In Pennsylvania, what is considered a school?

A school is defined by Pennsylvania regulation as an institution for the education or training of children.

This includes, but is not limited to kindergartens, rehabilitation centers, day care centers, Head Start centers, group day care homes, family day care homes and summer camps.

NOTE: IF YOU ARE CONSIDERED A SCHOOL BY THE ABOVE DEFINITION, THEN ALL STUDENTS MUST BE TRANSPORTED IN EITHER A SCHOOL BUS OR A SCHOOL VEHICLE.

School Vehicles

What is a school vehicle?

A motor vehicle, except a motorcycle, designed for carrying no more than ten passengers, including the driver, and used for the transportation of pre-primary, primary or secondary school students while registered by or under contract to a school district or private or parochial school. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.

A school vehicle must meet Title 67, Chapter 171, Subchapters E and G, relating to school vehicle equipment and operation standards, as well as the Pennsylvania Vehicle Code. It must also have a semiannual Pennsylvania State Safety Inspection.

What are the licensing requirements for a school vehicle driver?

At a minimum, a school vehicle driver must possess a valid Class C non-commercial driver’s license.

School Buses

What is a school bus?

A motor vehicle which is (1) designed to carry 11 passengers or more, including the driver; and (2) used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

A school bus must meet Title 67, Chapter 171, Subchapters A, B, C, D and G, relating to school bus equipment standards as well as the Pennsylvania Vehicle Code. It must also be inspected annually by the Pennsylvania State Police and receive a semiannual Pennsylvania State Safety Inspection.

The Pennsylvania Vehicle Code not only requires every school district to establish and maintain school bus loading zones, but it also requires every school bus driver to have in their possession the list of the approved loading zones for their designated route. The Pennsylvania Vehicle Code also requires adequate seating space of safe design and construction to be provided for each passenger and prohibits carrying passengers for which adequate seating is not available and used.
What are the licensing requirements for a school bus driver?

A school bus driver must possess a valid Commercial Driver’s License with Passenger and School Bus Endorsements. A school bus driver must pass an annual physical as outlined in Title 67, Chapter 71, relating to school bus drivers.

What credentials must a school bus driver carry when operating a school bus?

Every school bus driver must carry the following documents when operating a school bus:

- their valid commercial driver’s license;
- their valid Pennsylvania school bus endorsement card;
- their valid Physical Examination Certificate (DL-742);
- the valid vehicle registration card for the bus being driven; and
- a valid insurance card or proof of financial responsibility for the bus being driven.

Is a driver required to have both the “P” passenger and “S” school bus endorsements if they are not transporting students when operating a “school bus”?

No. Only drivers actually transporting preprimary, primary, or secondary school students from home to school, from school to home, or to and from school sponsored events in a school bus are required to have both the “P” and “S” endorsements. Only a “P” endorsement is required by drivers delivering school buses from the manufacturer, by mechanics and other drivers operating empty school buses, and by drivers transporting students and/or adults to and from events that are not sponsored by the school (49 CFR, DOT Interpretation 383.93, Question 14). In situations as the ones mentioned above where the “S” endorsement is not required, the words “school bus” on the front and rear of the vehicle must be concealed and the red and amber visual signals cannot be used.

NOTE: SCHOOL BUSES THAT HAVE A “SCHOOL BUS” LICENSE PLATE MAY NOT BE USED TO TRANSPORT ANYONE OTHER THAN SCHOOL STUDENTS AND THEIR CHAPERONES.

Multifunction School Activity Buses

What is a Multifunction School Activity Bus (MFSAB)?

A MFSAB is a school bus that is used to transport students on field trips, athletic trips or other curricular or extracurricular activities, but not used for home to school or school to home transportation.

Title 75, Section 4552 (h) states that “unless required by Federal law or regulation, the regulations established by the Department shall not require vehicles which pick up and discharge school children only at locations off the highway to be of any particular color or to display flashing red and amber lights.” This means that the MFSAB is not required to be National School Bus Yellow. It can be any color; however, the School Bus identification on the front and back, and the identification on both sides of the bus must be of a contrasting color. Because the MFSAB never loads or unloads on the roadway, they are not required to have the 8-way light system, the side stop signal arm, or the front crossing control arm. A MFSAB that is not National School Bus Yellow may not have the 8-way warning lamps and stop arm devices.

Since the MFSAB is a school bus, this vehicle, except as indicated above, must meet the requirements of Title 67, Chapter 171, relating to school bus and school vehicle equipment standards as well as the Pennsylvania Vehicle Code. It must also be inspected annually by the Pennsylvania State Police and receive a semiannual Pennsylvania Safety Inspection.
What are the licensing requirements for a MFSAB?

