**6A-3.0141 Employment of Operators of Vehicles that Transport Students ~~School Bus Operators~~.**

(1)(a) School bus operators are defined as any persons employed or contracted by ~~to~~ the school district to transport prekindergarten through grade 12 students in school buses as defined in section ~~Section~~ 1006.25, F.S., or any vehicle with a seating capacity of 11 or more including the driver.

(b) Other vehicle operators are defined as any persons employed or contracted by the school district to transport prekindergarten through grade 12 students in vehicles that are not defined as school buses with a seating capacity of 10 or fewer, including the driver, as described in 6A-3.0171(1)(e).

(2) At the time of initial employment, the school board shall ensure ~~assure~~ that all operators of vehicles that transport students meet ~~the operator of a school bus meets~~ the following requirements:

(a) Have ~~Has~~ five (5) years of licensed driving experience.

(b) Have ~~Has~~ submitted to the superintendent or designee a written application for employment in a form prescribed by the school board (Does not apply to contracted transportation providers).

(c) Have ~~Has~~ filed a set of fingerprints for the purpose of the required background check for determining criminal record.

(d) Demonstrate the ability to prepare required written reports

 (3) Prior to transporting students on a school bus, each school bus operator shall meet the following requirements:

(a) Hold a valid driver’s license for the respective weight class of the bus that will be operated. A class E driver’s license without endorsements is required for school buses and multifunction school activity buses (MFSABs) with a gross vehicle weight rating (GVWR) of 26,000 pounds or less with a seating capacity of 15 or fewer, including the driver. A class B commercial driver’s license (CDL) with a passenger ~~endorsement~~ and ~~a~~ school bus endorsement is required for school buses and MFSABs with a GVWR of 26,001 pounds or more and a seating capacity of 16 or more, including the driver.

(b) Successfully complete forty (40) hours of preservice training, which must include certified cardiopulmonary resuscitation (CPR) and first aid training and must consist of at least twenty (20) hours of classroom instruction and eight (8) hours of behind-the-wheel training. The classroom instruction and behind-the-wheel training shall be based upon the Department’s Basic School Bus Operator Curriculum, Revised 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13735>), which is hereby incorporated by reference and made a part of this rule. This document may be obtained from the School Transportation Management Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a cost not to exceed actual production and distribution costs.

~~(c) Demonstrate the ability to prepare required written reports~~.

(c) ~~(d)~~ Be physically capable of operating the vehicle as determined by physical examination, in accordance with 49 CFR 391.41, as evidenced by the Medical Examiner’s Certificate (Form MCSA-5876) and given by a certified medical examiner, registered with the National Registry of Certified Medical Examiners, pursuant to 49 CFR 391.43 and as determined by a dexterity test administered by the school district. Form MCSA-5876 (effective March 2016) is incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06476>) and may be obtained from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The school district shall report dexterity results on Form ESE 480, Dexterity Test for School Bus Driver (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06477>) (effective March 2016), which is incorporated in this rule by reference. Compliance with 49 CFR 391 is required under Section 1012.45, F.S. Form ESE 480 may be obtained from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(d) ~~(e)~~ Demonstrate physical and mental capabilities required to carry out all assigned responsibilities as a school bus operator.

(4) Prior to transporting students in vehicles other than school buses, other vehicle operators employed or contracted by the district, whose primary job function or duty is to transport prekindergarten through grade 12 students, shall meet the following requirements:

(a) Have met the requirements of subsection (2) of this rule

(b) Have a class E operator’s license at a minimum

(c) Have completed a locally prescribed pre-service training program related to their responsibilities for transporting students, including, at minimum, defensive driving training, CPR and first aid training pursuant to 6A-3.0121(2), and acknowledgment of the responsibilities described in 6A-3.0171(2)(g)3.

(d) Be physically capable of operating the vehicle as determined by physical examination, in accordance with 49 CFR 391.41, as evidenced by the Medical Examiner’s Certificate (Form MCSA-5876) and given by a certified medical examiner, registered with the National Registry of Certified Medical Examiners, pursuant to 49 CFR 391.43 and pass a locally determined dexterity test administered by the school district annually. Such dexterity tests shall be documented on a locally determined form.

(e) Demonstrate physical and mental capabilities required to carry out all assigned responsibilities as an operator of a vehicle other than a school bus.

(5) ~~(4)~~ Each district school board shall obtain a driver’s history record from the Department of Highway Safety and Motor Vehicles for each regular school bus operator, substitute operator, or any other individual certified ~~to drive~~ ~~a school bus~~ by the district to transport students. The schedule for reviewing these records shall be:

(a) Prior to initial employment;

(b) Prior to the first day of the fall semester;

(c) Thereafter, the district shall continuously screen operator records using the automated weekly updates, ensuring proper retrieval documentation for every week.

