160-5-3-.17 USE OF ALTERNATIVE VEHICLES FOR THE TRANSPORT OF STUDENTS.

(1) DEFINITIONS.

(a) Eight-Passenger Vehicles - motor vehicles with a factory-designed maximum capacity of eight persons and not less than five persons used to transport students to and from school and school-related activities, where appropriate.

(b) Governing Body – the local board of education, governing board, or other entity responsible for the governance and oversight of a Local Educational Agency.

(c) Local Educational Agency (LEA) – a public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through grade 12 public educational institutions.

(d) Non-resident - a person who has his or her permanent home or abode in a state other than Georgia.

(e) Physician - a Doctor of Medicine or osteopathy licensed by the Georgia Composite Medical Board pursuant to Article 2, Chapter 34, Title 43 of the Official Code of Georgia Annotated.

(f) Resident - a person who has his or her permanent home or abode in the state of Georgia.

(g) Driver - a person who is an LEA employee or an employee or subcontractor of a company contracted by the LEA, who has been appropriately licensed and trained, and who controls the operation of an Eight-Passenger Vehicle used in the transport of students.

(2) REQUIREMENTS.

(a) The Governing Body shall ensure the following qualifications are met by Drivers to provide transportation services:

1. All Drivers of Eight-Passenger vehicles are at least 21 years of age.

2. Evidence of a physical examination within 60 days prior to the date of employment and conducted every three years thereafter. The physical examination must be conducted by a Physician or his or her legally authorized designee to whom the Physician delegated the authority to sign, certify, and endorse documents or physical examination forms required by the State Board of Education.

3. LEAs shall ensure that resident and non-resident Drivers of Eight-Passenger Vehicles are properly licensed, by their home state, to drive the vehicle used.

4. Prior to transporting students in Eight-Passenger Vehicles, LEAs shall ensure all Drivers have satisfactorily completed the Georgia Department of Education's (GaDOE) annual training program or a training program approved by GaDOE on safe driving practices.

5. LEAs shall ensure a motor vehicle record check is annually completed for each Driver.

6. All Drivers of Eight-Passenger Vehicles must be placed in a drug and alcohol testing program. This testing program shall be a separate program from those Drivers who hold a Commercial Driver's License.

(i) Prior to transporting students, all Drivers shall successfully complete a drug and alcohol test.

(ii) Following a completed pre-transportation screening, all Drivers must:

(I) Be included in a randomly selected pool for drug and alcohol testing to be completed a minimum of four times annually; or

(II) Utilize live GPS and ride tracking technologies during rides that allow for detection of unsafe driving behaviors, including, but not limited to, device use, speeding, sudden acceleration, and collision detection.

7. Fingerprinting and criminal background checks as prescribed in O.C.G.A. § 20-2-211.1 shall be conducted on all Drivers.

(b) The Governing Body shall ensure the following vehicle regulations are met:

1. The Eight-Passenger Vehicle must be owned or leased by the LEA or provided by the company with whom the LEA has contracted to provide these transportation services.

2. The Eight-Passenger Vehicle must be marked with the name of the LEA or the name of the company with whom the LEA has contracted to provide these transportation services and have a sign stating that the vehicle is used for "Student Transport".

3. The Eight-Passenger Vehicle must have an age of less than 10 years from the date of manufacture and no more than 200,000 miles.

4. Routine maintenance on all Eight-Passenger Vehicles shall be conducted at the manufacturer's recommended service intervals. All Eight-Passenger Vehicles shall be inspected at intervals based on the requirements for commercial vehicles set forth by the Federal Motor Carrier Safety Administration using an inspection form provided or approved by GaDOE.

Authority: O.C.G.A. §§ 20-2-188; 20-2-211.1; 20-2-1076; 20-2-1110; 20-2-1111; 20-2-1112; 20-2-1113; 20-2-1125; 40-5-23; 40-5-140; 40-5-150; 43-34-23, 43-34-25, 43-34-103.

Adopted: July 18, 2024 **Effective:** August 7, 2024