined total daily trips (or “runs”) regularly assigned to the bus driver.

B. Bus routes are measured in terms of "one-way mileage." Paid one-way mileage for contract drivers begins when the first child is picked up and ends when the final destination or school is reached.

C. When one-way mileage differs in the afternoon from that of the morning route, the one-way mileage for the morning and afternoon is totaled and divided by two. The result is the average one-way mileage for that particular route.

D. The rate of compensation is determined by the length of the school bus for the first 6 miles, next 6 miles and over 12 miles as specified in R.S. 17:497.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166 and R.S. 17:497.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:633 (April 1999), amended LR 36:1475 (July 2010).

§1703. Salary Compensation: Frozen Mileage

A. Mileage may be frozen at the current rate of compensation for contracted owner-operators of school bus drivers as mandated in R.S. 17:497.

B. Frozen mileage guarantees that the contract owner/operator cannot be penalized by a reduction of compensated mileage (except as may be requested by the owner/operator) for a period of seven years when a new bus is purchased or five years when a used bus not more than five model year old is purchased.

C. If route mileage is increased, operational mileage compensation must be increased accordingly, if route mileage is decreased because of circumstances beyond the control of the owner/operator, operational mileage compensation shall not be reduced below the mileage level indicated on the original School Bus Purchase Form.

D. If a driver requests and is granted less mileage than the frozen mileage, actual mileage shall be compensated.

E. Frozen mileage applies only when the owner/operator makes a purchase of a new or used bus not more than five model years old.

F. The transfer of a bus from spouse to spouse, acquisition as a gift, etc., other than a purchase does not afford frozen mileage to the person who acquires the bus.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:497.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:634 (April 1999), amended LR 36:1475 (July 2010).

§1705. Alternative Transportation Driver Compensation

A. Procedures for reimbursement of drivers in LEA-approved vehicles who transport students with disabilities is further defined in Chapter 21, §2107 and §2109.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:1476 (July 2010).

Chapter 19. Transporting Students

§1901. Transporting Eligible Students

A. In accordance with Louisiana Revised Statute 17:158, each LEA shall provide free transportation for any student who attends a school of suitable grade approved by BESE if the student resides more than one mile from such school, and the school is within the jurisdictional boundaries of the LEA.

1. A city, parish, or other local public school board may provide transportation for any student attending a school of suitable grade approved by the state Board of Elementary and Secondary Education within the jurisdictional boundaries of the local board who resides one mile or less from the school when the school board determines that conditions exist to warrant such transportation. Transportation of students residing one mile or less from their school shall be at no cost to the state.

2. Conditions that exist and warrant transportation of a student who resides one mile or less from the school may include but shall not be limited to the residence location of a person convicted of a sex offense and registered as a sex offender, sexually violent predators, and child predators.

B. The distance shall be determined as extending from the student's driveway or entrance to the nearest public road, to the walking entrance of the school building. (The distance shall be measured by the most direct route and may be along roads and walkways.)

C. No person other than assigned students and authorized persons approved by the local Transportation Supervisor or other authorized school officials are allowed to board the bus.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:634 (April 1999), amended LR 36:1476 (July 2010), LR 38:749 (March 2012).

§1903. Transportation of Students Living Within One Mile of School of Attendance

A. BESE allows the LEA to transport students living within one-mile of the school they attend if there are "exceptional" or hazardous walking situations.

B. The transportation of these students requires special permission from BESE.

1. Approval of requests for the transportation of students living less than one mile from the school they attend will not be granted unless the request for such approval is accompanied by a plan or procedure to eliminate the exceptional conditions (if possible) by providing safe walking areas and conditions.

2. The plan must identify the problem, list proposed solutions, outline procedures to correct the problem, and include the time schedule for completion.

3. When an emergency exists, the state Superintendent of Education may authorize transportation, not to exceed 30 days.

4. The conditions must be reviewed for continued approval. All exceptional conditions shall be reviewed by June 30 of each school year by the local LEA to determine whether corrective actions can be made in order to relieve the need for this transportation.

C. R.S. 17:158(A) allows 15 LEAs to transport within one mile if hazardous conditions exist, but at no cost to the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:497.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:1476 (July 2010), amended LR 37:2124 (July 2011).

§1905. Transportation of Student in Foster Care

A. Each LEA shall establish a policy to ensure that a student who is in foster care pursuant to placement through the Department of Children and Family Services (DCFS) shall be allowed to remain enrolled in the public school in which the student was enrolled at the time he or she entered foster care for the duration of the child's stay in the custody of the state or until he completes the highest grade offered at the school, if DCFS determines that remaining in the school is in the best interest of the student.

B. If the foster care placement is outside the jurisdictional boundaries of the public school in which the student is enrolled, the governing authority of the school shall be responsible for providing free transportation for the student to and from a designated location which is within that school district and is located nearest to the student's residence.

1. The location must be determined to be appropriate by such governing authority and DCFS.

2. DCFS shall be responsible for providing the child's transportation between that location and the child's residence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:238.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:635 (April 1999), amended LR 36:1476 (July 2010), LR 39:80 (January 2013).

