



San Diego Unified

SCHOOL DISTRICT

Transportation Department Safety & Training

Unit 2: Driver's License and Special Certificate Requirements – Law

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34500 VC REGULATIONS OF SPECIFIED VEHICLES

The department (CHP) shall regulate the safe operation of the following vehicles:

- (a) Motor trucks of three or more axles that are more than 10,000 pounds gross vehicle weight rating.
- (b) Truck tractors.
- (c) Buses, school buses, school pupil activity buses, youth buses, farm labor vehicles, modified limousines, and general public paratransit vehicles.
- (d) Trailers and semitrailers designed or used for the transportation of more than 10 persons, and the towing motor vehicle.
- (e) Trailers and semitrailers, pole or pipe dollies, auxiliary dollies, and logging dollies used in combination with vehicles listed in subdivision (a), (b), (c), (d), or (j). This subdivision does not include camp trailers, trailer coaches, and utility trailers.
- (f) A combination of a motor truck and a vehicle or vehicles set forth in subdivision (e) that exceeds 40 feet in length when coupled together.
- (g) A vehicle, or a combination of vehicles, transporting hazardous materials.
- (h) Manufactured homes that, when moved upon the highway, are required to be moved pursuant to a permit as specified in Section 35780 or 35790 .
- (i) A park trailer, as described in Section 18009.3 of the Health and Safety Code , that, when moved upon a highway, is required to be moved pursuant to a permit pursuant to Section 35780 .
- (j) Any other motor truck not specified in subdivisions (a) to (h), inclusive, or subdivision (k), that is regulated by the Department of Motor Vehicles, the Public Utilities Commission, or the United States Secretary of Transportation.
- (k) A commercial motor vehicle with a gross vehicle weight rating of 26,001 or more pounds or a commercial motor vehicle of any gross vehicle weight rating towing a vehicle described in subdivision (e) with a gross vehicle weight rating of more than 10,000 pounds, except combinations including camp trailers, trailer coaches, or utility trailers. For purposes of this subdivision, the term "commercial motor vehicle" has the meaning defined in subdivision (b) of Section 15210.

34506 VC MISDEMEANORS

It is a misdemeanor to fail to comply with any rule or regulation adopted by the Department of the California Highway Patrol pursuant to Section 34501, 34501.5, 34508, or 34513 regarding any of the following:

- (a) Hours of service of drivers.
- (b) Hazardous material transportation.

- (c) School bus construction, design, color, equipment, maintenance, or operation.
- (d) Youth bus equipment, maintenance, or operation.
- (e) Tour bus equipment, maintenance, or operation.
- (f) Equipment, maintenance, or operation of any vehicle described in subdivision (a), (b), (c), (d), (e), (f), or (g) of Section 34500.
- (g) Equipment, maintenance, or operation of any school pupil activity bus.

34506.3 VC INFRACTIONS

Except as otherwise provided in this division, it is an infraction to fail to comply with any rule or regulation adopted by the department pursuant to this division.

12516 VC AGE FOR DRIVING A SCHOOL BUS

It is unlawful for any person under the age of 18 years to drive a school bus transporting pupils to or from school

12517.2 VC MEDICAL EXAMINATION REQUIREMENTS

- (a) Applicants for an original or renewal certificate to drive a school bus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle shall submit a report of a medical examination of the applicant given not more than two years prior to the date of the application by a physician licensed to practice medicine, a licensed advanced practice registered nurse qualified to perform a medical examination, or a licensed physician assistant. The report shall be on a form approved by the department.
- (b) School bus drivers, within the same month of reaching 65 years of age and each 12th month thereafter, shall undergo a medical examination, pursuant to Section 12804.9, and shall submit a report of that medical examination on a form as specified in subdivision (a).

12517.3 VC FINGERPRINT REQUIREMENTS

- (a)
 - (1) An applicant for an original certificate to drive a schoolbus, school pupil activity bus, youth bus, or general public paratransit vehicle shall be fingerprinted by the Department of the California Highway Patrol, on a form provided or approved by the Department of the California Highway Patrol for submission to the Department of Justice, utilizing the Applicant Expedite Service or an electronic fingerprinting system.
 - (2) An applicant fingerprint form shall be processed and returned to the office of the Department of the California Highway Patrol from which it originated not later than 15 working days from the date on which the fingerprint form was received by the Department of Justice, unless

circumstances, other than the administrative duties of the Department of Justice, warrant further investigation.

