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# Minnesota Pupil Transportation

This information brief summarizes state statutes regarding K-12 transportation and contains pupil transportation statistics.

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## **School Board Responsibility for Transportation**

School boards are required to provide transportation to and from school, or to provide board and lodging, for all students who live two miles or more from schools. School boards are required to provide equal transportation for nonpublic school students.

School boards are also required to:

- provide certain transportation services for disabled students;
- provide transportation for nonresident open enrollment students within the attendance area of the school attended; and
- provide transportation services for resident students attending a charter school that is located within the district, if the charter school has declined to provide transportation services to its students.

School boards are granted sole discretion, control, and management over:

- scheduling of routes;
- establishing the location of bus stops;
- the manner and method of transportation;
- control and discipline of school students; and
- any other related matters.

([Minn. Stat. §§ 124D.03, subd. 8; 124D.10, subd. 16; and 123B.84 to 123B.88](#))

## **School Transportation Services**

School districts may provide pupil transportation services by operating a district-owned school bus fleet, contracting with a private vendor of transportation services, or a combination of district operated and contracted services. ([Minn. Stat. § 123B.88](#)) Of the 347 school districts in Minnesota in 1999-2000, 217 school districts owned some school buses.

During the 1999-2000 school year, there were a total of 13,573 school buses in Minnesota. School districts owned 5,429 school buses, contractors owned 7,978 school buses, and nonpublic schools owned 166 school buses. The tables below show a breakdown of the number of school buses by owner, type, and mileage by budget category.

**Table 1**  
**1999-2000 School Bus Ownership By Type**

<b>Category</b>	<b>District-Owned</b>	<b>Contractor-Owned</b>	<b>Nonpublic-Owned</b>	<b>Total</b>
Type A	128	438	8	<b>574</b>
Type B	121	505	16	<b>642</b>
Type C	3,179	4,412	116	<b>7,707</b>
Type D	829	855	1	<b>1,685</b>
Type III	1,172	1,768 <sup>1</sup>	25	<b>2,965</b>
<b>Total</b>	<b>5,429</b>	<b>7,978<sup>2</sup></b>	<b>166</b>	<b>13,573</b>

Source: Minnesota Department of Children, Families and Learning

For a description of the categories of school buses, see pages 8 and 9.

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<sup>1</sup> This number includes cars, station wagons, and vans owned by parents.

<sup>2</sup> Some school buses may be reported more than once due to the fact that school bus contractors may contract with more than one school district and school districts may contract with each other.

**Table 2**  
**1999-2000 Pupil Transportation Mileage By Category**

Category	Mileage <sup>3</sup>
Regular <sup>4</sup> and Excess <sup>5</sup>	88,072,882
Disabled <sup>6</sup>	35,783,923
Desegregation <sup>7</sup>	2,994,047
Student Activity Trips/Field Trips	20,337,290
<b>Total Annual Mileage (includes categories not shown here)</b>	<b>159,682,641</b>
Source: Minnesota Department of Children, Families and Learning	

During the 1999-2000 school year, a total of 843,083 students were transported in school buses. Of the 616,750 students transported in the regular category, 330,396 were elementary students, 281,925 were secondary students, and 4,429 were early childhood disabled students. The table below shows the number of public and nonpublic students that were transported to and from school by budget category.

<sup>3</sup> Mileage is calculated based on the number of miles traveled by each school bus in each district.

<sup>4</sup> Regular transportation means transportation to and from school during the regular school year for resident elementary pupils residing one mile or more from the public or nonpublic school they attend, and resident secondary pupils residing two miles or more from the public or nonpublic school they attend; transportation of resident pupils to and from language immersion programs; transportation of a pupil who is a custodial parent and that pupil's child between the pupil's home and the child care provider and between the provider and the school; and transportation to and from or board and lodging in another district, of resident pupils of a district without a secondary school.

