



SISC BULLETIN

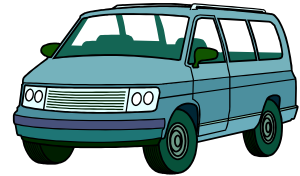
SELF-INSURED SCHOOLS of CALIFORNIA

March 26, 2004

TO: District Superintendents
Directors of Transportation
SISC II Member Districts

FROM: Catherine Wilson Jones
Director, Risk Management Services

SUBJECT: 15-Passenger Van Legislation



The purpose of this memo is to advise you of recently passed legislation regarding the use and driver licensing requirements for 15-passenger vans. The California legislature passed Assembly Bill (AB) 626 in response to the National Transportation Safety Board's (NTSB) findings that 15-passenger vans, because of their design, are involved in a greater number of single-vehicle accidents resulting in roll-over crashes than other passenger vehicles. AB 626 requires all school districts, private schools, community colleges, and campuses of the California State University that own, lease, or otherwise operate 15-passenger vans to allow such vehicles to be driven only by persons holding a commercial driver's license.

AB 626 adds section 39800.5 to the Education Code to read: Any school district and any owner operator of a private school that provides transportation for pupils and that owns, leases, or otherwise has possession or control of a 15-passenger van may not, on or after January 1, 2005, authorize the operation of that van for the purpose of transporting passengers unless the person driving or otherwise operating the van has both of the following:

- A valid class B driver's license
- An endorsement for operating a passenger transportation vehicle

The bill defines "15-passenger van" as any van manufactured to accommodate 15 passengers, including the driver, regardless of whether the vehicle has been altered to accommodate fewer than 15 passengers.

Although the law does not go into effect until 2005, it is SISC's recommendation that district administrators who are responsible for transportation implement the following:

- Refrain from buying or leasing additional 15-passenger vans.
- When renting vans for short-term use, select a van designed with a seating capacity of 10 or less including the driver.
- Adopt the forthcoming law as soon as possible for the operation of all currently owned, leased, or operated 15-passenger vans.

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Additionally, district administrators should use caution when authorizing the transportation of students in any type of vehicle. The use of any vehicle should be done according to the following:

- All potential drivers (coaches, band directors, teachers, etc.) should be subject to the DMV pull notice program.
- District's should obtain and review all potential driver's "H6" DMV printout prior to being an approved driver. Unacceptable driving records should immediately disqualify drivers (contact SISC for further details).
- All drivers should receive ongoing safety training.
- All drivers should be evaluated and held to behind-the-wheel proficiency standards.

Districts who do not follow these recommendations should only transport students in "school buses" driven by school bus drivers.

If you have any questions or need further assistance, please call Tim Beard at (661) 636-4417.

CWJ:sh