- (3) Applicant fingerprints that are submitted by utilizing an electronic fingerprinting system shall be processed and returned to the appropriate office of the Department of the California Highway Patrol within three working days.
 - (4) The commissioner may utilize the California Law Enforcement Telecommunications System to conduct a preliminary criminal and driver history check to determine an applicant's eligibility to hold an original or renewal certificate to drive a schoolbus, school pupil activity bus, youth bus, or general public paratransit vehicle.
- (b)
- (1) Notwithstanding subdivision (a), an applicant for an original certificate to drive a school bus, school pupil activity bus, youth bus, or general public paratransit vehicle may be fingerprinted by a public law enforcement agency, a school district, or a county office of education utilizing an electronic fingerprinting system with terminals managed by the Department of Justice.
 - (2) The Department of Justice shall provide the fingerprint information processed pursuant to this subdivision to the appropriate office of the Department of the California Highway Patrol within three working days of receipt of the information.
 - (3) An applicant for an original certificate to drive an ambulance shall submit a completed fingerprint card to the department.

12522 VC FIRST AID EXAMS FOR SCHOOL BUS AND YOUTH BUS DRIVERS

- (a) Every person who operates a schoolbus or youth bus in the transportation of school pupils shall, in addition to any other requirement for a schoolbus or youth bus driver's certificate, qualify by an examination on first aid practices deemed necessary for schoolbus operators or youth bus operators. Standards for examination shall be determined by the Emergency Medical Services Authority after consultation with the State Department of Education, the Department of Motor Vehicles, and the Department of the California Highway Patrol. The local school authority employing the applicant shall provide a course of instruction concerning necessary first aid practices.
- (b) The Department of the California Highway Patrol shall conduct the first aid examination as part of the examination of applicants for a schoolbus or youth bus driver's certificate and shall certify to the Department of Motor Vehicles that the applicant has satisfactorily demonstrated his or her qualifications in first aid practices, knowledge of schoolbus or youth bus laws and regulations, and ability to operate a schoolbus or youth bus. The first aid certifications shall be valid for the term of the schoolbus or youth bus driver's certificate.
- (c) The first aid examination may be waived if the applicant possesses either of the following minimum qualifications:
- (1) A current first aid certificate issued by the American Red Cross or by an organization whose first aid training program is at least equivalent to the American Red Cross first aid training program, as determined by the Emergency Medical Services Authority. The Emergency Medical Services Authority may charge a fee, sufficient to cover its administrative costs of approval, to an

organization that applies to have its first aid training program approved for purposes of this paragraph.

(2) A current license as a physician and surgeon, osteopathic physician and surgeon, or registered nurse, or a current certificate as a physician's assistant or emergency medical technician. The first aid certificate or license shall be maintained throughout the term of the schoolbus or youth bus driver's certificate and shall be presented upon demand of any traffic officer. The schoolbus or youth bus driver's certificate shall not be valid during any time that the driver fails to maintain and possess that license or certificate after the first aid examination has been waived.

12517.4 VC CERTIFICATES: ISSUANCE AND RESTRICTIONS

This section governs the issuance of a certificate to drive a schoolbus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle.

(a) The driver certificate shall be issued only to applicants meeting all applicable provisions of this code and passing the examinations prescribed by the department and the Department of the California Highway Patrol. The examinations shall be conducted by the Department of the California Highway Patrol, pursuant to Sections 12517, 12519, 12522, 12523, and 12523.5.

(b) A temporary driver certificate shall be issued by the Department of the California Highway Patrol after an applicant has cleared a criminal history background check by the Department of Justice and, if applicable, the Federal Bureau of Investigation, and has passed the examinations and meets all other applicable provisions of this code.

(c) A permanent driver's certificate shall be issued by the department after an applicant has passed all tests and met all applicable provisions of this code. Certificates are valid for a maximum of five years and shall expire on the fifth birthday following the issuance of an original certificate or the expiration of the certificate renewed.

(d) A holder of a certificate may not violate any restriction placed on the certificate. Depending upon the type of vehicle used in the driving test and the abilities and physical condition of the applicant, the Department of the California Highway Patrol and the department may place restrictions on a certificate to assure the safe operation of a motor vehicle and safe transportation of passengers. These restrictions may include, but are not limited to, all of the following:

- (1) Automatic transmission only.
- (2) Hydraulic brakes only.
- (3) Type 2 bus only.
- (4) Conventional or type 2 bus only.
- (5) Two-axle motor truck or passenger vehicle only.

(e) A holder of a certificate may not drive a motor vehicle equipped with a two-speed rear axle unless the certificate is endorsed: "May drive vehicle with two-speed rear axle."

(f) This section shall become operative on September 20, 2005.

13375 VC DEFINITION OF CONVICTION

For the purposes of this article, any plea or verdict of guilty, plea of nolo contendere, or court finding of guilt in a trial without a jury, or forfeiture of bail, is deemed a conviction, notwithstanding subsequent action under Section 1203.4 or 1203.4a of the Penal Code allowing withdrawal of the plea of guilty and entering a plea of not guilty, setting aside the verdict of guilty, or dismissing the accusation or information.

