

Regulatory Analysis Form		This space for use by IRRC	
(1) Agency Transportation		2002 MAR -5 PM 1:46 STATUTORY REVIEW COMMISSION	
(2) I.D. Number (Governor's Office Use) # 18-372		IRRC Number: 2258	
(3) Short Title School Bus Drivers, School Buses and School Vehicles			
(4) PA Code Cite 67 Pa. Code, Chapters 71 & 171		(5) Agency Contacts & Telephone Numbers Primary Contact: Rebecca L. Bickley (717) 787-4701 Secondary Contact: Chris Miller (717) 705-9520	
(6) Type of Rulemaking (Check One) <input checked="" type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor	
(8) Briefly explain the regulation in clear and nontechnical language. The purpose of the proposed amendments to Chapter 71 is to establish criteria under which individuals with certain medical conditions may nevertheless qualify to be issued a school bus driver endorsement to their license. The purpose of the amendments to Chapter 171 is 1) to conform the regulations in this chapter to the provisions of 75 Pa.C.S. § 4552 <i>as amended</i> by the Act of December 21, 1998, P.L. 1126, No. 151, 2) to clarify existing provisions of the regulations, and 3) to address concerns raised by the Pupil Transportation Advisory Committee (PTAC).			
(9) State the statutory authority for the regulation and any relevant state or federal court decisions. Statutory authority for this regulations is contained in Sections 1504, 1508, 1509, 4551, 4552, 4553 and 6103 of the Vehicle Code, Act of June 17, 1996, P.L. 162 No. 81, <i>as amended</i> (75 Pa. C.S. §§ 1504, 1508, 1509, 4551, 4552, 4553, and 6103), proposes to amend Chapters 71 and 171 (relating to school bus drivers, school buses and school vehicles).			

(10) Is the regulation mandated by any federal or state law or court order, or federal regulations? If yes, cite the specific law, case or regulation, and any deadlines for action.

These regulatory amendments are not mandated by any federal or state law or court order or federal regulations.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

Mere history of a medical condition is not dispositive of whether an individual is qualified to drive a school bus safely. It is appropriate to establish criteria to determine whether the condition is sufficiently controlled or treated so as not to pose a danger to the safety of children traveling in school buses in the Commonwealth. Changes to the color and marking requirements for school buses are responsive to suggestions and considerations being discussed in the industry. Changes to the contents of the safety kits are proposed to be consistent with current national standards.

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

These regulatory amendments enhance the health and safety of children riding in school buses in the Commonwealth. Non-regulation, particularly with regard to criteria for qualifying school bus drivers with medical conditions risks haphazard and inconsistent analysis of drivers' qualifications to operate school buses safely.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Approximately 2 million school-age children riding in school buses and school vehicles throughout the Commonwealth will be the principal beneficiaries of these regulatory amendments.

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

There should be no measurable adverse affects arising from these proposed regulatory amendments. Some marginal additional cost may be incurred to effect the vehicle and equipment improvements required by these amendments.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

School districts and independent contractors operating school buses or school bus services will be required to comply with this regulation. Pennsylvania has 501 public school districts and over 2,000 private schools. In addition, individuals seeking licensure to drive a school bus will also be required to comply with these amendments.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Pupil Transportation Advisory Committee (PTAC) was consulted during the development of this regulation. The 27 members of the PTAC represent various groups and associations responsible for, or concerned with, pupil transportation.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

It is not possible to estimate the costs and/or savings to the regulated community associated with compliance with these amendments but it is believed that they will be marginal.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

It is not possible to estimate the costs and/or savings to local school districts and governments associated with compliance with these amendments but it is believed that they will be marginal.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

It is not possible to estimate the costs and/or savings to state government associated with implementation of these amendments but it is believed that they will be marginal.

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY + 1 Year	FY + 2 Year	FY + 3 Year	FY + 4 Year	FY + 5 Year
SAVINGS:	\$ N/A	\$	\$	\$	\$	\$
Regulated Community:	N/A					
Local Government:	N/A					
State Government:	N/A					
Total Savings	N/A					
COSTS:	N/A					
Regulated Community	N/A					
Local Government	N/A					
State Government	N/A					

Total Costs	N/A					
REVENUE LOSSES:	N/A					
Regulated Community	N/A					
Local Government	N/A					
State Government	N/A					
Total Revenue Losses	N/A					

(20a) Explain how the cost estimates listed above were derived.

N/A

(20b) Provide the three year expenditure history for programs affected by the regulation.

