**Section 1.510 Transportation**

a) Section 29-3 of the School Code [105 ILCS 5/29-3] requires the school boards of certain school districts to provide free transportation to pupils as delineated in that Section. These school districts may provide free transportation to other students in accordance with the remaining applicable provisions of Article 29 of the School Code [105 ILCS 5/Art. 29]. Districts that are not required to provide free transportation may do so at their option.

b) Each district seeking State reimbursement for pupil transportation shall comply with the provisions of Article 29 of the School Code and 23 Ill. Adm. Code 120 (Pupil Transportation Reimbursement). In order to qualify for reimbursement, school districts not required to provide transportation pursuant to a specific Section of Article 29 that elect to do so must afford the same service to all eligible pupils. For example, if a district is not required to transport students under Section 29-3 of the School Code [105 ILCS 5/29-3] but elects to transport some students residing more than 1½ miles from their attendance centers, then the district must transport all students in that same situation in order to claim reimbursement for any transportation service.

c) Each district that is required to provide free transportation has the responsibility of providing sufficient buses for transporting all eligible pupils.

d) Each school district is required to conform to the equipment standards and regulations established by the Department of Transportation.

e) Each local school board that provides transportation shall designate a person under its direct supervision to ensure adherence to all laws and regulations affecting safe pupil transportation.

f) School bus routing is the responsibility of the local school board. School districts shall arrange school bus stops to maximize safety, so that buses will not have to back up, and so that crossing arms will not infringe upon pedestrian crosswalks or cross streets. School buses are not required to enter private property.

g) Local school boards shall institute policies and practices that promote the safety and well-being of school bus passengers, including provisions that support Section 10-22.6(b) of the School Code [105 ILCS 5/10-22.6(b)]. Local school boards shall require that all school bus drivers who transport pupils have been trained as discussed in Section 1.515 of this Part. The requirements set forth in subsections (h) through (n) of this Section shall serve as minimum statewide requirements for operating a school bus. Transportation for students who receive special education and related services shall be as set forth in the State Board's rules for Special Education (23 Ill. Adm. Code 226). Local school boards may adopt more stringent requirements, at their discretion.

h) Operation of the Bus by the Driver

1) The service door shall be closed at all times when the bus is in motion.

2) Windows shall not be lowered below the stop line painted on the body pillar.

3) The emergency door shall be unlocked but securely latched when operating the school bus.

4) The driver shall not leave the bus while the motor is running.

5) The gasoline tank shall not be filled while there are any persons on the bus or while the motor is running.

6) The school bus signs shall be displayed only when the bus is being used for official school transportation.

7) The required alternately flashing warning lights and stop arm shall be used only when stopping to receive or discharge students.

8) The driver shall not back a bus at the school while students are in the vicinity unless a responsible person is present to guide the bus driver.

9) The driver shall not permit a weapon or explosive of any kind on the bus.

10) The driver shall not smoke when operating a school bus.

i) Passenger Treatment and Supervision

1) All passengers shall be seated when the bus is in motion.

2) Students shall not be asked to leave the bus along the route for breach of discipline, nor shall they be asked to sit anywhere other than on a seat for breach of discipline.

3) The bus driver shall observe the requirements of the district's policy adopted pursuant to Section 12-816 of the Vehicle Code [625 ILCS 5/12-816] with respect to ensuring that *no passenger remains on the bus at the end of a route, a work shift, or the work day*.

j) Loading and Unloading

1) When children are picked up and must cross a roadway, the driver shall beckon them to cross the road when it is safe to do so.

2) The driver on a regular route shall not be expected to wait for a tardy student and may proceed on a timely route if the student is not in sight.

3) At school, the bus shall be driven onto the school grounds to discharge pupils or they shall be otherwise discharged so they will not have to cross a street if at all possible. At all discharge points where it is necessary for pupils to cross a roadway, the driver shall direct students to a point at least ten feet in front of the bus on the shoulder of the roadway and shall direct them to remain there until a signal is given by the bus driver for the students to cross.

4) A driver shall not allow a student to get off the bus at any place other than the student's designated discharge point unless permission is granted by the proper school official.

5) If a loading zone is not visible to traffic approaching from either direction, the district shall notify the Illinois Department of Transportation and request a determination as to the need to erect appropriate signs.

k) Permitted Occupants

1) The manufacturer's capacity for a bus shall not be exceeded.

2) Only persons authorized by the school district shall be allowed to ride school buses. Except with the permission of school authorities, the driver shall transport no school children with animals. Any animal transported shall be properly confined at all times when it is on a school bus.

l) Accidents

1) In case of an accident or breakdown while the bus is transporting students, the first consideration shall be whether it is safer to evacuate the students or to have them remain on the bus.

2) All accidents shall be reported immediately to the appropriate school officials.

3) A School Bus Accident Report shall be completed in a format prescribed by the State Superintendent of Education and shall be forwarded to the regional superintendent immediately after any accident.

4) In case of a death that occurs as a result of a school bus accident, the responsible district official shall immediately notify the regional superintendent by telephone.

m) Railroad Crossings

Each driver of a school bus shall stop at all railroad crossings except where protected by a human flagman or law enforcement officer or marked as having been exempted by the Illinois Commerce Commission pursuant to Section 11-1202 of the Illinois Vehicle Code [625 ILCS 5/11-1202].

1) The driver shall stop between 15 and 50 feet in front of the first rail. While stopped, the driver shall open the service door, listen and look in both directions for any approaching train. When the driver determines that no train is approaching, he or she shall close the door, then proceed completely across the grade crossing without changing gears.

2) A driver who has stopped at a railroad crossing that is protected only by flashing lights and who determines that no train is, in fact, approaching (i.e., a malfunction is apparent) may proceed despite the warning lights, provided that he or she has complied with the requirements of subsection (m)(1) of this Section.

3) The driver shall not use the alternately flashing warning signals or stop arm at railroad grade crossings.

n) School Bus Crossing Arm

1) A school bus driver shall use the school bus crossing arm whenever the bus stops to allow students to enter or leave the bus. The driver shall allow sufficient space for the full extension of the crossing arm without infringing on other vehicles, other obstacles, the pedestrian crosswalk, or a cross street. However, a driver may omit using the crossing arm at school loading areas where school buses are parked bumper to bumper or when extending the crossing arm would impede pedestrians' crossing, extend into the adjacent cross street, or collide with another object or vehicle.

2) A school bus driver shall report to the affected school district any instance when the crossing arm cannot be used as required. School districts shall use this information in evaluating school bus routes and pickup and dropoff points. Districts shall retain these records in a manner consistent with their retention policies applicable to other records.

3) A school bus shall not be used if its crossing arm is found to be inoperable during the pre-trip inspection, or if the crossing arm has malfunctioned and has not yet been repaired.

4) If a crossing arm malfunctions while the school bus is carrying students, the driver shall note the stop where the malfunction first occurs and may complete the route if permitted to do so by local board policy.

(Source: Amended at 33 Ill. Reg. 15193, effective October 20, 2009)