§1907. Transportation of Student to a Community and Technical College System

A. In accordance with Revised Statute 17:158(I), each LEA may provide transportation to any full-time student who is 20 years of age or younger and attending a technical college campus, that is part of the Louisiana Community and Technical College System, within the jurisdictional boundaries of the local board.

1. If the closest technical college campus is located outside the jurisdictional boundaries of the local school board, the board may facilitate the transportation or coordinate with neighboring boards to facilitate transportation to the technical college campus.

B. The local public school board where the student resides may assess a fee to each student utilizing the transportation services provided pursuant to this Subsection, not to exceed the actual cost of providing such transportation, including administrative costs.

C. The provisions of this Section shall not apply to:

1. local public school boards in a parish with a population of more than three hundred thousand persons according to the most recent federal decennial census;

2. local public school boards in any parish that operates a parish-wide public transit system that provides sufficient service to meet the transportation needs of students attending technical colleges located in the parish.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:238, and R.S. 17:158(I).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:80 (January 2013).

Chapter 21. Transporting Students with Disabilities

§2101. Transporting Students with Disabilities

A. Public Law 93-112, Section 504, requires "that no individual, solely by reason of his handicap, be excluded from participating in, be denied the benefits of, or be

subjected to discrimination under any program or activity receiving federal financial assistance" and the Individuals with Disabilities Education Act (IDEA) requires a LEA to provide non-academic and extracurricular services and activities in a manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities. The LEA shall provide transportation services to implement any Individualized Educational Plan (IEP) for a student with a disability whose residence falls within the jurisdiction of the LEA, as defined in Bulletin 1706, *Regulations for Implementation of the Children with Exceptionalities Act*. The LEA must incur the cost of providing services and specialized equipment.

B. All students with disabilities (regardless of age) are eligible for free appropriate public education (FAPE). Facilities, services and activities provided to students with disabilities must be comparable with those provided to non-disabled student, and students with these disabilities must have an equal opportunity for participation in any non-academic and extracurricular services and activities provided by an LEA.

C. LEAs must provide transportation services in such a manner to afford students with disabilities an equal opportunity for participation in those services.

D. LEA personnel involved in transporting students must be knowledgeable with the laws and regulations required for transporting students with disabilities.

E. LEA transportation staff must work closely with LEA personnel to ensure that services meet or exceed those required by law and current BESE policies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:635 (April 1999), amended LR 36:1476 (July 2010), LR 37:2124 (July 2011).

§2103. Guidelines for Providing Transportation Service for Students with Disabilities

A. LEAs must comply with IDEA, Section 504, Louisiana Statutes and regulations and policies set forth in the DOE bulletins governing educational services for students with disabilities.

B. LEA transportation staff must develop procedures to minimize conflicts and resolve issues that may arise in transporting students requiring additional services.

C. LEAs must provide school bus service for students with disabilities as indicated in the student's IEP. The IEP may specify "curb-to-curb" or "door-to-door" services. When alternative modes of transportation are required, approval must be granted by the special education supervisor and LEA transportation authority. Alternative arrangements must be stated in the IEP.

1. The term "curb-to-curb" implies that bus drivers and bus attendants are responsible for loading and unloading students at their home bus stops and at school loading/unloading areas. The term "door-to-door" implies that the bus driver and or bus attendant are responsible for

loading and unloading students at that door and at school loading/unloading areas. This related service does not extend to the interior of the student's home.

2. In determining whether to include transportation in a student's IEP, the IEP team must consider how the student's disability affects the student need for transportation. Factors include: the student's ability to move independently, ability to reason and understand potential safety hazards en route to the bus stop as a result of the student's age or disability, nature and condition of the route, availability of public assistance, and access to private assistance.

3. If a student with a disability can use the same transportation as non-disabled students, then transportation is not likely to be a related service and the LEA may make the same transportation provisions for the student with a disability that it does for the general population.

4. Students with disabilities may not have transportation schedules which differ from non-disabled students. Students with disabilities must be transported on a schedule which allows them to receive a full instructional day as documented on the IEP.

5. Certain students may be picked up at a safe bus stop near (e.g., at the corner of) their residences. Alternate arrangements can be made that are mutually agreeable to all parties, but must be handled on an individual basis and indicated in the IEP.

6. Parents must request approval from the school and the school bus driver when the child is going to be picked up or dropped off at a location different from the student's residence. Prior approval from the LEA transportation office is required if the different location results in time conflicts, overloads, or an increase in the driver's mileage. Final approval rests with the LEA.

7. Local procedures must be developed to specify whether bus drivers, bus attendants, classroom teachers, teacher assistants, or other staff is responsible for taking students to and from the school buses at the school site.

D. When attendance at a school outside the student's geographic zone is mutually agreeable and determined to be part of the student's FAPE, the home LEA has the responsibility to provide transportation, if transportation is also related to FAPE. In situations where the student attends an out-of district school based solely on personal preference and the home LEA has offered an opportunity for FAPE, transportation may not be required, even in instances where the student may otherwise qualify for this service.