N/A

Program	FY-3	FY-2	FY-1	Current FY

(21) Using cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

Precise cost-benefit information could not be provided as the costs are marginal and the benefits, embodied in the enhanced safety of school children in the Commonwealth, are difficult to measure. It is believed that the benefits of increased safety far outweigh the marginal costs of compliance with these amendments.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

The nonregulatory alternative to the amendments to Chapter 71 is to leave the Commonwealth without formal guidelines to grant of a school bus driver endorsement to an individual with a controlled medical condition. This alternative was dismissed as risking inconsistent and uninformed determinations. The nonregulatory alternatives to the amendments to Chapter 171 would be to ignore the innovations being made in the school bus industry and the concerns and ideas expressed by associations and groups with the responsibility to safeguard the safety of school children. Nonregulation was rejected in favor of enhancing the safety of school buses being operated in the Commonwealth.

<p>(23) Describe alternative regulatory schemes and the costs associated with those schemes. Provide the reasons for their dismissal.</p> <p>No alternative regulatory schemes were considered.</p>
<p>(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.</p> <p>There are no federal standards regulating school bus drivers and school buses; these amendments are, consequently not more stringent than federal standards.</p>
<p>(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?</p> <p>This regulation is consistent with national standards and standards in neighboring states; it will not put Pennsylvania at a competitive disadvantage.</p>
<p>(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.</p> <p>These amendments will affect only those chapters of Department regulations being amended. No other existing or proposed regulations of any other agency will be affected.</p>
<p>(27) Will any public hearings or informal meetings be scheduled? Please provide the dates, times and locations, if available.</p> <p>No public hearings or informal meetings are currently scheduled to discuss these proposed amendments.</p>
<p>(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.</p> <p>The amendments to Chapter 71 will require additional reporting for individuals who have been granted the school bus driver endorsement through a waiver of the medical condition requirements.</p>
<p>(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.</p> <p>There are no special provisions in these amendments which have been developed to meet the particular needs of affected groups or persons.</p>
<p>(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or</p>

other approvals must be obtained?

The amendments to the regulation will become effective when published in final form in the *Pennsylvania Bulletin*.

(31) Provide the schedule for continual review of the regulation.

Although no sunset date has been established for these regulations, the Department will review these regulations on an annual basis and periodically as input from the public and other sources is received.

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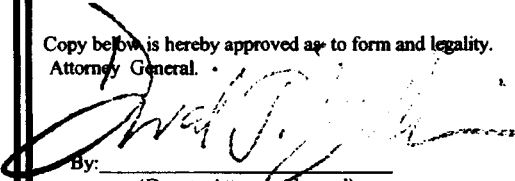
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Copy below is hereby approved as to form and legality.
Attorney General.



By: _____
(Deputy Attorney General)

JAN 09 2002

Date of Approval

Copy of below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

Department
of
Transportation
(Agency)

DOCUMENT/FISCAL NOTE NO. 18-372

DATE OF ADOPTION _____

BY 
Secretary of Transportation

Check if applicable
Copy not approved. Objections attached.

Copy below is hereby approved as to form and legality. Executive or Independent Agencies.

BY 

DEC 17 2001

(Date of Approval)

(Deputy General Counsel)
(Chief Counsel, Independent Agency)
(Strike Inapplicable Title)

Check if applicable. No attorney General Approval or Objection within 30 days after submission.

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF TRANSPORTATION

**Title 67. Transportation
Part I. Department of Transportation
Subpart A. Vehicle Code Provisions
Article IV. Licensing
Chapter 71. School Bus Drivers
and
Article VII. Vehicle Characteristics
Chapter 171. School Buses And School Vehicles**

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

SUBPART A. VEHICLE CODE PROVISIONS

ARTICLE IV. LICENSING

CHAPTER 71. SCHOOL BUS DRIVERS

and

ARTICLE VII. VEHICLE CHARACTERISTICS

CHAPTER 171. SCHOOL BUSES AND SCHOOL VEHICLES

NOTICE OF PROPOSED RULEMAKING

Preamble

The Department of Transportation, Bureau of Driver Licensing, pursuant to the authority contained in Sections 1504, 1508, 1509, 4551, 4552, 4553 and 6103 of the Vehicle Code, Act of June 17, 1996, P.L. 162 No. 81, *as amended* (75 Pa. C.S. §§ 1504, 1508, 1509, 4551, 4552, 4553, and 6103), proposes to amend Chapters 71 and 171 (relating to school bus drivers; and school buses and school vehicles), to read as set forth in Annex A.

