

AR 4114.4 Employee and Volunteer Drivers

April 2013

I. Introduction. The WS/FCS has a duty to establish safety standards for the operation of school vehicles and vehicles that transport students. All people driving a school vehicle or transporting students must have the appropriate license for the category or type of vehicle they are driving, a current, not suspended or expired, drivers license and a good driving record. In addition, school buses, activity buses and/or insured and approved commercial motor coach carriers are the preferred choices for transporting students on field trips or for any other school sponsored or related purpose or activity. Use of private vehicles or rental passenger vehicles driven by employees or volunteers to transport students for field trips, extra-class activities, special programs or any other purpose is permitted but is subject to the regulations set forth below.

II. Driving License and Driving History Standards.

A. A current, not suspended or expired, commercial driver's license with the appropriate endorsement is required to drive a school bus, an activity bus or any other commercial vehicle owned or operated by a school employee or volunteer. The state and local requirements are as follows:

1. **Commercial Class A** - Any combination of vehicles with a gross vehicle weight rating (GVWR) of 26,001 pounds or more, provided the GVWR or the vehicle or vehicles being towed is in excess of 10,000 pounds.
2. **Commercial Class B** - Any single vehicle with a GVWR of 26,001 pounds or more, and any such vehicle towing a vehicle not in excess of 10,000 pounds.
3. **Commercial Class C** - Any vehicle not described in Class A or B above but is:
 - a. Designed to transport 16 or more passengers, including the driver; or
 - b. Used in the transportation of hazardous materials that requires the vehicle to be placarded under C.F.R., Part 172, Subpart F.

B. A current, not suspended or expired regular driver's license is required to drive any other type of non-commercial school vehicle or to drive any non-commercial vehicle that is transporting students.

C. To drive a school owned vehicle or any vehicle that transports students, the driver must have a good driving record, including but not limited to:

1. Not more than one conviction or Prayer for Judgment Continued (PJC) for a moving violation within the past twelve months.
2. Not more than three convictions and/or PJC's for moving violations within the past seven years.
3. No conviction of or PJC for Driving While Impaired (DWI) within the past seven years and not more than one DWI conviction or PJC ever.
4. No driver's license suspension or revocation for moving violations within the past seven years.
5. No conviction of or PJC for reckless driving within the past seven years.
6. No conviction of or PJC for speeding in excess of 15 mph over the posted speed limit within the past seven years.

7. No conviction of or PJC for speeding to elude arrest ever.
8. No conviction or PJC for passing a stopped school bus within the past seven years.
9. Not more than two convictions and/or PJC's for moving violations which caused an accident in the last seven years.

D. The Operations Manager for Transportation may adopt additional requirements and standards for the operation of school and activities buses.

III. Use of Vans. Vans with a seating capacity of 11 or more, including the driver, may not be used for the transportation of students unless the vehicle meets the federal school bus safety standards (49 U.S.C. sec. 30101), the same standards that apply to school buses.

IV. Use of Passenger Cars and Minivans. In the event students are to be transported in a passenger vehicle or minivan driven by a school employee or volunteer, the following rules apply:

A. **Documents Required.** The driver and/or owner of the vehicle must produce the documents listed below for the review and approval of the principal or assistant principal before transporting students.

1. A copy of current vehicle registration,
2. A copy of the driver's or vehicle owner's "Insurance Identification card", a certificate of auto liability insurance or a current copy of the declarations page of the owner's motor vehicle insurance policy,
3. A current copy of driver's license from the driver(s), and
4. In the case of a volunteer, a completed and approved online Volunteer Services Application form and online Volunteer Driver Application form.

B. Parent Permission

1. **Field Trips.** WS/FCS field trip permission forms include information about the method of transportation and should be used to obtain parent permission for the use of cars or vans for a field trip.
2. **Extra-class Activities.** The coach or activity sponsor shall obtain written permission for the transportation of students in private vehicles. One permission form may be used for the school year or the sports season.
3. **Other Transportation needs.** One permission form may be used for the school year or the length that the transportation services are to be provided.
4. **Emergencies.** In an emergency, parent permission may be obtained by email, fax or (as a last resort) orally by telephone.