13369 VC REFUSAL TO RENEW, SUSPENSION, OR REVOCATION OF CERTIFICATE

(a) This section applies to the following endorsements and certificates:

- (1) Passenger transportation vehicle.
- (2) Hazardous materials.
- (3) Schoolbus.
- (4) School pupil activity bus.
- (5) Youth bus.
- (6) General public paratransit vehicle.
- (7) Farm labor vehicle.
- (8) Vehicle used for the transportation of developmentally disabled persons.

(b) The department shall refuse to issue or renew, or shall revoke, the certificate or endorsement of any person who meets the following conditions:

- (1) Within three years, has committed any violation that results in a conviction assigned a violation point count of two or more, as defined in Sections 12810 and 12810.5. The department may not refuse to issue or renew, nor may it revoke, a person's hazardous materials or passenger transportation vehicle endorsement if the violation leading to the conviction occurred in the person's private vehicle and not in a commercial motor vehicle, as defined in Section 15210.
- (2) Within three years, has had his or her driving privilege suspended, revoked, or on probation for any reason involving unsafe operation of a motor vehicle. The department may not refuse to issue or renew, nor may it revoke, a person's passenger transportation vehicle endorsement if the person's driving privilege has, within three years, been placed on probation only for any reason involving unsafe operation of a motor vehicle.

(c) The department may refuse to issue or renew, or may suspend or revoke, the certificate or endorsement of any person who meets any of the following conditions:

- (1) Within 12 months, has been involved as a driver in three accidents in which the driver caused or contributed to the causes of the accidents.
- (2) Within 24 months, as a driver, caused or contributed to the cause of an accident resulting in a fatality or serious injury or serious property damage in excess of seven hundred fifty dollars (\$1,000).
- (3) Has violated any provision of this code, or any rule or regulation pertaining to the safe operation of a vehicle for which the certificate or endorsement was issued.
- (4) Has violated any restriction of the certificate, endorsement, or commercial driver's license.

- (5) Has knowingly made a false statement or failed to disclose a material fact on an application for a certificate or endorsement.
 - (6) Has been determined by the department to be a negligent or incompetent operator.
 - (7) Has demonstrated irrational behavior to the extent that a reasonable and prudent person would have reasonable cause to believe that the applicant's ability to perform the duties of a driver may be impaired.
 - (8) Excessively or habitually uses, or is addicted to, alcoholic beverages, narcotics, or dangerous drugs.
 - (9) Does not meet the minimum medical standards established or approved by the department.
- (d) The department may cancel the certificate or endorsement of any driver who meets any of the following conditions:
- (1) Does not have a valid driver's license of the appropriate class.
 - (2) Has requested cancellation of the certificate or endorsement.
 - (3) Has failed to meet any of the requirements for issuance or retention of the certificate or endorsement, including, but not limited to, payment of the proper fee, submission of an acceptable medical report and fingerprint cards, and compliance with prescribed training requirements.
 - (4) Has had his or her driving privilege suspended or revoked for a cause involving other than the safe operation of a motor vehicle.
- (e)
- (1) The department shall refuse to issue or renew, or shall suspend or revoke, the passenger vehicle endorsement of a person who violates subdivision (b) of Section 5387 of the Public Utilities Code.
 - (2) A person found to be in violation of subdivision (b) of Section 5387 of the Public Utilities Code shall be ineligible for a passenger vehicle endorsement that would permit him or her to drive a bus of any kind, including, but not limited to, a bus, school bus, youth bus, school pupil activity bus, trailer bus, or a transit bus, with passengers, for a period of five years.
- (f)
- (1) Reapplication following refusal or revocation under subdivision (b) or (c) may be made after a period of not less than one year from the effective date of denial or revocation, except in cases where a longer period of suspension or revocation is required by law.
 - (2) Reapplication following cancellation under subdivision (d) may be made at any time without prejudice.

13370 VC DENIAL, SUSPENSION, OR REVOCATION OF CERTIFICATE

- (a) The department shall refuse to issue or shall revoke a school bus, school pupil activity bus, general public paratransit vehicle, or youth bus driver certificate, or a certificate for a vehicle used for the transportation of developmentally disabled persons, if any of the following causes apply to the applicant or certificate holder:
- (1) Has been convicted of a sex offense as defined in Section 44010 of the Education Code.
 - (2) Has been convicted, within two years, of an offense specified in Section 11361.5 of the Health and Safety Code.
 - (3) Has failed to meet prescribed training requirements for certificate issuance.