Purpose of Chapters 71 and 171

The purpose of Chapter 71 is to set forth the course instruction and physical examination requirements for school bus drivers pursuant to 75 Pa. C.S. § 1509 (relating to qualifications for license to drive a school bus). The purpose of Chapter 171 is to set forth equipment and safety requirements for school buses as provided for in 75 Pa.C.S. §4552 (relating to general

requirements for school buses) and for other vehicles transporting school children as provided for in 75 Pa.C.S. §4553 (relating to general requirements for other vehicles transporting school children).

Purpose of the Proposed Amendments

The purpose of the proposed amendments to Chapter 71 is to establish criteria under which individuals with certain medical conditions may nevertheless qualify to be issued a school bus driver endorsement to their license. The purpose of the amendments to Chapter 171 is 1) to conform the regulations in this chapter to the provisions of 75 Pa.C.S. § 4552 *as amended* by the Act of December 21, 1998, P.L. 1126, No. 151, 2) to clarify existing provisions of the regulations, and 3) to address concerns raised by the Pupil Transportation Advisory Committee (PTAC). The 27 members of the PTAC represent various groups and associations responsible for, or concerned with, pupil transportation.

The Department proposes to amend Chapter 71, §71.3 by adding explicit criteria under which an individual diagnosed with a missing limb, or with diabetes, heart disease or a seizure disorder may nevertheless qualify for a waiver and receive the school bus driver endorsement. The amendment clarifies that these medical conditions need not be an absolute bar to qualification to drive a school bus and sets forth in considerable detail the conditions under which an individual with such medical condition may be granted the school bus driver endorsement.

The Department proposes changes to nine sections within 67 Pa. Code Chapter 171.

Section 171.21(i), relating to exhaust emissions, has been amended to specify that school bus exhaust systems shall discharge at the outside edge of the school bus body. This amendment is appropriate to guard against the possibility of exhaust fumes discharging under the bus body and entering the school bus.

Section 171.47, relating to school bus body color, has been amended by adding language that will permit the school bus roof to be painted white to reflect the sun, reducing heat and providing more comfortable transportation for the occupants. Limitation of the use of white to the roof area preserves the overall standard yellow color of the bus and raises no safety concerns. In addition, the section has been amended to create additional options when using reflective tape. In the regulation as currently written, the use of reflective tape is optional. However, if it is used in any of the listed locations on the bus, the regulation requires that it be used in all of the locations. The cost of applying and maintaining reflective tape in all the listed locations on the bus has dissuaded many from using any reflective tape. It is believed that with deletion of the mandate that tape to be used in all locations, more school districts and contractors will use reflective tape in some of the listed locations.

Section 171.50(a)(9) has been eliminated. The language regarding supplemental security locks on service doors is unnecessary. The same language was added to mandate the use of an audiovisual alarm on the emergency exits in Section 171.50.(b)(1)(xii). An audiovisual alarm must be installed on the supplemental security locks on the emergency exits. The alarm must be in the driver's compartment.

Sections 171.52(b), 171.123(b), and 171.133(b), relating to the first aid and body fluid clean-up kits in school buses, school vehicles, or mass transit pupil transportation buses respectively, have been amended to adjust the amount and types of materials the kits must contain. The size of the kits have been adjusted to be consistent with the National Standards for School Transportation. The inclusion of latex surgical gloves and adhesive tape has been eliminated because some children have violent allergic reactions to latex materials. Additionally Sections 171.52(d), 171.123(d), and 171.133(d) have been added to allow the surgical gloves and mouth barrier to be placed in either the first aid or body fluid clean-up kit. Some school transportation directors have had difficulty fitting these items into the first aid kit.

Section 171.55, relating to identification and markings on school buses, has been amended to permit yellow identification numbers to be used on the black bumpers of school buses with rounded fronts, to increase the lettering height, and to clarify the meaning of “below the window line” for school district or contractor identification, as well as to comply with CFR 390.21, relating to interstate travel for PUC-regulated commercial vehicles. It is difficult for school buses with rounded fronts to display the required identification numbers. By allowing them to display a yellow number on their black bumpers, the identification number will be easier to place and see. Amendment to 171.55.1(c) clarifies how far “below the window line” the school district or contractor identification may be placed. The new language states the identification should be as close as practical to the bottom ledge of the bottom window sash. Additionally, some school districts and contractors requested the allowance of larger identification lettering. The permitted height of the letters will be increased from 6 to 8 inches.

The final change in 171.55.1(c) requires that school buses must display any other markings required of a commercial vehicle. This will allow them to conform with CFR 309.21, relating to the required identification for interstate travel for PUC-regulated commercial vehicles.

