

From: Barwick, James M
To: Adams, Marcia S <Marcia.Adams@SCDMV.net>
CC: Phelps, Annie L <Annie.Phelps@scdmv.net>
Hutto, Cindy L <Cindy.Hutto@SCDMV.net>
Date: 7/6/2005 12:01:29 PM
Subject: FW: School Bus Endorsement

-----Original Message-----

From: Findlay, David
Sent: Wednesday, July 06, 2005 8:04 AM
To: Barwick, James M
Subject: FW: School Bus Endorsement

-----Original Message-----

From: Burch, Louis [mailto:louis.burch@fmcsa.dot.gov]
Sent: Tuesday, July 05, 2005 6:04 PM
To: James.Barwick@SCDMV.net
Cc: William.Kurts@SCDMV.net; Melanie.Collins@SCDMV.net; Deanna.Rollins@SCDMV.net; Sally.Trumble@scdmv.net; David.Findlay@scdmv.net; Morrison, Kevin
Subject: FW: School Bus Endorsement

[Here you go, James.](#)

-----Original Message-----

From: Redmond, Robert
Sent: Tuesday, July 05, 2005 6:01 PM
To: Burch, Louis
Subject: RE: School Bus Endorsement

Lou,

The answer to both questions would be no because the definition of "School Bus" in 383.5 only refers to transportation to and from school and to and from school sponsored events. For the purpose of determining whether the driver needs the school bus endorsement, a day care center driver is not operating a school bus.

Robert (Bob)Redmond
Senior Transportation Specialist
CDL Program
Federal Motor Carrier Safety Administration
e-mail: robert.redmond@fmcsa.dot.gov
(202) 366-5014 (Fax) 366-7908

-----Original Message-----

From: Burch, Louis
Sent: Tuesday, July 05, 2005 5:53 PM
To: Redmond, Robert
Subject: FW: School Bus Endorsement

Hi, Bob

Can you field this one for me?

Thanks!

-----Original Message-----

From: James.Barwick@SCDMV.net [mailto:James.Barwick@SCDMV.net]

Sent: Tuesday, June 28, 2005 1:03 PM

To: Burch, Louis; David.Findlay@scdmv.net

Cc: William.Kurts@SCDMV.net; Melanie.Collins@SCDMV.net; Deanna.Rollins@SCDMV.net; Sally.Trumble@scdmv.net; David.Findlay@scdmv.net

Subject: School Bus Endorsement

Lou,

The definition below references the "School Bus" endorsement that came from MCSIA. I am seeking guidance in determining required compliance to the "S" endorsement definition for School buses.

Question:1

If a Daycare has a van that is compliant with Jacob's Law and also is designed to transport 16 or more people a CDL license is required. This would require the operator to hold at a minimum a Class C commercial driver's license with the appropriate "P" passenger endorsement. **Is the operator required to have the new federal "S" endorsement if the daycare picks-up kids from school and transports them to the daycare or to after school activities as part of the services provided by the daycare?**

Question 2:

A daycare who is only a daycare provider and is not established as a school / licensed as a school , who carries kids to and from activities away from the daycare facility required to have the "S" endorsement?

[Regulations](#)

§ 390.5 Definitions. School bus means a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary determines is likely to be significantly used for the purpose of transporting preprimary, primary, or secondary school students to such schools from home or from such schools to home.

383.123 Requirements for a school bus endorsement.

[Related Links](#)

(a) An applicant for a school bus endorsement must satisfy the following three requirements:

- [Regulatory Guidance](#)
- [Regulations](#)

(a)(1) Qualify for passenger vehicle endorsement. Pass the knowledge and skills test for obtaining a passenger vehicle endorsement.

(a)(2) Knowledge test. Must have knowledge covering at least the following three topics:

(a)(2)(i) Loading and unloading children, including the safe operation of stop signal devices, external mirror systems, flashing lights and other warning and passenger safety devices required for school buses by State or Federal law or regulation.

(a)(2)(ii) Emergency exits and procedures for safely evacuating passengers in an emergency.

(a)(2)(iii) [State and Federal laws and regulations related to safely traversing highway rail grade crossings.](#)

(a)(3) Skills test. Must take a driving skills test in a school bus of the same vehicle group (see [383.91\(a\)](#)) as the school bus applicant will drive.

(b) *Substitute for driving skills test.*

(b)(1) At the discretion of a State, the driving skills test required in paragraph (a)(3) of this section may be waived for an applicant who is currently licensed, has experience driving a school bus, has a good driving record, and meets the conditions set forth in paragraph (b)(2) of this section.

(b)(2) An applicant must certify and the State must verify that, during the two-year period immediately prior to applying for the school bus endorsement, the applicant:

(b)(2)(i) Held a valid CDL with a passenger vehicle endorsement to operate a school bus representative of the group he or she will be driving;

(b)(2)(ii) Has not had his or her driver's license or CDL suspended, revoked or canceled or been disqualified from operating a CMV;

(b)(2)(iii) Has not been convicted of any of the disqualifying offenses in [383.51\(b\)](#) while operating a CMV or of any offense in a non-CMV that would be disqualifying under [383.51\(b\)](#)

if committed in a CMV;

(b)(2)(iv) Has not had more than one conviction of any of the serious traffic violations defined in 383.5 , while operating any type motor vehicle;

(b)(2)(v) Has not had any conviction for a violation of State or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic accident;

(b)(2)(vi) Has not been convicted of any motor vehicle traffic violation that resulted in an accident; and

(b)(2)(vii) Has been regularly employed as a school bus driver, has operated a school bus representative of the group the applicant seeks to drive, and provides evidence of such employment.

(b)(3) After September 30, 2005 the provisions in paragraph (b) of this section do not apply.

[67 FR 49760, July 31, 2002]