- (4) Has failed to meet prescribed testing requirements for certificate issuance.
 - (5) Has been convicted of a violent felony listed in subdivision (c) of Section 667.5 of the Penal Code, or a serious felony listed in subdivision (c) of Section 1192.7 of the Penal Code. This paragraph shall not be applied to revoke a license that was valid on January 1, 2005, unless the certificate holder is convicted for an offense that is committed on or after that date.
- (b) The department may refuse to issue or renew, or may suspend or revoke a school bus, school pupil activity bus, general public paratransit vehicle, or youth bus driver certificate, or a certificate for a vehicle used for the transportation of developmentally disabled persons, if any of the following causes apply to the applicant or certificate holder:
- (1) Has been convicted of a crime specified in Section 44424 of the Education Code within seven years. This paragraph does not apply if denial is mandatory.
 - (2) Has committed an act involving moral turpitude.
 - (3) Has been convicted of an offense, not specified in this section and other than a sex offense that is punishable as a felony, within seven years.
 - (4) Has been dismissed as a driver for a cause relating to pupil transportation safety.
 - (5) Has been convicted, within seven years, of an offense relating to the use, sale, possession, or transportation of narcotics, habit-forming drugs, or dangerous drugs, except as provided in paragraph (3) of subdivision (a).
 - (6) Has been reported to the Department of Motor Vehicles, pursuant to Section 39843 of the Education Code, for leaving a pupil unattended on a school bus, school pupil activity bus, or youth bus.
- (c)
- (1) Reapplication following refusal or revocation under paragraph (1), (2), or (3) of subdivision (a) or any paragraph of subdivision (b) may be made after a period of not less than one year after the effective date of refusal or revocation.
 - (2) Reapplication following refusal or revocation under paragraph (4) of subdivision (a) may be made after a period of not less than 45 days after the date of the applicant's third testing failure.
 - (3) An applicant or holder of a certificate may reapply for a certificate whenever a felony or misdemeanor conviction is reversed or dismissed. A termination of probation and dismissal of charges pursuant to Section 1203.4 of the Penal Code or a dismissal of charges pursuant to Section 1203.4a of the Penal Code is not a dismissal for purposes of this section.
 - (4) A former applicant or holder of a certificate whose certificate was revoked pursuant to paragraph (6) of subdivision (b) may reapply for a certificate if the certificate revocation is reversed or dismissed by the department.

39843 (a) EC SCHOOL BUSES

The county superintendent of schools, the superintendent of a school district, a charter school, or the owner or operator of a private school that provides transportation to or from a school or school activity shall notify the Department of Motor Vehicles, in a form and manner that the Department of Motor Vehicles specifies, within five calendar days after the county office of education, the governing board of a

school district, the charter school, the owner or operator of the private school, or, in situations where the transportation services are contracted out, the driver's employer, has done both of the following:

- (1) Ordered and upheld disciplinary action, after completion of disciplinary procedures conducted in compliance with rights granted by law or a collective bargaining agreement, against a driver of a schoolbus, school pupil activity bus, or youth bus who was found to have left the immediate vicinity of the vehicle to which the driver had been assigned with an unsupervised pupil onboard.
- (2) Made a finding that the driver's actions constituted gross negligence.
 - (b) For purposes of this section, escorting pupils pursuant to paragraph (1) of subdivision (d) of Section 22112 of the Vehicle Code shall not be considered leaving the immediate vicinity of the vehicle.
 - (c) For purposes of this section, "gross negligence" means the want of even scant care or an extreme departure from the ordinary standard of conduct.

39860 EC SPECIAL SERVICES

- (a) The governing board of a school district may contract for the transportation of pupils attending schools within the district to and from any exposition or fair, school activities, or other activities that the governing board of the school district determines to be for the benefit of the pupils, in this state, and may pay for the transportation out of any funds of the school district available for the purpose.
- (b) The governing board of a school district shall require that any contract for the transportation of pupils under this section shall include the requirement that a pupil shall not be left unattended on a schoolbus, school pupil activity bus, or youth bus in accordance with paragraph (4) of subdivision (a) of Section 39831.3. (*Transportation Safety Plan*)

13371 VC DENIAL, SUSPENSION, OR REVOCATION; REQUEST & SCOPE OF HEARING

This section applies to schoolbus, school pupil activity bus, youth bus, general public paratransit vehicle certificates, and a certificate for a vehicle used for the transportation of developmentally disabled persons.

- (a) Any driver or applicant who has received a notice of refusal, suspension, or revocation, may, within 15 days after the mailing date, submit to the department a written request for a hearing. Failure to demand a hearing within 15 days is a waiver of the right to a hearing.
 - (1) Upon receipt by the department of the hearing request, the department may stay the action until a hearing is conducted and the final decision has been rendered by the Certificate Action Review Board pursuant to paragraph (2) of subdivision (d). The department shall not stay an action when there is reasonable cause to believe the stay would pose a significant risk to the safety of pupils being transported in a school bus, school pupil activity bus, youth bus, or persons being transported in a general public paratransit vehicle.
 - (2) An applicant or driver is not entitled to a hearing whenever the action by the department is made mandatory by this article or any other applicable law or regulation except where the cause for refusal is based on failure to meet medical standards or excessive and habitual use of or addiction to alcoholic beverages, narcotics, or dangerous drugs.
- (b) The department shall appoint a hearing officer to conduct the hearing in accordance with Section 14112. After the hearing, the hearing officer shall prepare and submit findings and recommendations to the department.