C. **Vehicle Inspection.** A principal, assistant principal, other school administrator or a designee shall verify, at least annually, that any vehicle used to transport students:

1. has a current, not expired, registration sticker on the license tag;
2. has operational seat belts, and
3. has child safety seat(s)/booster seat(s), if required due to the age (8 or younger) and weight (80 lbs or less) of the student(s) being transported ¹.

D. Other Safety Standards.

1. Passengers shall wear seat belts at all times while the vehicle is moving.
2. In general, at least two students should ride with each adult. One-to-one transportation is discouraged. However, if one student is transported, he/she shall ride in the back seat.
3. Drivers shall not eat food while operating a vehicle transporting students.
4. Drivers shall not operate a WS/FCS vehicle or a personal vehicle conducting WS/FCS business or work-related responsibilities and/or duties while entering an electronic mail, text message or other similar message or while reading an electronic mail, text message or other similar message.
5. Drivers shall not use a cellular telephone for any purpose while operating a vehicle transporting students. This prohibition includes the use of any speaker phone or hands free device or equipment.
6. The driver must agree to the following terms and conditions:
 - a. To abide by the rules of the road and all other laws applicable to the safe operation of motor vehicles while engaged in volunteer driving of students.
 - b. To certify that his/her N.C. Driver's license is not currently suspended or revoked and that his/her license has not been suspended or revoked within the last five years.
 - c. To certify that he/she meets the driver's history standards set forth in section II above.
 - d. To agree that the WS/FCS reserves the right to conduct and may conduct periodic and/or random driving record checks with the N.C. Department of Motor Vehicles regarding those persons who have been authorized to drive school vehicles and to transport students.
 - e. To grant permission for WS/FCS to obtain information from the NCDMV about his/her driving record.
 - f. To agree that the WS/FCS reserves the right to conduct and may conduct random alcohol and drug testing of those volunteers who drive vehicles that transport students and to agree to participate in such random alcohol and/or drug testing if requested.
 - g. To report to the school principal or the employee's supervisor all convictions and/or PJC's for moving violations.
 - h. To report to the school principal all accidents (whether or not occurring while volunteer driving) and any suspensions of a driver's license or change in auto insurance which may occur after the date of this application.
 - i. To maintain auto liability insurance in an amount required by North Carolina law ², \$30,000 for bodily injury to one person, \$60,000 for bodily injury to two or more persons and \$25,000 in property damage coverage.

E. Auto Insurance.

1. WS/FCS agrees to provide secondary auto liability insurance for volunteer drivers, including school employees, volunteers and students.
2. Drivers must agree to provide WS/FCS, upon request, either an "Insurance Identification

Certificate, a “Certificate of Insurance” or a copy of the “Declarations page” of the driver’s auto insurance policy.

3. In case of an insurance claim, the vehicle owner's automobile liability insurance applies before the Winston-Salem/Forsyth County School’s insurance.

4. Excess automobile liability insurance protection is provided under the WS/FCS comprehensive general liability insurance policy for authorized volunteer drivers transporting students in privately-owned vehicles on an approved school activity or function. This insurance is only for an amount in excess of the limit of liability provided by the vehicle owner's automobile liability insurance policy.

5. Damage to the owner's vehicle is not insured by WS/FCS.

V. Student Drivers.

A. This policy DOES NOT APPLY to students who drive their own, a parent’s or a friend’s vehicle to commute to and from school and to and from a school activity.

B. This Policy DOES NOT APPLY to students who on their own arrange or agree to car pool with other students for commuting to and from school or school activities.

C. Students who drive their own, a parent’s, a friend’s or a rental vehicle to and from school and school activities do so at their own risk. WS/FCS is not in any way liable or responsible for any negligent act or omission arising from or in any way out of a student’s operation of any vehicle to commute to and from school and school activities.

Adopted: May 2005

Revised: July 2007; August 2008; June 2009, October 2009; April 2013

Winston-Salem/Forsyth County School System
