

Legislative Regulation Review Committee

2010-001

Department of Motor Vehicles

**RESPONSIBILITIES OF CARRIERS FOR
SCHOOL BUS & STUDENT
TRANSPORTATION VEHICLE DRIVERS**

IMPORTANT: Read instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT

Regulation
of

Department of Motor Vehicles

Responsibilities of Carriers for School Bus and Student Transportation Vehicle Drivers

Section 1. Sections 14-275c-45 and 14-275c-46 of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 14-275c-45. Definitions

As used in Sections 14-275c-45 through 14-275c-53, inclusive, of the Regulations of Connecticut State Agencies, as amended, the following words and phrases mean:

(a) "Carrier" [means any local or regional school district, any educational institution providing elementary or secondary education or any person, firm or corporation under contract to such district or institution engaged in the business of transporting school children] has the same meaning as set forth in section 14-212, subsection (2), of the Connecticut General Statutes, as amended.

(b) "Commissioner" means the [commissioner of motor vehicles] Commissioner of Motor Vehicles or [his] his or her authorized representative.

(c) "Department" means the Department of Motor Vehicles.

(d) "Driver" means the duly licensed operator of a school bus or student transportation vehicle (STV).

(e) "School Bus" means any motor vehicle so defined in [Section] section 14-275, subsection (a), of the Connecticut General Statutes, as amended, used for transporting school children to and from school or school activities.

(f) "Student Transportation Vehicle (STV)" [means any motor vehicle other than a registered school bus used by a carrier for the transportation of students, including children requiring special education] shall have the same meaning as defined in section 14-212, subsection (9), of the Connecticut General Statutes, as amended.

(g) ["Vehicle" means any school bus or student transportation vehicle] "Urinalysis" means controlled substance testing, alcohol testing or both which shall be performed in accordance with 49 CFR Part 382, as amended.

(h) "Vehicle" means any school bus or student transportation vehicle.
(Effective January 25, 1994)

Sec. 14-275c-46. Responsibility of the carrier for qualification and training of drivers

Every carrier shall investigate and [determine] maintain a written record for each driver in its employ:

(a) That such driver is a competent driver with at least three (3) consecutive years of driving experience;

(b) That such driver has a current Connecticut motor vehicle operator's license with appropriate [endorsement] endorsement(s) [and/or permit] as required by law, and that such license, [endorsement] with endorsement(s), [and/or permit is/are] is not under suspension, revocation, withdrawal or disqualification;

(c) That such driver is fully informed of the motor vehicle laws and regulations of the department concerning vehicle operation;

(d) That such driver is fully informed of vehicle inspection and vehicle defect reporting procedures;

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(e) That such driver is fully informed of [his] his or her scheduled route or destination, loading and unloading locations, and any specifically assigned tasks and responsibilities;

(f) That [each] such driver has fulfilled the training requirements contained in the Regulations of Connecticut State Agencies, as amended; [and]

(g) That [each] such driver has passed a urinalysis drug test[.]; and

(h) That such driver meets all conditions and requirements for endorsements pursuant to Section 14-44-4 of the Regulations of Connecticut State Agencies and does not have any disqualifying offenses.

(Effective January 25, 1994)

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Statement of Purpose:

Purpose: To make the regulation comply with current statutory authority and practice by amending sections and to make the regulations gender neutral.

Summary of Main Provisions:

1. Definitions of "Carrier" and "Student Transportation Vehicle (STV)" are updated.
2. A definition of "Urinalysis" is added.
3. References to "he" or "him" are changed to "he or she" or "his or her."
4. References to "endorsement and/or permit" are changed to "endorsement" as permits are no longer issued.

Legal Effects of the Regulation:

There are no specific legal effects resulting from this amendment.

Be it known that the foregoing:

Regulations Emergency Regulations are:
 Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 14-275c of the Connecticut General Statutes.

Section 14-_____ of the Connecticut General Statutes, as amended by Section _ of Public Act. No. _ of the Public Acts.

Public Act. No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on _____, 2009 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on __ day of __ 2009.

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The _____ day of _____ 2009.

In Witness Whereof:	Date 11/10/09	SIGNED (Head of Board, Agency or Commission) <i>[Signature]</i>	OFFICIAL TITLE, DULY AUTHORIZED COMMISSIONER
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:		SIGNED <i>[Signature]</i> 12/9/09	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL

Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice.

The Legislative Review Committee in accordance with Sec. 4-170, as amended, of the Connecticut General Statutes	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the Connecticut General Statutes.

DATE	SIGNED (Secretary of the State)	BY
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INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the Connecticut General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the Connecticut General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the Connecticut General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in underlined and deleted language in brackets. Section 4-170 of the Connecticut General Statutes.