(6) ~~(5)~~ Driver history records shall be requested in a manner prescribed by the Department of Highway Safety and Motor Vehicles using the agency’s Motor Vehicle Operator Tracking and Reporting System (MOTRS). All school districts shall obtain and review records for operators of vehicles that transport students ~~school bus operators~~ using MOTRS. For any operator licensed in another state, the district shall obtain and review the driver’s history record from the appropriate state.

(7) ~~(6)~~ Each school district shall establish a school board policy that specifies which infractions of the traffic code deem an applicant unqualified for employment and which causes any employee to be subject to a prescribed follow-up action. At a minimum, this policy shall state that any district or contracted vehicle operator that transports students, ~~school bus operator or contracted operator~~ who should have known that his or her license has expired or has been suspended or revoked shall be subject to prescribed disciplinary measures up to and including dismissal or termination of their contract by the school board.

(8) ~~(7)~~ At least annually, the school district shall ensure ~~assure~~ that the operator of any vehicle transporting students ~~a school bus~~ meets the following requirements:

~~(a) The requirements of paragraph (3)(a) of this rule.~~

(a)~~(b)~~ School bus operators must successfully ~~Successfully~~ complete a minimum of eight (8) hours of in-service training, and operators of other vehicles must successfully complete a minimum of two (2) hours of in-service training related to the operator’s responsibilities for transporting students, which may include training hours from the required certified CPR and first aid training, pursuant to subparagraph 6A-3.0121(2)(b)3~~.~~, F.A.C.

(b)~~(c)~~ Maintain ~~Successfully pass a dexterity test administered by the school district and maintain~~ a valid Medical Examiners Certificate.

(c) School bus operators and bus attendants must pass a dexterity test administered by the school district. The dexterity test shall be documented on form ESE-480.

(d) Operators and attendants of other vehicles transporting students as a primary job function or duty must pass a locally determined dexterity test. The dexterity test shall be documented on a locally determined form.

(9) ~~(8)~~ Upon reemployment of operators of vehicles who transport students, the school board shall ensure that each operator meets all of the requirements of this rule. If a break in service of no more than 12 continuous calendar months has occurred, an operator shall be required to complete ~~eight (8) hours of~~ preservice refresher training related to his or her responsibilities for transporting students as prescribed by the school district. If a period exceeding twelve (12) calendar months has occurred, the vehicle operator shall repeat ~~forty (40) hours of~~ the preservice training as specified in paragraph (3)(b) for school bus operators ~~or twenty (20) hours of preservice training as specified in~~ and paragraph (4)(c) for operators of vehicles other than school buses. ~~At the time of reemployment, the school board shall assure that each school bus operator meets all of the requirements of subsection (2) and paragraphs (3)(a) and (d) of this rule. If not more than a twelve continuous calendar month break in service has occurred, an operator shall be required to complete eight (8) hours of inservice training related to their responsibilities for transporting students prior to driving a school bus with students. If a period exceeding twelve (12) calendar months has occurred, the operator shall be required to successfully complete all of the requirements of subsections (2) through (6) of this rule.~~

(10) ~~(9)~~(a) All school bus operators shall be subject to the Federal requirements of 49 C.F.R., Parts 382 and 391 related to the substance abuse testing and alcohol detection program.

 (b) Operators of other vehicles that transport students shall be subject to the same substance abuse testing and alcohol detection program as described in section (10)(a) of this rule. However, non-CDL drivers must be listed in a separate random selection pool so as not to disrupt the minimum annual percentage testing rates for CDL-vehicle operators pursuant to 49 CFR § 382.305 and are excepted from the Federal Motor Vehicle Safety Administration’s (FMCSA) drug and alcohol clearinghouse reporting requirements. The FMCSA drug and alcohol clearinghouse is for commercial vehicle operators who possess a CDL license only.

(11) ~~(10)~~ Notwithstanding the requirements of paragraph (3)(c)~~(d)~~ of this rule, a school district may accept a Medical Examiner’s Certificate that specifies a medical variance, waiver or exemption for a condition existing prior to March 23, 2016, if the school bus operator:

(a) Was employed by a school district on or before March 23, 2016;

(b) Was deemed physically capable of operating the vehicle under a prior version of this rule; and

(c) Has demonstrated to the satisfaction of the school district that he or she is physically capable of operating the vehicle.

(12)The requirements for operators transporting students in vehicles other than a school bus and dexterity exam requirements for bus attendants and other vehicle operators and attendants are effective August 1, 2026.

*Rulemaking Authority 316.615(3), 1001.02(1), 1006.22, 1012.45 FS. Law Implemented 316.615, 1006.22, 1012.32(2)(a), 1012.45 FS. History–New 8-1-86, Amended 7-5-89, 11-15-94, 4-18-96, 6-24-03, 11-26-06, 4-25-07, 3-23-16, 11-29-16, 8-20-19, 11-23-21.*