- (c) The department shall mail, as specified in Section 22, a copy of the hearing officer's findings and recommendations to the driver or applicant and to the driver or applicant's hearing representative, either of whom may file a statement of exception to the findings and recommendations within 24 days after the mailing date.
- (d) (1) The Certificate Action Review Board consists of the following three members: a chairperson appointed by the director of the department, a member appointed by the Commissioner of the California Highway Patrol, and a member appointed by the Superintendent of Public Instruction.
- (2) After a hearing, the board shall review the findings and recommendations of the hearing officer, and any statement of exception, and make a decision concerning disposition of the action taken by the department, which decision shall be final. At this stage, no evidence shall be heard that was not presented at the hearing, unless the person wishing to present the new evidence establishes, to the satisfaction of the board, that it could not have been obtained with due diligence prior to the hearing.

13376 VC DENIAL, REVOCATION, AND/OR SUSPENSION OF DRIVER CERTIFICATES

- (a) This section applies to the following certificates:
- (1) School bus.
 - (2) School pupil activity bus.
 - (3) Youth bus.
 - (4) General public paratransit vehicle.
 - (5) Vehicle used for the transportation of developmentally disabled persons.
- (b) (1) The department shall revoke a certificate listed in subdivision (a) for three years if the certificate holder refuses to submit to a test for, fails to comply with the testing requirements for, or receives a positive test for a controlled substance, as specified in Part 382 (commencing with Section 382.101) of Title 49 of the Code of Federal Regulations and Section 34520. However, the department shall not revoke a certificate under this paragraph if the certificate holder is in compliance with any rehabilitation or return to duty program that is imposed by the employer that meets the controlled substances and alcohol use and testing requirements set forth in Part 382 (commencing with Section 382.101) of Title 49 of the Code of Federal Regulations. The driver shall be allowed to participate in a rehabilitation or return to duty program only once within a three-year period. The employer or program shall report any subsequent positive test result or drop from the program to the department on a form approved by the department.
- (2) If an applicant refuses to submit to a test for, fails to comply with the testing requirements for, or receives a positive test for a controlled substance, the department shall refuse the application for a certificate listed in subdivision (a) for three years from the date of the confirmed positive test result.
- (3) The carrier that requested the test shall report the refusal, failure to comply, or positive test result to the department not later than five days after receiving notification of the test result on a form approved by the department.
- (4) The department shall maintain a record of any action taken for a refusal, failure to comply, or positive test result in the driving record of the applicant or certificate holder for three years from the date of the refusal, failure to comply, or positive test result.

- (c) (1) The department may temporarily suspend a schoolbus, school pupil activity bus, youth bus, or general public paratransit driver certificate, or temporarily withhold issuance of a certificate to an applicant, if the holder or applicant is arrested for or charged with any sex offense, as defined in Section 44010 of the Education Code.
- (2) Upon receipt of a notice of temporary suspension, or of the department's intent to withhold issuance, of a certificate, the certificate holder or applicant may request a hearing within 10 days of the effective date of the department's action.
- (3) The department shall, upon request of the holder of, or applicant for, a certificate, within 10 working days of the receipt of the request, conduct a hearing on whether the public interest requires suspension or withholding of the certificate pursuant to paragraph (1).
- (4) If the charge is dismissed or results in a finding of not guilty, the department shall immediately terminate the suspension or resume the application process, and shall expunge the suspension action taken pursuant to this subdivision from the record of the applicant or certificate holder.
- (d) An applicant or holder of a certificate may reapply for a certificate whenever a felony or misdemeanor conviction is reversed or dismissed. A termination of probation and dismissal of charges pursuant to Section 1203.4 of the Penal Code or a dismissal of charges pursuant to Section 1203.4a of the Penal Code is not a dismissal for purposes of this section.
- (e) The determination of the facts pursuant to this section is a civil matter which is independent of the determination of the person's guilt or innocence, has no collateral estoppel effect on a subsequent criminal prosecution, and does not preclude the litigation of the same or similar facts in a criminal proceeding.