A MFSAB driver is a school bus driver and must possess a valid Commercial Driver’s License with Passenger and School Bus Endorsements. A MFSAB driver must pass an annual physical as outlined in Title 67, Chapter 71, relating to school bus drivers.

What credentials must a MFSAB driver carry when operating a MFSAB?

Since a MFSAB is a school bus, every MFSAB driver must carry the following documents:

- their valid commercial driver’s license;
- their valid Pennsylvania school bus endorsement card;
- their valid Physical Examination Certificate (DL-742);
- the valid vehicle registration card for the bus being driven; and
- a valid insurance card or proof of financial responsibility for the bus being driven.

11-15 Passenger Vans

Is it legal to transport students in a school vehicle that has a passenger seating capacity of 11-15 passengers?

Pennsylvania Law prohibits the use of the 11-15 passenger vans for the transportation of school students (unless it was a vehicle that was grandfathered).

In fact, Federal Law, 49 U.S.C Section 30112 (a) prohibits the selling, buying, or leasing of a vehicle in this category if it is to be used to transport school students.

If the vehicle is rated at 11 passengers or more and is transporting school students, then that vehicle is a school bus by definition and must meet all applicable regulations for a school bus (unless the vehicle was grandfathered).

The vehicle passenger rating is typically on a sticker on the driver door jam.

How do I know if my 11-15 passenger van was grandfathered?

Your 11 to 15 passenger van was grandfathered if:

- It was registered in this Commonwealth as a bus prior to March 1, 1993, OR
- It was titled to any public, private or parochial school on or before March 1, 1993, and was registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993.

These vehicles were grandfathered by the PA General Assembly to moderate the economic impact to schools and school transportation providers already using 11-15 passenger vehicles, permitting schools and transportation providers to continue to use the 11-15 passenger vans already in operation as long as they met the grandfather clause. It was intended that, over time, these vehicles would be replaced with safer vehicles.

What if I remove a seat in the vehicle to make the maximum passenger seating capacity 10 or fewer passengers including the driver?

Passenger seating capacity is rated by the manufacturer; therefore, even if seats were removed, it is still illegal to transport school students in this type of vehicle.
Additional Information

What if my vehicle involves second-stage or final-stage manufacturing?

By law, a second-stage or final-stage manufacturer can complete a vehicle and certify its original design. In completing the vehicle, a second-stage or final-stage manufacturer must certify that the vehicle complies with all applicable Federal Motor Vehicle Safety Standards.

In this case, there must be a certification label affixed to the door of the vehicle indicating that the vehicle conforms to all applicable Federal Motor Vehicle Safety Standards for a multipurpose passenger vehicle or a passenger car.

If my school vehicle or school bus is equipped with wheelchair seating positions, how do I determine what the maximum seating capacity is for my vehicle?

For the purpose of determining Vehicle Type (i.e., school bus versus a school vehicle), a wheelchair seating position counts as four regular passenger seating positions. To qualify as a school vehicle, a vehicle could never have more than two wheelchair positions, as this would count as eight seating positions.

For determining maximum vehicle occupancy, a wheelchair seating position counts as one vehicle occupant.

Can a school-charter bus be used to transport school students?

The Pennsylvania Vehicle Code states that in addition to school buses, school-charted buses designed to transport 16 or more passengers, including the driver, and which are operated by a person holding a certificate of the Pennsylvania Public Utility Commission or the Interstate Commerce Commission, may be used under a short-term contract with a school which has acquired the exclusive use of the vehicle at a fixed charge to transport school children to a school-related event, provided that the vehicle is not used to transport school children to or from their residences or designated bus stops.

A school-charter vehicle may be used without restriction for the transportation of school children with special needs as may be necessary to make reasonable accommodations pursuant to the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat.327).

Where can I view mentioned laws and regulations?

Chapter 171, School Bus and School Vehicles:
http://www.pacode.com/secure/data/067/chapter171/chap171toc.html

Chapter 71, School Bus Drivers:
http://www.pacode.com/secure/data/067/chapter71/chap71toc.html

Pennsylvania Vehicle Code:
http://www.dmv.state.pa.us/vehicle_code/index.shtml

Code of Federal Regulations (49 CFR):
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49tab_02.tpl

IF YOU HAVE ADDITIONAL QUESTIONS PLEASE FEEL FREE TO EMAIL PENNDOT’S SPECIAL DRIVER PROGRAMS AT RA-pdSchoolBusHelp@state.pa.us.