Section 171.59.(b)(2)(x), relating to lamps and signals, has been amended for clarification. This section will now read clearly that an audio alarm must be activated when the device installed to prevent the automatic extension of the stop arm when the bus is not being used for pupil transportation is engaged.

Section 171.74, currently reserved, has been amended to add language regulating the type and use of crossing control arms which were mandated in the Act of December 21, 1998, P.L. 1126, No. 151. This device, which extends approximately 6 feet from the front of the school bus, will force children to walk at least 6 feet in front of the front bumper where the school bus driver is able to see the children and know when they are safely across the street. Over the past 20 years, 243 children have died after being hit by their own school bus. This device greatly enhances the safety of school children entering and exiting the school bus.

Section 171.104(1), relating to the size and style of special service entrance doors on specially equipped school buses, has been amended to conform to the language used in the National Standard for School Transportation. This language, allowing either a single or double door, simplifies the current language without changing the meaning.

Persons and Entities Affected

These regulations affect persons and entities responsible for the transportation of school children. This includes all 501 school districts and any organization they may contract to provide pupil transportation. In addition, the Pennsylvania State Police will be affected when conducting school bus vehicle inspections.

Fiscal Impact

These regulations will not impose any increased costs on private persons, state or local governments. These regulations will not occasion the development of any additional reports or other paperwork requirements.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act, Act of June 25, 1982 (P.L. 633, No. 181), as amended by the Act of June 25 1997 (P.L. 242, No. 24), 71 P.S. 745.5(a), the agency submitted a copy of this proposed regulation on March 5, 2002, to the Independent Regulatory Review Commission and to the Chairmen of the House and Senate Transportation Committees. In addition to submitting these regulations, the agency has provided the Commission and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the agency in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If the Commission has any objections to any portion of the proposed regulation, it will notify the agency by May 16, 2002. Such notification shall specify the regulatory review criteria which have not been met by that portion. The Act specifies detailed procedures for review, prior to final publication of the regulation, by the agency, the General Assembly and the Governor of objections raised.

Sunset Date

The Department is not establishing sunset date for these regulations, since these regulations are needed to administer provisions required under the Vehicle Code (75 Pa. C.S. §101, *et. seq.*). The Department will, however, continue to closely monitor these regulations for their effectiveness.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Rebecca L. Bickley, Director, Bureau of Driver Licensing, Riverfront Office Center, 1101 South Front Street, 4th Floor, Harrisburg, Pennsylvania 17104, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions related to this regulation is: Chris Ann Miller, Manager, Special Driver Programs, Department of Transportation, Bureau of Driver Licensing,

Riverfront Office Center, 1101 South Front Street, 3rd Floor, Harrisburg, PA 17104, (717) 772-2117.

Bradley L. Mallory
Secretary of Transportation

ANNEX A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

SUBPART A. VEHICLE CODE PROVISIONS

ARTICLE IV. LICENSING

CHAPTER 71. SCHOOL BUS DRIVERS

§ 71.1. Scope and application.

This chapter applies to the course of instruction and physical examination for school bus drivers required by 75 Pa.C.S. §1509 (relating to qualifications for [class 4 license] the school bus driver endorsement).

* * * * *

§ 71.3. Physical examination.

* * * * *

(b) *Requirements of physical examination.* A person is physically qualified to drive a school bus if the person:

* * * * *

(2) Has no loss of a foot, a leg, a hand, or an arm; or has been granted a waiver by the Department after competency has been demonstrated through a driving examination.

* * * * *

(4) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring use of insulin or other hypoglycemic medication.

(i) A waiver may be granted to an individual requiring the use of oral hypoglycemic medication provided:

(A) the individual's physician verifies in writing that there has been no incident of hypoglycemic reaction for the preceding period of two years; and

(B) the driver shall submit to a diabetic examination every six months and shall submit the results of the examination on a form provided by the Department.

(ii) A waiver may be granted to a person requiring the use of insulin provided:

(A) the person's physician verifies in writing to the Department that there has been no incident of hypoglycemic or hyperglycemic reaction and the person has been free from insulin reaction (including loss of consciousness, attention, or awareness) or the requirement of assistance from another person, for the preceding period of two years;

(B) the person shall submit to a diabetic examination every six months, including a Hemoglobin A1C, and to a review of the prior six month history of blood glucose monitoring. The physician conducting the diabetic examination shall be familiar with the person's past diabetic history for 24 months or have access to that history;

(C) The person, upon hire by a school district to drive a school bus, shall demonstrate his willingness to manage his diabetes by complying with the following requirements:

(1) self-monitoring blood glucose one hour before driving, and at least every four hours while driving or while otherwise on duty, by using a portable blood glucose monitoring device with a computerized memory. If blood glucose is below 80 or above 350 the person shall not drive until he takes appropriate measures and retests within this acceptable range;

(2) monthly submitting the results of blood glucose self-monitoring for review by a physician, certified nurse practitioner, physician's assistant, registered nurse, or other health care provider selected by the school district. The results also shall be submitted to the physician conducting the six month diabetic examination required by paragraph (B) above;

(3) maintaining a manual blood glucose monitoring log and submitting it, together with the glucose monitoring device's computerized log, every six months to the physician conducting the person's 6 month diabetic examination; and

(4) having in his possession a source of rapidly absorbable glucose at all times while driving a school bus.

