

**KENTUCKY DEPARTMENT OF EDUCATION  
PUPIL TRANSPORTATION BRANCH  
POSITION STATEMENT**

**USE OF VANS AND AUTOMOBILES AS SCHOOL BUSES**

The Pupil Transportation Branch must take the stand that school buses are the safest mode of transportation in the nation. The use of vans in lieu of school buses has become a significant issue in recent years. Many districts have had questions regarding the use of vehicles for numerous purposes. Many districts, in an effort to save money, have purchased passenger vans and multi-purpose vehicles to transport students.

Under Federal law, any passenger motor vehicle (including a van designated for carrying ten (10) or more persons) is classified as a bus. A bus is classified as a school bus if it is used or intended to use in transporting students to and from school or school related activities. The Pupil Transportation Branch and the National Highway Traffic Safety Administration (NHTSA) believe that school buses should be as safe as possible. Accordingly, minimum safety standards that all new buses must meet have been established.

FEDERAL LAW prohibits dealers from selling or leasing vehicles with a capacity of more than ten (10) persons, intended for transporting students to and from school or school related activities, unless the vehicles comply with the applicable Federal School Bus Safety Standards. Subject to Kentucky Administrative Regulation, **702 KAR 5:130**, "Vehicles Designed to Carry Fewer Than Ten (10) Passengers", states in Section 2, "Any vehicle owned by a school district board or contracted to the board shall be restricted to the transportation of pupils from areas not accessible to a regular school bus to the nearest road available for safe transfer of pupils to a regular school bus or vice versa; provided that this requirement shall not apply to the transportation of qualifying handicapped pupils or the emergency transportation of pupils.

In regard to the transportation for ten (10) OR MORE passengers, **702 KAR 5:060**, Buses; Specifications and purchases, states "Section 6. (1) No vehicle which was designed by the manufacturer to carry more than ten {10} passengers in addition to the driver shall be used to transport children to or from school or events related to such schools that does not meet Kentucky Minimum Specifications for School Buses; Revised, that were in effect on the date of manufacture, or does not meet Federal Motor Vehicle Safety Standards applicable to manufacturers of school buses, except as provided in subsection (2) of this section.

For the transportation of ten (10) OR FEWER passengers, **702 KAR 5:130** states, "Section 1. For the purpose of this regulation, the word "vehicle" shall mean any vehicle owned by a school district board or contracted to the board which is significantly used to transport pupils to and from school and which is designated by the manufacturer to carry fewer than ten {10} passengers. Section 2. Any vehicle owned by a school district board

or contracted to the board shall be restricted to the transportation of pupils from areas not accessible to a regular school bus or vice versa; provided that this requirement shall not apply to transportation of qualifying handicapped pupils or emergency transportation of pupils.

**KRS 156.153**, School Bus Standards, states “(1) All school buses for which bids are made or bid contracts awarded shall meet the standards and specifications for school buses of the Kentucky Board of Education. The term “school bus” as used in this section, shall mean any motor vehicle which meets the standards and specifications of the Kentucky Board of Education authorized by law and used solely in transporting school children and school employees to and from school under the supervision and control and at the direction of school authorities, and shall further include school bus accessory equipment and supplies and replacement equipment considered to be reasonably adaptable for purchase from price contract agreements.

(2) All school buses manufactured prior to 1983 shall be equipped with exterior fender mounted front view and side view mirrors so as to meet the 1984 standards and specifications of the Kentucky Board of Education.”

The Pupil Transportation Branch believes that safety standards requiring a higher level of safety performance for school buses are appropriate. Thus, while these van-type school buses are somewhat more expensive than a conventional full-size van, the increased levels of safety justify the higher cost. We also believe that school children should be transported in vehicles that provide them with the highest levels of safety.

In summary, school buses are your safest means of transportation. School buses transport children to and from school and school related activities with a safety record to be envied. While catastrophic school bus accidents have occurred, they are rare events. Most school bus crashes are minor. In many crashes, such as those involving passenger cars and light trucks, the school bus has the advantage of size and weight. As a result, many more people a year are killed in vehicles that crash into school buses than are killed onboard school buses. Pupil Transportation focuses on the overall safety of pupils being transported and will continue to strive to safeguard these pupils by the position that school buses continue to be one of the safest forms of transportation, and in terms in terms of injury and fatality rates, school buses afford school children an effective and safe means of transportation to and from school and school related activities.