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## Education and Local Government Interim Committee

### 63rd Montana Legislature

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**TO:** Education and Local Government Interim Committee  
**FROM:** Laura Sankey, staff attorney  
**RE:** Administrative Rule Review - June 2014  
**DATE:** June 5, 2014

### BOARD OF PUBLIC EDUCATION

The Board of Public Education proposes to amend ARM 10.64.201, regarding qualifications for school bus drivers. Currently, the rule only requires that a bus driver have five years of driving experience, in addition to the requirements listed in 20-10-103, MCA. This proposal adds the following qualifications: a criminal background check with no record of criminal offenses indicating a potential danger to children; a safe driving record without certain violations in the preceding 3-5 years; a satisfactory physical exam; a current first aid certificate; and a properly endorsed commercial driver's license. The amendments stem from recommendations made in a report from the Legislative Audit Division.

The comment period is open until June 26, 2014.

The Board will hold a public hearing on June 26, 2014.

### SUPERINTENDENT OF PUBLIC INSTRUCTION

The Superintendent of Public Instruction proposes to amend ARM 10.7.111, requiring bus drivers to be certified before a school district can be reimbursed for bus routes. The proposal clarifies the electronic process by which a school district provides the documentation necessary for the bus driver to be issued a certificate. The proposal also specifies that the required first aid certification include CPR certification, 4 hours of in-person training for the initial certificate, and annual renewal of the certification.

The comment period is open until June 26, 2014.

The Superintendent will hold a public hearing on June 26, 2014.

For reference:

**20-10-103. School bus driver qualifications.** A driver of a school bus is qualified to drive a school bus if the driver:

- (1) is not less than 18 years of age;
- (2) is of good moral character;
- (3) is the holder of a commercial driver's license;
- (4) has filed with the district a satisfactory medical examination report, on a form approved by the United States department of transportation, signed by any physician licensed in the United States or, if acceptable to an insurance carrier, any licensed physician;
- (5) has completed a basic first aid course and holds a valid basic first aid certificate from an authorized instructor. The issuance of the certificate is governed by rules established by the superintendent of public instruction, provided that the rules may suspend this requirement for a reasonable period of time if there has been an inadequate opportunity for securing the basic first aid course and certificate.
- (6) has complied with any other qualifications established by the board of public education; and
- (7) has filed with the county superintendent a certificate from the trustees of the district for which the school bus is to be driven, certifying compliance with the driver qualifications enumerated in this section.