12517(a, b, c) VC QUALIFICATIONS OF SCHOOL BUS DRIVERS

- (a) (1) A person may not operate a school bus while transporting pupils unless that person has in his or her immediate possession a valid driver's license for the appropriate class of vehicle to be driven endorsed for school bus and passenger transportation.
- (2) When transporting one or more pupils at or below the 12th-grade level to or from a public or private school or to or from public or private school activities, the person described in paragraph (1) shall have in his or her immediate possession a certificate issued by the department to permit the operation of a school bus.
- (b) A person may not operate a school pupil activity bus unless that person has in his or her immediate possession a valid driver's license for the appropriate class of vehicle to be driven endorsed for passenger transportation. When transporting one or more pupils at or below the 12th-grade level to or from public or private school activities, the person shall also have in his or her immediate possession a certificate issued by the department to permit the operation of school pupil activity buses.
- (c) The applicant for a certificate to operate a school bus or school pupil activity bus shall meet the eligibility and training requirements specified for schoolbus and school pupil activity bus drivers in this code, the Education Code, and regulations adopted by the Department of the California Highway Patrol, and, in addition to the fee authorized in Section 2427, shall pay a fee of twenty-five dollars (\$25) with the application for issuance of an original certificate, and a fee of twelve dollars (\$12) for the renewal of that certificate.

40081 EC APPROVAL OF TRAINING COURSES

- (a) The department shall develop or approve courses for training school pupil activity bus (SPAB), transit bus, schoolbus, and farm labor vehicle drivers that will provide them with the skills and knowledge necessary to prepare them for certification pursuant to Sections 12517, 12519, and 12804.6 of the Vehicle Code. The department shall seek the advice and assistance of the Department of Motor Vehicles and the Department of the California Highway Patrol in developing or approving those courses.
- (b) The department shall train or approve the necessary instructional personnel to conduct the driver training courses. For all school bus and school pupil activity bus (SPAB) driver instructor training, the department shall provide for and approve the course outline and lesson plans used in the course. For transit bus and farm labor vehicle driver training, the department shall approve the course outline and lesson plans used in the course.
- (c) All courses of study and training activities required by this article shall be approved by the department and given by, or in the presence of, an instructor in possession of a valid school pupil activity bus (SPAB), transit bus, schoolbus, or farm labor vehicle driver instructor certificate of the appropriate class.
- (d) As an alternative to subdivisions (a), (b), and (c), instructors who have received a certificate from the Transportation Safety Institute of the United States Department of Transportation indicating that they have completed the Mass Transit Instructor Orientation and Training (Train-the-Trainer) course may approve courses of instruction and train transit bus drivers in order to meet the requirements for certification pursuant to Section 12804.6 of the Vehicle Code.

40082 EC SCHOOL BUS DRIVER MINIMUM COURSEWORK

- (a) An original applicant for a certificate to drive a schoolbus, as defined by Section 545 of the Vehicle Code, shall have successfully completed a minimum 40-hour course of instruction. The course shall include at least 20 hours of classroom instruction in, but not limited to, all units of the Instructor's Manual for California's Bus Driver's Training Course. All classroom instruction shall be given by, or in the presence of, a state-certified instructor of the appropriate class. The course shall also include at least 20 hours of applicant behind-the-wheel training in all sections of the Instructor's Behind-the-Wheel Guide for California's Bus Driver's Training Course. Applicant behind-the-wheel training shall include driving vehicles comparable to those vehicles that will be driven by the applicant to transport pupils. All behind-the-wheel training shall be given by a state-certified instructor of the appropriate class or the delegated behind-the-wheel trainer as designated pursuant to Section 40084.5.
- (b) Except as provided in subdivision (c), a driver who is holding a driver certificate or endorsement described in Section 40083, and is seeking a schoolbus certificate of the appropriate class, shall have successfully completed a minimum of five hours of classroom instruction, including, but not limited to, schoolbus laws and regulations, defensive driving, pupil loading and unloading, and the exceptional child. All classroom instruction shall be given by, or in the presence of, a state-certified instructor of the appropriate class. The driver shall also complete at least three hours of behind-the-wheel training in defensive driving practices, lane control, railroad grade crossing procedures, and pupil loading and unloading.
- (c) A driver may not be certified to drive a schoolbus in the manner set forth in subdivision (b) if that driver was instructed by a person who received his or her certificate in the manner described in subdivision (d) of Section 40081.

40084.5 EC BEHIND THE WHEEL TRAINING; INSTRUCTORS AND TRAINERS

(a) All behind-the-wheel training required to obtain certificates pursuant to Sections 12517 and 12519 of the Vehicle Code shall be performed by a state-certified instructor or by a delegated behind-the-wheel trainer who has been certified or approved by the department to conduct the required training.