E. The LEA cannot discharge its obligation to transport a student with a disability who needs transportation as a related service by requiring parents, without their agreement, to provide the transportation themselves and receive mileage reimbursement. However, while the LEA cannot demand this arrangement, it is not unreasonable for the LEA to request such an arrangement.

F. LEAs must ensure that:

1. all school buses used to transport students with disabilities comply with current applicable Louisiana Revised Statutes, Louisiana State Department of Education Standards, and with all other standards as may be established by governing authorities;

2. specialized equipment used to transport students to educational sites complies with all Federal Motor Vehicle Safety Standards (FMVSS), where such standards are applicable;

3. appropriate safety measures are used in the transportation of students with disabilities, especially when extraordinary measures are required;

4. supervision of students is in compliance with LEA policies and the IEP;

5. students being transported spend only a reasonable amount of time on the bus. The locations of the residence and the school facility and the specific needs of the individual student will be determinant factors in length of travel time.

G. It is the responsibility of the LEA to employ and train qualified school bus drivers and substitute drivers as needed to transport eligible special education students. Bus attendants must be trained to assist in transporting students with disabilities when necessary and appropriate as a related service.

1. The need for a bus attendant is a decision of the LEA, unless the requirement is documented on the student's IEP.

2. Providing a bus attendant for any student with a disability shall be considered by the IEP team. This decision should be made on an individual basis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:635 (April 1999), amended LR 36:1477 (July 2010), LR 37:2124 (July 2011).

§2105. Transportation for Summer Programs

A. When the IEP committee recommends an extended year program, the students are entitled to the related transportation service. Summer transportation will follow the same guidelines that are in effect during the school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:635 (April 1999), amended LR 36:1477 (July 2010).

§2107. Transportation of Students with Disabilities by Other than a School Bus

A. LEAs should meet the following requirements in providing transportation for students who cannot be transported by school buses or within the regular established school bus routing system, and must be transported in cars, vans, or other specially equipped vehicles.

1. Transportation routes will be established by the LEA. These routes must be well planned to ensure economy

and efficiency. All existing transportation requirements of the LEA must be considered prior to establishing an additional route.

2. Drivers of vehicles on the special routes will neither be subject to provisions of R.S. 17:496 (minimum salary schedule) nor will they be eligible for tenure.

3. Vehicles used on these special routes (private cars, station wagons, vans, etc.) will be subject to safety inspections and carry the necessary insurance coverage required by the LEA.

4. LEAs will reimburse drivers of vehicles (private cars, station wagons, vans, etc.) approved by the LEA for such purposes at the current state-approved rate for reimbursement of mileage on the basis of miles traveled for one round trip per vehicle for each day of attendance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:636 (April 1999), amended LR 35:645 (April 2009), LR 36:1478 (July 2010), LR 37:2124 (July 2011).

§2109. Transportation of Residential (Boarding) Students

A. The transportation policy for the Special School District and the Board Special Schools shall be established separately by those entities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:636 (April 1999), amended LR 36:1478 (July 2010).

§2111. Removals from Transportation Services

A. Transportation services cannot be terminated for students with disabilities without the approval of the LEA transportation staff and exceptional services staff in consultation with school officials, parents, and school bus driver and must be in accordance with Bulletin 1706 disciplinary provisions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:636 (April 1999), amended LR 36:1478 (July 2010).

Chapter 23. Bus Body Standards for School Buses

§2301. Forward

A. All student transportation vehicles purchased on or after July 1, 1998, shall meet or exceed the requirements herein. The appropriate sections of these specifications apply to all school buses for student transportation in Louisiana which are purchased, owned, or operated by a LEA and to all school buses leased or contracted to a LEA by private owners for the transportation of students to and from school and all school-related activities.

B. Any part of these specifications may be changed at any time by addenda adopted by BESE in accordance with the Administrative Procedures Act. Changes will be made to comply with changing FMVSS or statutes of the Louisiana Legislature.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:643 (April 1999), amended LR 36:1478 (July 2010).

§2303. Federal Motor Vehicle Safety Standards (FMVSS)

A. All school buses shall meet or exceed the minimum requirements of all applicable FMVSS as found in 49 CFR 571.

B. All school buses shall be equipped as required by applicable FMVSS.

C. In addition to FMVSS regulations, school buses used to transport students to and from school and school-related activities must meet the school bus body, chassis or equipment that meet the latest revised minimum standards for school buses adopted and recommended by the National Conference on School Transportation, sponsored by the National Council of Chief State School Officers, the American Association of School Administrators, NEA, the Department of Rural Education, and the U.S. Office of Education. Copies of the current National Congress on School Transportation Specifications and Procedures can be obtained through the website: www.ncstonline.org.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:643 (April 1999), amended LR 36:1478 (July 2010), LR 37:2124 (July 2011), LR 40:2517 (December 2014).

§2305. Definitions and Descriptions of School Bus Types

A. School buses must meet both federal and state definitions.

1. Federal Definition. *School Bus*—a passenger motor vehicle designed to carry a driver and more than 10 passengers, which the Secretary of Transportation decides is likely to be used significantly to transport preprimary, primary, and secondary students to or from school or an event related to school.