(iii) A reviewing physician finding that a person previously qualified for a waiver is not complying with the requirements listed in 71.3 (b)(4)(ii)(C) or is otherwise no longer qualified for the waiver shall report these findings to the Department and the waiver shall be rescinded.

(iv) If a person requiring the use of oral hypoglycemic medication or a person requiring the use of insulin does not qualify for a waiver, that person may request an

independent review of his medical records. The review will be conducted by a member of the Medical Advisory Board or by another physician designated by the Department.

(v) All submissions to the Department by physicians or other health care providers, including physician verifications and the results of diabetic examinations, shall be made on forms provided by the Department.

(5) Has no established medical history or clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, or pacemaker insertion.

(i) Waivers may be granted to those individuals with a history of coronary artery disease, previous myocardial infarction, congenital heart defects, cardiomyopathy, pericarditis, myocarditis, chronic atrial flutter/fibrillation or valvular heart disease, and individuals who have undergone corrective surgery for congenital heart defects, coronary angioplasty, valve repair/replacement, coronary artery bypass graft surgery, or ablative surgery for paroxysmal supraventricular arrhythmias, if the individual annually meets these criteria:

(A) The individual is asymptomatic from the disorder or is receiving medication used to treat the disorder and is asymptomatic on medication;

(B) The individual completes 7 METS on a treadmill stress EKG test preferably following the Bruce or Balke Protocols and achieves 85% of the predicted maximal heart rate without symptoms or EKG changes. If the resting EKG is abnormal, or the individual is on digoxin, then a stress thallium test should be performed; and

(C) An echo, gated blood pool scan or left ventriculogram performed on the individual measures a left ventricular ejection fraction of 40% or greater.

(ii) In the case of a permanent pacemaker insertion, the individual must be two months post insertion, asymptomatic and demonstrate that he is undergoing regular pacemaker follow up.

(iii) In the case of chronic atrial flutter/fibrillation, the individual must be on anticoagulant therapy with aspirin or Coumadin and demonstrate adequate rate control when exercising on a treadmill as listed in (i)(B).

(iv) No waivers may be granted to individuals:

(A) diagnosed with symptomatic coronary artery disease (angina), cardiomyopathy, pericarditis, myocarditis, congenital or valvular heart disease.

(B) within two months of a myocardial infarction, open heart surgery or pacemaker insertion.

(C) implanted with an automatic cardioverter/defibrillators or antitachycardic device.

(D) with any history of ventricular tachycardia (excluding couplets and triplets), ventricular fibrillation or sudden cardiac death with successful resuscitation.

(E) with any history of paroxysmal supraventricular tachycardia.

(F) with any history of carotid sinus hypersensitivity, sick sinus syndrome, second degree heart block or third degree heart block unless a pacemaker has been inserted.

(10) Has no established medical history or clinical diagnosis of seizure disorders or another condition likely to cause loss or impairment of consciousness or loss of ability to drive a school bus safely.

(i) A waiver may be granted to such persons provided:

(A) There has been no more than a single, nonrecurring episode of altered consciousness or loss of bodily control, occurring at least two years preceding application, which did not require treatment.

(B) A seizure disorder has been diagnosed, but the person has been episode-free for at least five years preceding application and has not required treatment for at least five years preceding application.

Annex A

Title 67. Transportation

Part I. Department of Transportation

Subpart A. Vehicle Code Provisions

Article VII. Vehicle Characteristics

Chapter 171. School Bus and School Vehicles

Subchapter A. GENERAL PROVISIONS

* * *

Subchapter B. SCHOOL BUS CHASSIS STANDARDS

* * *

§ 171.21. Exhaust system.

* * *

(i) *Exhaust system and discharge location.* Exhaust systems are not permitted to discharge to the atmosphere at a location immediately below the fuel tank or the fuel tank filler pipe. All exhaust systems shall also extend and discharge completely to the outside edge of the vehicle body.