(b) A "delegated behind-the-wheel trainer" means a person selected to assist a state-certified instructor in the behind-the-wheel training of drivers. Selected persons shall be trained by state-certified instructors and approved by the department before conducting any behind-the-wheel training. The minimum standards for the selection of a delegated behind-the-wheel trainer are as follows:

- (1) One year experience as a driver of the appropriate type and size vehicle immediately preceding the date of selection as a delegated behind-the-wheel trainer.
- (2) Possession of the appropriate license, certificates, and endorsements needed to drive and train in a particular type and size vehicle.
- (3) A high school diploma or General Education Development (GED) equivalent.
- (4) A driving record without chargeable accidents within the past three years immediately preceding the date of selection.
- (5) Successful completion of all training in the latest edition of the Instructor's Behind-the-Wheel Training Guide for California's Bus Driver's Training Course given by, and in the presence of, a state-certified instructor of the appropriate class.
- (6) Successful completion of a written assessment test on current laws, regulations, and policies given by, and in the presence of, a state-certified instructor of the appropriate class.
- (7) Successful completion of a driving test and a behind-the-wheel training performance test on all phases of behind-the-wheel and vehicle inspection training. The test shall be given by, and in the presence of, a state-certified instructor of the appropriate class.

(c) The state-certified instructor shall train and document the qualifications and competence of each delegated behind-the-wheel trainer to be utilized in training. All training required by this section shall be documented on the State Department of Education Training Certificate T-01, and signed by a state-certified school pupil activity bus (SPAB), transit bus, schoolbus, or farm labor vehicle driver instructor of the appropriate class, and by the delegated behind-the-wheel trainer. The signatures shall certify that the instruction was given to, and received by, the delegated behind-the-wheel trainer and that the delegated behind-the-wheel trainer displayed a level of competency necessary to train drivers to drive authorized vehicles in a safe and competent manner. The completed State Department of Education Training Certificate T-01 shall be submitted to the department in Sacramento, along with all other required documents, when requesting approval of a delegated behind-the-wheel trainer.

(d) The department may disapprove the eligibility of a delegated behind-the-wheel trainer for any of the following causes:

- (1) The state-certified instructor authorizing the competency of the delegated behind-the-wheel trainer has requested disapproval.
- (2) The employer of the delegated behind-the-wheel trainer has requested disapproval.
- (3) The delegated behind-the-wheel trainer has voluntarily requested disapproval.
- (4) The delegated behind-the-wheel trainer failed to comply with Section 40087.
- (5) The delegated behind-the-wheel trainer failed to comply with Section 40084.5.

- (6) The delegated behind-the-wheel trainer does not possess a valid driver's license, appropriate endorsements, or special driver's certificate of the appropriate class.
 - (7) The delegated behind-the-wheel trainer's driver's license or special driver's certificate has been suspended or revoked.
- (e) A delegated behind-the-wheel trainer may be limited in behind-the-wheel training as determined by the department.

40085 EC CERTIFICATE RENEWAL

Applicants seeking to renew a certificate to drive a schoolbus as defined in Section 545 of the Vehicle Code or a school pupil activity bus as defined in Section 546 of the Vehicle Code shall have successfully completed at least 10 hours of original or renewal classroom instruction, or behind-the-wheel or in-service training during each 12 months of certificate validity. In-service training credit may be given by a state-certified driver instructor of the appropriate class to an applicant for attending or participating in appropriate driver training workshops, driver safety meetings, driver safety conferences, and other activities directly related to passenger safety and driver training. During the last 12 months of the special driver certificate validity, the 10 hours required shall consist of classroom instruction covering, but not limited to, current laws and regulations, defensive driving, accident prevention, emergency procedures, and passenger loading and unloading. Failure to successfully complete the required training during any 12-month period of certificate validity is cause for the Department of Motor Vehicles to cancel the bus driver certificate. All training required by Section 40089 may be accepted in lieu of the requirements of this section.

40087 EC DOCUMENTATION OF TRAINING

- (a) Except as provided in subdivision (b), driver training required by this chapter shall be properly documented on the State Department of Education Training Certificate T-01, and signed by a state-certified school pupil activity bus (SPAB), transit bus, schoolbus, or farm labor vehicle driver instructor of the appropriate class, and by the driver or applicant. The signatures certify that the instruction was given to, and received by, the applicant or driver, and that the applicant or driver displayed a level of competency necessary to drive the vehicle in a safe and competent manner. The applicant or driver shall present the completed State Department of Education Training Certificate T-01 to the examining state agency when applying for an endorsement or certificate, or, for renewal of an endorsement or certificate.
- (b) Driver training provided by an instructor certified pursuant to subdivision (d) of Section 40081 shall be documented on a form developed by the Department of Motor Vehicles, with the consultation of the department. The form shall be signed by the instructor and by the applicant or driver. The signatures certify that the instruction was given to, and received by, the applicant or driver, and that the applicant or driver displayed a level of competency necessary to drive the vehicle in a safe and competent manner. The applicant or driver shall present the completed form to the Department of Motor Vehicles when applying for a certificate or for renewal of a certificate.