2. State Definition *School Bus*—every motor vehicle that complies with the color, equipment, and identification requirements required by law and is used to transport children to and from school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children.

B. School Bus Types

1. *Type A*—school bus is a conversion or bus constructed utilizing a cutaway front-section vehicle with a left side driver's door. This definition includes two classifications: Type A-1, with a Gross Vehicle Weight Rating (GVWR) of 14,500 pounds or less; and Type A-2,

with a GVWR greater than 14,500 and less than or equal to 21,500 pounds.

2. *Type B*—school bus is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: Type B-1, with a GVWR of 10,000 pounds or less; and Type B-2, with a GVWR greater than 10,000 pounds.

3. *Type C*—school bus is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels; also known as a *conventional school bus*. This type also includes cutaway truck chassis or truck chassis with cab with or without a left side door and a GVWR greater than 21,500 pounds.

4. *Type D*—school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels; also known as *rear* or *front engine transit style school buses*.

5. *Specially Equipped*—a school bus designed, equipped, or modified to accommodate students with special needs.

C. No vehicle with rated capacity of more than 10 passengers shall be classified as a school bus and thereby used to transport students to and from school and school-related activities unless said vehicle originally was manufactured and certified as a school bus and maintained the certification as a school bus all in accordance with federal and state requirements throughout the life of the vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 36:1478 (July 2010), LR 37:2125 (July 2011).

Chapter 25. Purchase, Sale, Lease, and Repair of School Buses

§2501. Responsibility of Dealers and Manufacturers

A. The responsibility of compliance with school bus specifications rests with the vendors, manufacturers and purchasers of school buses.

B. If any vendor or manufacturer sells school transportation equipment that does not conform to all these and all other applicable state and federal specifications, the vendor shall be required to make necessary conversions to bring the vehicle into compliance. All cost related to such alteration shall be borne by the vendor.

C. LEAs shall have the option of imposing additional specifications that exceed state and federal standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 36:1479 (July 2010), LR 38:750 (March 2012).

§2503. Purchase of School Buses

A. All school bus vendors shall certify to the purchaser (LEA, contract, or individual), upon delivery that the school bus(es) sold for use by Louisiana school systems meet or exceed all standards specified herein and comply with the applicable FMVSS set forth by the United States Department of Transportation.

B. LEAs are authorized to voluntarily pool bids for school bus purchases for economical acquisition of school buses and related equipment and supplies.

C. It is mandatory that the seller of any new or used school bus shall complete a school bus purchase form verifying that the purchased vehicle meets all state and federal school bus specifications applicable at the time of manufacture.

D. LEAs must keep current records of purchases of school buses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 17:494.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 36:1479 (July 2010), LR 37:2125 (July 2011), LR 40:2517 (December 2014).

§2505. Sale of School Buses

A. LEAs are authorized to purchase school buses and to resell such buses to any school bus operator employed by the LEA or with whom the LEA has contracted to provide transportation services for students.

B. The bus shall be used by the operator to transport students on the operator's assigned bus route. All mandates of Louisiana statutes must be met prior to the sale.

C. LEAs must keep current records of sales of school buses. Information shall be provided to the DOE upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 36:1479 (July 2010), repromulgated LR 37:2125 (July 2011).

§2507. Lease of School Buses

A. LEAs may lease a school bus owned by any school bus operator employed by the LEA or with whom the LEA has contracted to provide transportation services for students from the school bus operator or by a business who is authorized by the state of Louisiana to sell, lease or operate school buses in the state.

B. The school bus shall be used by the operator to transport students on the operator's assigned bus route, or the school bus may be used by the school district to transport students on an assigned bus route and/or for activity trips.

C. Lease agreements must follow state regulations as described in R.S. 17:158 and R.S. 17:158.7.

D. Lease agreements must specify that every bus included in the lease have been inspected and certified to

meet all applicable standard and statutory requirements as enumerated or otherwise referenced in this document.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:1479 (July 2010), amended LR 38:750 (March 2012).

§2509. Used School Buses

A. Any used school bus purchased for use in Louisiana by or for a school system shall meet current legal requirements of the *Louisiana Revised Statutes* for motor vehicles and shall meet Louisiana specifications for school buses that were in effect on the date the vehicle was manufactured. No vehicle with rated capacity of more than 10 passengers shall be classified as a school bus and thereby used to transport students to and from school and school-related activities unless said vehicle originally was manufactured and certified as a school bus and maintained the certification as a school bus all in accordance with federal and state requirements throughout the life of the vehicle.

B. All replacement school buses used on daily routes, at the time they are acquired by the owner, must be 10 or less model years old for all owners/operators and school districts. The number of years shall be reckoned from the date of the model year (see *Calculating the Age of School Buses*, §3103).

C. Any school bus used as an activity or backup bus, at the time it is acquired by the owner and placed in service, shall be 15 or fewer model years old. The number of years shall be reckoned from the date of the model year (see §3103, *Calculating the Age of School Buses*).