* * *

Subchapter C. SCHOOL BUS BODY STANDARDS

* * *

§ 171.47. Color.

The requirements for the color of school bus bodies are as follows:

* * *

(2) The roof of the school bus may be painted white.

(3) The body exterior trim may be painted black. The bumper and exterior mirrors shall be painted black.

[(3)] (4) If a school bus is equipped with reflective material, other than that required under §§ 171.50 and 171.59 (relating to doors and emergency exits; and lamps and signals), the reflective material shall be of automotive engineering grade or better. If additional reflective materials and markings are used, they [shall] may be applied as follows:

(i) The front or rear bumpers, or both, shall be marked diagonally 45° down to the centerline of pavement with strips of noncontrasting reflective material 2 inches wide. See Figure 1.

(ii) The rear of the school bus body shall be marked with a strip of reflective National School Bus Yellow material no greater than 2 inches in width applied to the back of the school bus, extending from the lower-left corner of the "SCHOOL BUS" lettering, across to the left side of the school bus, then vertically down to the top of the bumper, across the school bus on a line immediately above the bumper to the right side, then vertically up to a point even with the strip placement on the left side, and concluding with a horizontal

strip terminating at the lower-right corner of the "SCHOOL BUS" lettering. See Figure 2.

(iii) "SCHOOL BUS" sign shall be marked with reflective National School Bus Yellow material comprising background for lettering of the front or rear, or both, "SCHOOL BUS" signs. See Figures 1 and 2.

(iv) The sides of the school bus body shall be marked with reflective National School Bus Yellow material at least 1 3/4 inches, but not more than 4 inches, in width, extending the length of the school bus body and located—vertically—as close as practicable to the beltline. See Figure 3.

(v) Reflective material shall be of a color coinciding with Figures 1—3.

* * *

§ 171.50. Doors and emergency exits.

(a) *Service doors.* The requirements for service doors are as follows:

* * *

[(9) Supplemental security locks installed on service doors shall be equipped with an ignition interlock system or an audiovisual alarm located in the driver's compartment.]

(b) *Emergency exits.* Each school bus shall comply with FMVSS No. 217. See Appendix A. The area of square centimeters of the unobstructed opening for emergency exits shall collectively amount to at least 432 times the number of designated seating positions in the bus. The area of an opening equipped with a wheel chair lift is counted toward meeting additional emergency area

requirements only if the lift is designed to be folded or stored so that the area is available for use by persons not needing the lift.

(1) The requirements for emergency exit doors are as follows:

(xii) Supplemental security locks installed on emergency doors shall be equipped with an audiovisual alarm located in the driver's compartment.

§ 171.52. First aid.

(a) *First aid kit.* Every school bus shall have a removable moisture and [dustproof] dust proof first aid kit, mounted in an accessible place within the driver's compartment. The first aid kit shall be mounted as directed by the manufacturer. The first aid kit shall be labeled and visible to the driver or its location shall be marked.

(b) *Content.* The first aid kit shall contain, at a minimum, the following items:

(1) Two 1 inch x 2 ½ yards rolls of non-latex adhesive tape [rolls].

(4) [Twelve] Eight 2 inch bandage compresses.

(5) [Twelve] Ten 3 inch bandage compresses.

[(11) 1 pair latex gloves.

(12) 1 mouth barrier.]

(d) Surgical gloves and mouth barriers. Either the first aid kit or the body fluid cleanup kit shall contain:

(1) One pair of non-latex surgical gloves.

(2) One mouth barrier.

* * *

§ 171.55. Identification.

* * *

(b) *Identification number.* Every school bus shall display an identification number consisting of no more than 4 black numbers, letters or a combination of numbers and letters. The numbers or letters shall be a minimum 5 inches in height and shall be displayed in a prominent location on the front, rear and on both sides of the bus. On a school bus with a rounded front, the identification number displayed on the front of the bus may be displayed on the front bumper in yellow numbers, letters, or a combination of numbers and letters, in lieu of black numbers, letters, or a combination of numbers and letters on the front of the bus body.

(c) *Additional markings.* School buses shall have the name of the school district, private or parochial school, or school bus contractor clearly visible, lettered on each side of the school bus body[, below the window line] in the upper body belt band area as close as practical to the bottom ledge of the bottom window sash in letters of not less than 4 inches, and not more than [6] 8 inches in height. Lettering shall be in black or National School Bus Yellow, depending on the contrasting background color. See Appendix B. Other signs or lettering are not permitted, except the bus contractor may have his name or the name of the company in letters no larger than

3 inches in height, or the dealer identification insignia may be displayed in an area not to exceed 6 inches in height by 12 inches in width to the rear of the front entrance at the lowest possible point. Pennsylvania Public Utility Commission and Interstate Commerce Commission certification numbers, and any other required commercial vehicle markings may be displayed.