40088 EC INSTRUCTOR CERTIFICATION COURSES

- (a) An applicant for a school pupil activity bus (SPAB), transit bus, schoolbus, or farm labor vehicle driver instructor certificate shall successfully complete the appropriate instructor course given or approved by the department.
- (b) An applicant for the course shall possess:
- (1) A valid driver's license and endorsement valid for driving the vehicles for which the driver instructor rating is sought.
 - (2) A certificate or endorsement valid for driving the vehicles for which the driver instructor rating is sought.
 - (3) Five years of experience as a driver in the appropriate vehicle category, or two years' experience of that driving experience and three years equivalent experience driving vehicles that require a class A or B driver's license.
 - (4) A high school diploma or General Education Development (GED) equivalent.
 - (5) A driving record without chargeable accidents within the past three years preceding the date of application for the instructor certificate. The department may waive any or all of the requirements of this subdivision as it determines is necessary to ensure that there are an adequate number of state-certified instructors in the state.
- (c)
- (1) A state-certified schoolbus driver instructor of the appropriate class may instruct all applicants for a school bus, school pupil activity bus (SPAB), transit bus, or farm labor vehicle driver's certificate.
 - (2) A state-certified school pupil activity bus (SPAB) driver instructor of the appropriate class may instruct all applicants for a school pupil activity bus (SPAB), transit bus, or farm labor vehicle driver's certificate, but not a schoolbus certificate.
 - (3) A state-certified transit bus instructor of the appropriate class may instruct all applicants for a transit bus or farm labor driver's certificate, but not a school pupil activity bus (SPAB) or a schoolbus certificate.
 - (4) A state-certified farm labor vehicle driver instructor may instruct applicants only for a certificate to drive a farm labor vehicle.
- (d) A school pupil activity bus (SPAB), transit bus, schoolbus, or farm labor vehicle driver instructor certificate shall be valid until suspended, revoked, or canceled if it is accompanied by a valid driver's license and a special driver's certificate or valid driver's license and endorsement of the appropriate class or is limited to classroom or in-service training only.
- (e) The department may suspend or revoke a school pupil activity bus (SPAB), transit bus, schoolbus, or farm labor vehicle driver instructor certificate for any of the following causes:
- (1) The certificate holder failed to comply with Section 40087.
 - (2) The certificate holder failed to comply with Section 40084.5.
 - (3) The certificate holder has committed an act listed in Section 13369 of the Vehicle Code or Section 13370 of that code.
- (f) The department shall revoke a schoolbus, school pupil activity bus (SPAB), transit bus, or farm labor vehicle driver instructor certificate if the certificate holder falsified a State Department of Education Training Certificate T-01, T-02, or T-03.
- (g) The department may cancel the driver instructor certificate for any of the following causes:

- (1) The certificate holder has voluntarily requested cancellation.
 - (2) The certificate holder has his or her driving privilege suspended or revoked.
 - (3) The certificate holder has failed to meet the provisions required for retention of the driver instructor certificate. This includes failure to meet the instructor training requirements prescribed by Section 40084.5.
 - (4) The certificate holder does not possess a valid driver's license, endorsement, or special driver's certificate of the appropriate class.
- (h) The department shall by regulation adopt an instructor certificate appeals procedure for subdivisions (e), (f), and (g).
- (i) The Department of Motor Vehicles or the Department of the California Highway Patrol may disallow the driver training documentation provided pursuant to Section 40087 signed by any driver instructor certified pursuant to Section 40081 if either of those departments finds that the instructor's certificate would have been suspended, revoked, or canceled for any of the reasons designated in subdivision (e), (f), or (g).

Unit 2 Quiz

1. A driver of a school bus must have in his or her immediate possession a valid driver license of the appropriate class, a valid medical certificate, and a valid certificate to operate a school bus before being allowed to transport pupils on a school bus.

T _____ F _____

2. An original applicant to drive a school bus must successfully complete a minimum 40-hour training course approved by the Department of Education.

T _____ F _____

3. Applicants seeking to renew a certificate to drive a school bus must successfully complete 10 hours of training during each 12 months of certificate validity.

T _____ F _____

4. If an applicant fails to successfully complete the required training during any 12 month training period of certificate validity, DMV may cancel the certificate.

T _____ F _____

5. All required training must be documented on a State Department of Education Form T-01.

T _____ F _____

6. A properly documented and signed T-01 certifies the applicant is competent to drive a school bus.

T _____ F _____

7. An original applicant to drive a school bus does not always have to be fingerprinted.

T _____ F _____

8. DMV may deny, suspend, or revoke a school bus driver's certificate if the applicant has knowingly made a false statement on the application.

T _____ F _____

9. It is legal to drive a bus with a standard transmission when a school bus certificate is restricted to driving a bus equipped with an automatic transmission.

T _____ F _____

10. An original applicant to drive a school bus is not required to verify the training provided prior to testing by the CHP.

T _____ F _____