D. Any school bus used as an activity or backup bus that is older than 15 model years shall not be used more than 60 consecutive school days in a school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 26:639 (April 2000), LR 27:187 (February 2001), LR 36:1479 (July 2010), LR 37:3204 (November 2011), LR 40:1320 (July 2014), LR 40:2517 (December 2014).

§2511. Life of a School Bus

A. School buses shall not exceed the age of 25 model years (see *Calculating the Age of School Buses*, §3103). LEAs must be in compliance with this standard by January 2011.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:1480 (July 2010), amended LR 40:2517 (December 2014).

§2513. Insurance for School Buses

A. LEAs have the authority to enter into and consummate contracts for insurance covering loss of life or personal injury of the children while being transported to and from school and school related activities.

B. Insurance for District-Owned School Buses. All premiums for all insurance policies of public liability and property damage insurance applying to and covering school buses owned by LEAs shall be the obligation of and payable by, the board owning such buses.

C. LEAs are not prevented from paying the premiums for public liability and property damage insurance covering and applying to privately owned buses used for transportation of students on behalf of the LEA.

D. Insurance for Contracted Services. State law authorizes LEAs contracting for the use of privately owned school buses to procure contracts on a fleet or group basis for the owners who are insuring the vehicles.

E. The amounts required or to be required during each year to make the premium payments may be withheld from compensation due the owners in equal monthly installments.

F. Contracts must in compliance with state law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:159, R.S. 32:601, R.S. 32:604, and R.S. 45:162.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:1480 (July 2010).

§2515. Repair of School Buses

A. Any repairs or alterations to any bus that fall under the guidelines of this bulletin shall be made in accordance with all specifications contained herein and all applicable FMVSS.

B. At the time of purchase, the seller of any school bus must disclose to the purchaser, which components of the vehicle are subject to a manufacturer's or distributor's warranty agreement.

C. School bus warranty repair work shall be performed by repair facilities authorized by the manufacturer or distributor.

D. Manufacturers of school buses licensed by the Louisiana Motor Vehicle Commission are authorized to provide warranty and other repair or maintenance services to be performed at any location of a licensed motor vehicle dealer which holds a franchise from any affiliate or subsidiary of the school bus manufacturer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166, and R.S. 32:1261.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 36:1480 (July 2010), LR 37:2125 (July 2011).

§2517. Sanctions

A. Any school bus that does not meet the minimum specifications set forth in this bulletin must not be used until such time that the bus is in compliance with the rules of this bulletin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:644 (April 1999), amended LR 36:1480 (July 2010).

Chapter 27. Evaluation of the Student Transportation System

§2701. Criteria

A. Each LEA should have a plan for annually evaluating its student transportation operation. There are several criteria which can be applied to obtain some estimates of the operation's effectiveness. These criteria relate to such factors as safety, efficiency and economy.

B. Safety criteria should include, but is not limited to:

1. injuries to students, the driver and other highway users;
2. frequency and severity of property damage accidents in which buses are involved;
3. frequency and severity of moving traffic violations for which drivers are cited;
4. frequency and nature of complaints from parents, the motoring public, school administrators and students;
5. frequency and nature of vehicle breakdowns, road failures and other emergency situations involving buses; and
6. hazardous situations on bus routes.

C. Efficiency and economy criteria includes, but is not limited to:

1. bus route operation within the framework of established school hours;
2. minimizing the actual time students are on the bus;
3. routes designed to achieve maximum utilization (i.e., full capacity within reason), and elimination of unnecessary mileage and duplication; and
4. annual review of all routes and routing procedures, including stop-times.

D. The LEA school transportation evaluation program must provide for periodic evaluation of progress along predetermined time schedules and a point-by-point comparison of the system's present program with state policies and standards to identify deficiencies

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:633 (April 1999), amended LR 36:1480 (July 2010), LR 37:2125 (July 2011).

Chapter 29. Records and Reporting Procedures

§2901. Records and Reporting Procedures

A. School Bus Driver Records. Files on all school bus drivers, including substitutes and activity drivers, must be maintained by the LEA. The following documents must be included in these records:

1. driver data;

2. vehicle accident/incident records, including Employee Notification Forms;
3. complaints;
4. liability insurance policy verification for contract drivers;
5. documentation of completion of bus driver's training courses (pre-service and in-service); and
6. medical examination reports.

B. School Bus Records. Files on all school buses must be maintained by the LEA. The following documents must be included in these records:

1. vehicle data; and
2. vehicle inspection and maintenance records.

C. School Bus Route Records. Files on all school bus routes must be maintained by the LEA. The following information and maps must be included in these records:

1. description of each driver's route;
2. location of driver's home or point of departure;
3. beginning point, individual stops, and final destinations of each route or daily trip or daily runs; and
4. school or schools being served.