* * *

§ 171.59. Lamps and signals.

* * *

(b) *Flashing signal lamps and stop signal arm devices.* The requirements for flashing signal lamps and stop signal arm devices are as follows:

* * *

(2) *Stop signal arm devices.* Stop signal arm devices on school buses shall comply with FMVSS No. 131—See Appendix A—and the following requirements:

* * *

(x) The stop signal arm shall be automatically extended so that it complies with subparagraph (viii), at a minimum, whenever the red signal lamps required by FMVSS No. 108, S 5.1.4—See Appendix A—are activated; except that a device may be installed that prevents the automatic extension of a stop signal arm. The mechanism for activating the device shall be within the reach of the driver. While the device preventing automatic extension is activated, a continuous or intermittent signal audible to the driver shall sound. The audible signal may be equipped with a timing device but shall require [requiring] the signal to sound for at least 60 seconds. If a timing

device is used, it shall automatically recycle each time the service entry door is opened while the engine is running and the manual override is engaged.

* * *

§ 171.74. [(Reserved).] Crossing Control Arm.

All school buses shall be equipped with a crossing control arm.

- (1) The crossing control arm shall meet or exceed SAE Standard J1133.
- (2) The crossing control arm shall be mounted on the right side of the front bumper and shall not open more than 90°.
- (3) The crossing control arm shall extend approximately 72 inches from the front bumper when in the extended position.
- (4) The crossing control arm shall extend simultaneously with the stop arm by means of the stop arm controls.
- (5) The crossing control arm shall incorporate system connectors (electrical, vacuum, or air) at the gate and shall be easily removable to allow for towing of the school bus.
- (6) All components of the crossing control arm and all connections shall be waterproofed.
- (7) If the crossing control arm is not constructed of noncorrosive or nonferrous material, it shall be zinc-coated or aluminum-coated or treated by equivalent process.
- (8) There shall be no sharp edges or projections on the crossing control arm that could cause hazard or injury to students.

* * *

Subchapter D. SPECIALLY EQUIPPED SCHOOL BUS STANDARDS

* * *

§ 171.104. Special service entrance doors.

The requirements for special service entrance doors are as follows:

(1) [A single door may be used if the width of the door opening does not exceed 40 inches.

(2) Two doors shall be used if a single door opening exceeds 40 inches.] Either a single door or double doors may be used for the special service entrance.

[(3)] (2) Doors shall open outwardly.

[(4)] (3) Doors shall have positive fastening devices to hold the doors in the open position.

[(5)] (4) Doors shall be weather sealed. Double doors shall be so constructed that a flange on the outside of the forward door overlaps the edge of the rear door when closed.

[(6)] (5) If optional power doors are installed, the design shall permit release of the doors for opening an closing from the platform inside the school bus.

[(7)] (6) If manually operated doors are provided, the rear door shall have at least one point fastening device to the header.

* * *

[(8)] (7) Door materials, panels and structural strength shall be equivalent to the conventional service and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body.

[(9)] (8) Each door shall have windows set in rubber compatible within 1 inch of the lower line of the adjacent sash.

[(10)] (9) Doors shall be equipped with a device that will actuate an audible or visible signal located in the driver's compartment when the doors are not securely closed and the ignition is in the "on" position.

[(11)] (10) The lifting mechanism switch shall be wired so as to prevent the lifting mechanism from operation when the lift platform door is closed.

[(12)] (11) Supplemental security locks installed on special service entrance doors shall be equipped with an ignition interlock system or an audiovisual alarm located in the driver's compartment.

* * *

Subchapter E. SCHOOL VEHICLE STANDARDS

* * *

§ 171.123. First aid.

(a) *Required.* Every vehicle shall have a removable moisture and [dustproof] dust proof first aid kit mounted in an accessible place within the driver's compartment. The first aid kit shall be mounted as directed by the manufacturer. The first aid kit shall be labeled and securely placed or mounted in an easily accessible location.

(b) *Content.* The first aid kit shall contain, at a minimum, the following items:

- (1) [Two] One 1 inch x 2 ½ yards rolls of non-latex adhesive tape [rolls].
- (2) [Twenty-four] One package sterile gauze pads, 3 inches x 3 inches.

