

**SYNOPSIS OF MAJOR CHANGES TO THE PUPIL TRANSPORTATION ACT  
ACT 187 PA 1990 AMENDED BY ACTS 86, 107, AND 108 OF 2006**

**EFFECTIVE DATE: AUGUST 15, 2006**

This document is a synopsis of the major provisions of the new statute. It does not cover all the changes, nor does it completely address those discussed. Readers are encouraged to read the statute for themselves!

Definitions (257.1805)

- The terms “public school” and “private school” have been revised to refer to those definitions in the Revised School Code, Act 451 PA 1976, Section 380.5.
- All references to “pupil transportation vehicle” have been removed.
- Definitions for “Rehabilitated school bus” and “modified school bus” have been removed.
- “School Bus” is now defined as:

“Sec. 7. (1) “School bus” means a motor vehicle with a manufacturer’s rated seating capacity of 11 or more passengers, including the driver, used for the transportation of preprimary, primary, or secondary school pupils to or from school or school-related events or a multifunction school activity bus manufactured after September 2, 2003 as defined in 49 CFR 571.3, 49 CFR 571.108, and 49 CFR 571.131. School bus does not include a vehicle operated by a public transit agency or authority. A vehicle that is not a school bus is not subject to this act. For the purposes of this act, a parent, or legal guardian transporting his or her child or another child with written permission of the other child’s parent or legal guardian on a school-related event is not subject to this act.”

- The term “parent’s designee” has been removed from the statute.
- A “multifunction school activity bus,” allowed by federal regulations, will not be painted yellow and black and will not be permitted to have overhead flashing lights in Michigan.

Motor Coaches/Motor Buses (257.1810a)

- Schools are prohibited from directly operating a motor bus for pupil transportation for school or school-related events.
- A school may still contact with a motor bus operator for school-related events transportation. The motor bus operator must have an MDOT certificate.
- DOE may no longer authorize the use of motor buses for to/from home transportation of pupils, but any existing authorizations remain in effect.
- Motor buses built to school bus specifications must comply with this Act.

Equipment

- Buses can be 45’ in length and 102” wide. (257.1811)
- The language regarding the flooring has been amended to refer to “a slip-resistant surface.” The aisles and step wells are now included in that requirement. (257.1811)
- The language allowing body gauge metal in substitution for safety glass in the lower portion of the rear emergency door on a Type II school bus has been removed. (257.1811)
- All baggage, articles, equipment, etc., must be secured in a manner that assures unrestricted access to all exits by all occupants, and protect passengers against injury. (257.1811)
- Radio speakers (other than 2-way communications) must be no closer to the driver than 3 seat positions behind the driver. (257.1811)
- The standards for windshield wipers and washers now reference the federal standards. (257.1821)

- The standards for mirrors and mirror positioning (internal and external) now reference the federal standards found in 49 CFR 571.111. (257.1823)
- The language regarding the strobe light has been revised to clarify that drivers are not required to use the light, and the light can only be used in the conditions specified. (257.1831)

#### Vehicle Markings/Identification (257.1833)

- Wheel rims may now be white, in addition to gray, black, or natural.
- The name of the school district or contractor must be permanently affixed in black letters at least 6" high on the sides of the bus. The name also has to appear on the front and back of the bus in black letters, but no size is specified.
- The words "school bus" must be permanently affixed on the front and the back of the bus between the overhead flashers in black letters at least 8" high.
- The outside of the school bus shall not have any other lettering, symbol, marking, or advertising, except that various insignia may be affixed in a temporary manner near the bus door, but not closer than the second window, to assist pupils in locating the correct bus. A unique identification number may be permanently affixed on the upper corners of the bus. A contractor shall obtain and display their USDOT # as required by 49 CFR 390.21.
- The wording for emergency exits shall comply with 49 CFR 571.217.
- The roof of a school bus may be yellow or white, however the white cannot extend below the drip rail above the side windows.
- Multifunction school buses shall not be black and yellow in color.
- MDOT motor buses do not have to be black and yellow for school-related events.
- The exemption for seasonal leases to agricultural workers has been retained.

#### Michigan State Police Inspections (257.1839)

- All schools, persons and companies that own or use a school bus must identify themselves to the MSP. Schools or companies in the program last year are considered to have identified themselves. Schools or companies that stop school bus transportation and later restart transportation must identify themselves to MSP.
- Schools, persons and companies must submit all school buses for inspection. Any bus not submitted shall be red-tagged.
- MSP may prohibit the placement and use of any device or equipment that presents a safety hazard.
- Schools must require contractors to verify in writing that the contractor's buses have been inspected and passed inspection. Schools shall specify in a written contract that the contractor cannot use any buses that have not been inspected or failed inspection and that a violation of this provision will result in revocation of the contract. The contract shall specify that the contractor shall submit in writing the inspection results of its entire fleet within 30 days of completion of the MSP inspection. Schools shall identify to MSP all contractors the school is using upon request.

#### Pass Decals/Red Tags (257.1841)

- Red tagged buses may not be moved upon a public highway, with or without pupils, except to be transported to a maintenance facility for repair.
- Pass decals must be removed by the owner of the school bus prior to the sale of the bus. Use of pass decals on any other vehicle is prohibited. All stickers are the property of MSP.

#### CDLs/Drug and Alcohol Testing (257.1849)

- The statute is revised to include the S endorsement requirement, and the requirement to comply with Parts 40 and 382 of the Federal Motor Carrier Safety Regulations (FMCSR) for Drug and Alcohol Testing of CDL drivers.
- Disqualification provisions have been added as required by the FMCSR and the Michigan Motor Vehicle Code.

#### Driver Training (257.1851)

- Statute clarified to require any driver who transports passengers must comply with the training requirements.
- Person or persons in charge of school bus operations must attend the beginning school bus driver training program, and the supervisory continuing education every 2 years after that.

#### Medical Qualifications (257.1853)

- Statute clarified to require any driver who transports passengers must comply with the medical requirements.

#### Hazard Light Stops (257.1855(2)(e))

- Statute for the 45 mph roads now reads the bus must be pulled off "...to the far right of **or off** the roadway..." (Highlighted language is new).
- A definition of "clearly and continuously visible" has been added to the statute. However, problems have been identified with the definition and corrective legislation is being sought.

#### Speed Limits

- The Act now does not specify a given speed limit (257.1861, as amended by Act 86 PA 2006), but refers readers to the Michigan Motor Vehicle Code.
- The Michigan Motor Vehicle Code was amended by Act 85 PA 2006. Section 257.627(6) and (7) allow a school bus to operate at a speed of 60 mph when the posted limit is 70 mph, and 55 mph on all other freeways. **This provision is effective November 9, 2006.**