D. Financial Data. The DOE and BESE shall develop procedures and forms for LEAs to report transportation data and for receiving state funding for transportation. Cost and expenditure data for student transportation facilities, equipment, and staff must be maintained. LEAs will be required to provide any or all of the following information to the DOE:

1. an annual report of publicly and privately owned buses, including:
 - a. names of drivers;
 - b. vehicle data;
 - c. number of daily trips;
 - d. number of students;
 - e. number of daily miles; and
 - f. costs;
2. reporting forms or formats for electronic transmission of data will be provided by the Department of Education;
3. frozen mileage reports that indicate the route mileage approved by the LEA authority at the time the school bus is placed into service. Use of the School Bus Purchase Form is required;
4. records of all school buses bought and sold to public school bus drivers and/or LEAs must be maintained by the LEA.

E. School Bus Maintenance Records. Accurate maintenance records must be kept for all school buses, including those of contract drivers.

F. Certification of Passenger Instruction. Documentation and verification of Passenger Instruction must be maintained by the LEA.

G. School Bus Student Behavior Report. All school bus drivers are required to report student behavior problems on the school bus. All LEAs must make the School Bus Behavior Report available to all school bus drivers. Drivers must use the official Student Behavior Report Form to report inappropriate student behavior while on the school bus.

H. School Bus Accident Information. Statistical data and reports on all bus-related accidents must be maintained by the local transportation supervisor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:633 (April 1999), amended LR 36:1480 (July 2010), LR 37:2125 (July 2011).

§2903. Uniform School Bus Accident Reporting Procedures

A. All school bus accidents, no matter how minor, shall be reported by the bus driver to the local supervisor of transportation, who shall ensure that all appropriate reporting procedures are followed. This reporting requirement applies to students who are injured while on board the bus, even if the bus is not in a collision or a near-collision. (Such accidents are called "on-board" accidents.) It applies whether or not bus passengers are injured or the bus is damaged as a result of the accident.

B. The Uniform School Bus Accident Report form shall be completed whether passengers are on board or not if the accident involves property damage, personal injury or fatality to:

1. occupants in the bus (driver, students, other passengers);
2. occupants of any other vehicle(s) involved in the accident; and
3. non-occupants of the school bus or other vehicle (e.g., student in the loading/unloading zone, pedestrian, bystander).

C. The school bus driver shall complete the form and submit it to the appropriate LEA authority for additional procedures. A written report of each accident must be maintained in the LEA. A written report of each accident shall be available upon request by the DOE or other reporting agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:847 (May 1999), amended LR 36:1481 (July 2010), LR 37:2126 (July 2011).

Chapter 31. Glossary of Definitions

§3101. Definitions

Accident—any incident in which a school bus is involved that results in death, personal injury, and/or property damage, regardless of who was responsible. This applies whether the school bus was in motion, temporarily stopped, parked, being loaded, or unloaded and on public or private property.

Accident Reporting Form—form used to report the occurrence of any incident which involves death, personal injury and/or property damage regardless of who was responsible. This applies whether the school bus was in motion, temporarily stopped parked, being loaded, or unloaded and on public or private property. Use of the form promotes the compilation of accurate, uniform, and reliable information about school bus accidents so that problems and trends can be identified and effective safety programs can be developed.

Activity Bus Driver—a person meeting all licensing requirements and local, state and federal regulations to operate a vehicle used to transport students to and from school-related activities or on "as-needed" basis for the LEA.

Alternately Flashing Signal Lamps—a system of red and amber signal lamps mounted horizontally both front and rear, intended to identify a vehicle as a school bus and to inform other users of the highway that the bus is about to stop or is stopped to load or unload children.

Attendant (Aide)—a person assigned to assist one or more individual student(s) on a school bus or school vehicle.

BESE—Board of Elementary and Secondary Education.

Body Fluids Cleanup Kit—package of materials including, but not limited to, latex gloves, disposal bag, and absorbent material, used to clean up spills of potentially infected bodily fluids, under OSHA's Bloodborne Pathogens regulations and Universal Precautions practice.

Cancellation—a driver's license is annulled because of some error or defect or because the licensee is no longer entitled to such license, but the cancellation of a license is without prejudice and application for a new license may be made at any time after such cancellation.

CFR—Code of Federal Regulations.

Commercial Driver's License (CDL)—the license required to operate a commercial motor vehicle.

Commercial Motor Vehicle—a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle meets one of the following requirements:

1. has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than ten thousand pounds;

2. has a gross vehicle weight rating of twenty-six thousand one or more pounds;

3. is designed to transport sixteen or more passengers, including the driver.

Controlled-Access Highway—every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

Convicted or Conviction—includes the entry of a plea of guilty or nolo contendere to a felony offense.

Criminal Record Check—the investigation of a person's criminal history through submission of fingerprints to state and/or federal authorities; also known as background check.

Crossing Control Arm—a device attached to the front bumper of a school bus that is activated during loading and unloading and designed to force the students to walk far enough away from the front of the bus to be seen by the driver.

Cross-Walk—

1. part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edges of the traversable roadway;

2. any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Dealer—any person who is engaged in the sale and distribution of new motor vehicles or motor vehicle equipment.

DOE—Department of Education.

Divided Highway—any highway divided into roadways by a median, physical barrier, or clearly indicated dividing section so constructed as to impede vehicular traffic.

Driver—every person who drives or is in actual physical control of a vehicle.