- (3) [One hundred] One package ¾ inch x 3 inches adhesive bandages.
- (4) [Twelve] One package 2 inch bandage compresses.
- (5) [Twelve] One package 3 inch bandage compresses.
- (6) [Two] One 2 inch x 6 yards sterile gauze roller bandage[s].
- (7) [Two] One nonsterile triangular bandage approximately 40 inches x 36 inches x 54 inches with two safety pins.
- (8) [Three] One package sterile gauze pads, 36 inches x 36 inches (U.S.P. 2423 count).
- (9) [Three] One sterile eye pad[s].
- (10) One pair rounded end scissors.
- [(11) One pair latex gloves.
- (12) One mouth barrier.]

* * *

(d) Surgical gloves and mouth barriers. Either the first aid kit or the body fluid cleanup kit shall contain:

- (1) One pair of non-latex surgical gloves.
- (2) One mouth barrier.

* * *

Subchapter F. MASS TRANSIT PUPIL TRANSPORTATION BUS STANDARDS

* * *

§ 171.133. First aid.

(a) *First aid kit.* Every mass transit pupil transportation bus shall have a removable moisture and [dustproof] dust proof first aid kit mounted in an accessible place within the driver's compartment. The first aid kit shall be mounted as directed by the manufacturer. The first aid kit shall be labeled and visible to the driver or its location shall be marked.

(b) *Content.* The first aid kit shall contain, at a minimum, the following items:

(1).Two 1 inch x 2 ½ yards rolls of non-latex adhesive tape [rolls].

* * *

(4) [Twelve] Eight 2 inch bandage compresses.

(5) [Twelve] Ten 3 inch bandage compresses.

* * *

[(11) 1 pair latex gloves.

(12) 1 mouth barrier.]

* * *

(d) *Surgical gloves and mouth barriers.* Either the first aid kit or the body fluid cleanup kit shall contain:

(1) One pair of non-latex surgical gloves.

(2) One mouth barrier.

* * *

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
www.dot.state.pa.us



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Harrisburg, Pennsylvania 17105-8212
(717) 787-6485

March 5, 2002

Robert E. Nyce
Executive Director
14th Floor Harrisstown 2
333 Market Street
Harrisburg, PA 17101

**Re: Regulation #18-372: 67 Pa. Code, Chapters 71 and 171 —
School Bus Drivers, School Buses and Vehicles**

Dear Mr. Nyce:

Enclosed please find a copy of the Face Sheet, Preamble, Annex A and Regulatory Analysis Form for Amendments to 67 Pa. Code, Chapters 71 and 171, School Bus Drivers, School Buses and Vehicles, which the Department of Transportation today delivered to the Legislative Reference Bureau for publication on March 16, 2002, as a proposed rulemaking in accordance with the provisions of the Commonwealth Documents Law, Act of July 31, 1968, P.L. 769, 45 P.S. § 1201 *et seq.*, and the Regulatory Review Act, 71 P.S. § 745.1 *et seq.*

Copies of these materials were also delivered today to the majority and minority chairpersons of the Pennsylvania House and Senate Transportation Committees.

The Department of Transportation will provide you with any assistance you require to facilitate a thorough review of this regulation. Thank you for your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen F. J. Martin". The signature is written in a cursive style and is positioned above the printed name.

Stephen F. J. Martin
Regulatory Counsel

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 18-372

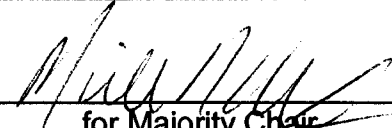

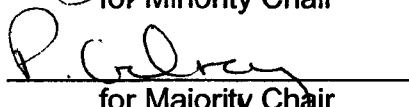
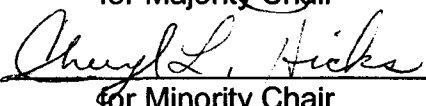
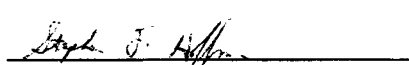
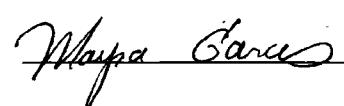
SUBJECT: School Bus Drivers, and School Buses and School Vehicles
67 Pa. Code Chapters 71 and 171

AGENCY: Department of Transportation

TYPE OF REGULATION

- X Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
	 for Majority Chair	HOUSE COMMITTEE ON TRANSPORTATION
<u>3/5/02</u>	 for Minority Chair	
	 for Majority Chair	SENATE COMMITTEE ON TRANSPORTATION
	 for Minority Chair	
<u>3/5/02</u>		INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
<u>3/5/02</u>		LEGISLATIVE REFERENCE BUREAU

Date: March 5, 2002

RECEIVED
 TRANSPORTATION COMMISSION
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