Driver's License or License—any license secured from the Department of Public Safety and Corrections, Office of Motor Vehicles, in accordance with this Chapter to operate a motor vehicle on the highways of this state.

Emergency Evacuation Drill Verification Form (Form T-8)—form used to verify that emergency drill procedures have been taught to passengers and emergency drills were conducted. The form must be completed at the beginning of each semester and submitted to the district transportation office.

Employee Notification Form—form used by a school bus driver to report his/her non-compliance with provisions of the Commercial Motor Vehicle Safety Act of 1986.

Federal Motor Vehicle Safety Standards (FMVSS)—49 CFR 571, the regulations to which manufacturers of motor vehicles and equipment items must conform and certify

compliance. These federal safety standards are regulations written in terms of minimum safety performance requirements.

Gross Weight—the weight of a vehicle and/or combination of vehicles without load on all axles including the steering axle plus the weight of any load thereon.

Highway—the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular travel, including bridges, causeways, tunnels and ferries; synonymous with the word "street".

Intersection—

1. the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict;

2. where a highway includes two highways thirty feet or more apart, then every crossing of each highway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two highways thirty feet or more apart, then every crossing of two highways of such highways shall be regarded as a separate intersection;

3. the junction of an alley with a street or highway shall not constitute an intersection.

Interstate Highway—a fully controlled access highway which is a part of the National System of Interstate and Defense Highways.

Laned Roadway or Highway—a roadway or highway which is divided into two or more clearly marked lanes for vehicular traffic.

Length—the total longitudinal dimension of a single vehicle, a trailer, or a semi-trailer. Length of a trailer or semi-trailer is measured from the front of the cargo-carrying unit to its rear and includes load-holding devices thereon.

Load—a weight or quantity of anything resting upon something else regarded as its support.

Loading Zone—any area where students are boarding or leaving a school bus.

Manufacturer—any person engaged in the manufacturing or assembling of motor vehicles or items of motor vehicle equipment, including any person importing motor vehicle equipment for resale.

Motor Carrier—any person owning, controlling, managing, operating, or causing to be used or operated any commercial motor vehicle used in the transportation of persons or property over the public highways of this state.

Motor Vehicle—every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, but excluding a motorized bicycle. *Motor vehicle* shall also include a "low-speed vehicle" which is a four-wheeled,

electric-powered vehicle with a maximum speed of not less than twenty miles per hour but not more than twenty-five miles per hour and is equipped with the minimum motor vehicle equipment appropriate for vehicle safety as required in 49 CFR 571.500.

Multiple-Lane Highway—any highway with two or more clearly marked lanes for traffic in each direction.

NHTSA (National Highway Traffic Safety Administration)—the agency of the Executive branch of the United States Department of Transportation charged with writing and enforcing safety, theft resistance, and fuel economy standards for motor vehicles.

Operator—any person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Owner—a person who holds a legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale, lease, or transfer of possession thereof with the right of purchase upon the performance of the conditions stated in the agreement, with the right of immediate possession in the vendee, lessee, or possessor.

Park or Parking—the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Parking Area—an area used by the public as a means of access to and egress from, and for the free parking of motor vehicles by patrons of a shopping center, business, factory, hospital, institution, or similar building or location.

Pedestrian—any person afoot.

Power Lift—a mechanized platform designed to provide access to a vehicle for an occupied mobility aid/wheelchair; also known as a wheelchair lift.

Private Road or Driveway—every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Railroad—a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

Railroad Crossing—the intersection of a highway, street or roadway and railroad tracks.

Railroad Sign or Signal—any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Residence District—the territory contiguous to a highway not comprising a business district, when the frontage on such a highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

Revocation—the driver's license to drive a motor vehicle on the highways is terminated and shall not be renewed, except that an application for a new license may be

presented and acted upon by the Department of Public Safety and Corrections, Office of Motor Vehicles, after the expiration of at least one year after revocation.

Right of Way—the privilege of the immediate use of the highway.

Roadway—that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of the berm or shoulder. A divided highway has two or more roadways.

Route—the term shall apply to the combined total daily trips regularly assigned to the bus driver.

Safe Riding Practices Classroom Instruction Form (Form T-7)—form used to verify that all students in a school have received instruction on safe school bus riding practices.

Safety Zone—the area or space officially set apart within a highway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

School Bus—

1. Federal Definition. *School Bus*—passenger motor vehicle designed to carry a driver and more than 10 passengers, which the Secretary of Transportation decides is likely to be used significantly to transport preprimary, primary, and secondary students to or from school or an event related to school;

2. State Definition. *School Bus*—every motor vehicle that complies with the color, equipment, and identification requirements required by law and is used to transport children to and from school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children.

a. Type “A” school bus is a conversion or bus constructed utilizing a cutaway front-section vehicle with a left side driver’s door. This definition includes two classifications: Type A-1, with a Gross Vehicle Weight Rating (GVWR) of 14,500 pounds or less; and Type A-2, with a GVWR greater than 14,500 and less than or equal to 21,500 pounds.

b. Type “B” school bus is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: Type B-1, with a GVWR of 10,000 pounds or less; and Type B-2, with a GVWR greater than 10,000 pounds.

c. Type “C” school bus is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels; also known as a conventional school bus. This type also includes cutaway truck chassis or truck chassis with cab with or without a left side door and a GVWR greater than 21,500 pounds.

d. Type “D” school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels; also known as rear or front engine transit style school buses.

e. Specially equipped school bus is designed, equipped, or modified to accommodate students with special needs.

School Bus Behavior Report Form—form used to inform parents/guardians of behavioral incidents on the school bus and subsequent disciplinary action taken by school officials. The form requires signature of the principal and allows for comment from the student and/or parent/guardian

School Bus Driver—the employee or contracted individual hired to operate a school bus over designated routes within an established time schedule, to transport students to and from school or school-related activities, perform daily inspections of a school bus and equipment; to fulfill requirements set by the LEA.

School Bus Operator Certification Program—the school bus driver certification program developed by the DOE and mandated by state law for all school bus drivers to be eligible to transport students to and from school or school-related activities.

School Bus Purchase Form (Form T-10)—form to be completed by the seller of any new or used school bus to verify the vehicle meets all Federal Motor Vehicles Safety Standards (FMVSS) and requirements set forth by the Louisiana Board of Elementary and Secondary Education.

Seat Belt—the manual restraint system installed by the manufacturer as required by Federal Motor Vehicle Standard No. 208 which became effective January 1, 1968.

Shoulder—the portion of the highway contiguous with the roadway for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface.

Sidewalk—that portion of a highway between the curb lines, or the lateral lines of a highway, and the adjacent property lines, intended for the use of pedestrians.

Specially Equipped School Bus—any school bus designed, equipped, or modified to accommodate students with disabilities.

Special Route—a route established for students with disabilities who cannot be transported by school buses or within the regular established school bus routing system, and must be transported in non-school buses that meet appropriate federal, state and special equipment requirements.

Stand or Standing—the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

State Maintained Highway—any highway in this state which is contained in the state highway system as defined by law or which is maintained by the Department of Transportation and Development.

Stop—the complete cessation from movement.

Street—the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular

travel, including bridges, causeways, tunnels, and ferries; synonymous with the word "highway".

Student and Family Verification Form—form used to verify that parents/guardians have read and reviewed with their child the rules and regulations for students riding buses. The form requires signatures of parent/guardian and student. The completed form is made part of the student's permanent record.

Suspension—the driver's license to drive a motor vehicle on the highways is temporarily withdrawn during the period of such suspension.

Tenured School Bus Driver—a full-time driver who has successfully completed the three-year probationary period prior to July 1, 2012.

Through Highway—every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right of way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this Chapter.

Traffic—pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

Traffic Control Device—all signs, signals, markings, and devices, not inconsistent with this Chapter, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

Traffic Control Signal—a type of highway traffic signal, manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Transportation Vehicle—include LEA owned school buses, independently owned school buses, or other approved vehicles used for transporting passengers to and from school and school-related activities.

Trip—that segment of a route in which passengers are picked up at the home bus stop and all passengers are discharged at the school destination, or visa versa.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, and R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:641 (April 1999), amended LR 36:1481 (July 2010), LR 37:2126 (July 2011), LR 39:81 (January 2013).

§3103. Calculating the Age of the School Bus

A. Calculating the age of the school bus is to be made by excluding the calendar year and counting the preceding year as the first year and proceeding to count backwards.

B. For example, in 2009, a 2009 model would be zero years old. A 2004 model year school bus would be five years old.

C. The following chart serves as a guide.

EDUCATION

Model Year	Calendar Years							
	2009	2010	2011	2012	2013	2014	2015	2016
2016								◆
2015							◆	1
2014						◆	1	2
2013					◆	1	2	3
2012				◆	1	2	3	4
2011			◆	1	2	3	4	5
2010		◆	1	2	3	4	5	6
2009	◆	1	2	3	4	5	6	7
2008	1	2	3	4	5	6	7	8
2007	2	3	4	5	6	7	8	9
2006	3	4	5	6	7	8	9	10
2005	4	5	6	7	8	9	10	11
2004	5	6	7	8	9	10	11	12
2003	6	7	8	9	10	11	12	13
2002	7	8	9	10	11	12	13	14
2001	8	9	10	11	12	13	14	15
2000	9	10	11	12	13	14	15	16
1999	10	11	12	13	14	15	16	17
1998	11	12	13	14	15	16	17	18
1997	12	13	14	15	16	17	18	19
1996	13	14	15	16	17	18	19	20
1995	14	15	16	17	18	19	20	21
1994	15	16	17	18	19	20	21	22
1993	16	17	18	19	20	21	22	23
1992	17	18	19	20	21	22	23	24
1991	18	19	20	21	22	23	24	25
1990	19	20	21	22	23	24	25	26
1989	20	21	22	23	24	25	26	27
1988	21	22	23	24	25	26	27	28
1987	22	23	24	25	26	27	28	29

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158, R.S. 17:160-161, R.S. 17:164-166.

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