<sup>5</sup> Excess transportation means transportation to and from school during the regular school year for secondary pupils residing at least one mile but less than two miles from the public or nonpublic school they attend, and transportation to and from school for pupils residing less than one mile from school who are transported because of extraordinary traffic, drug, or crime hazards.

<sup>6</sup> Disabled transportation means transportation of pupils with disabilities who cannot be transported on a regular school bus between home or a respite care facility and school; necessary transportation of pupils with disabilities from home or from school to other buildings, including centers, such as developmental achievement centers, hospitals, and treatment centers where required special instruction or services are provided; board and lodging for pupils with disabilities in a district maintaining special classes; transportation from one educational facility to another within the district for resident pupils enrolled on a shared-time basis in educational programs; transportation for resident pupils with disabilities to and from board and lodging facilities when the pupil is boarded and lodged for educational purposes; and any previously described service when provided for pupils with disabilities in conjunction with a summer instructional program that relates to the pupil's individual education plan or in conjunction with a learning year program.

<sup>7</sup> Desegregation transportation means transportation within and outside the district during the regular school year of pupils to and from schools located outside their normal attendance areas under a plan for desegregation mandated by the Commissioner of Children, Families and Learning or under court order.

**Table 3**  
**1999-2000 Public and Nonpublic Students**  
**Transported To and From School**

	<b>Category</b>	<b>Public</b>	<b>Nonpublic</b>	<b>Total</b>
Regular	Early childhood disabled <sup>8</sup>	4,373	56	4,429
Regular	Elementary	287,341	43,055	330,396
Regular	Secondary	261,053	20,872	281,925
	<b>Total Regular</b>	<b>552,767</b>	<b>63,983</b>	<b>616,750</b>
	Excess	127,100	6,946	134,046
	Disabled	23,518	3,187	26,705
	Desegregation	60,693	0	60,693
	Ineligible/Nonresident	4,383	506	4,889
	<b>Grand Total</b>	<b>768,461</b>	<b>74,622</b>	<b>843,083</b>
Source: Minnesota Department of Children, Families and Learning				

## **Pupil Transportation Funding**

The 1995 Legislature made substantial changes to the pupil transportation funding programs. Categorical funding programs were replaced with an across-the-board increase in the general education formula allowance of \$170 per student and the remaining categorical transportation formulas were reduced in size and scope.

The previous categorical pupil transportation funding formulas provided varying amounts of revenue for each of three different categories (regular services, nonregular services, and excess cost services) of transportation services. As a result, the distinction between required pupil transportation services and authorized pupil transportation services where additional funding was generated if the service was provided was somewhat blurred. The 1995 legislative changes attempted to clarify the state mandate as well as eliminate a series of formulas that were seen by some as creating disincentives for cost efficiency in pupil transportation.

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<sup>8</sup> Early childhood disabled transportation is transportation for disabled pre-kindergarten children with an individual education plan. If a child is able to ride a "regular" school bus, the child is counted in the regular category. If not, the child is counted in the disabled category.

A total of \$362.5 million was expended on pupil transportation during the 1999-2000 school year. Approximately 50 percent of the total, \$193.7 million, was expended on regular and excess transportation and another 20 percent (\$78.7 million) was expended on transportation for disabled students. The following table contains more detailed information on the four largest pupil transportation costs.

**Table 4**  
**1999-2000 Pupil Transportation Costs by Category**

Category	Cost <sup>9</sup>
Regular and Excess	\$193,733,118
Disabled	\$78,705,012
Desegregation	\$27,846,904
Student Activity Trips/Field Trips	\$36,211,515
<b>Total Annual Cost (includes categories not shown here)</b>	<b>\$362,524,925</b>
Source: Minnesota Department of Children, Families and Learning	

### School Bus Safety Training for Students

School districts must provide school bus safety training for public school students in kindergarten through tenth grade. Age-appropriate training must take place both in the classroom and on a school bus.

All students in grades kindergarten through third grade who are transported by school bus and are enrolled during the first or second week of school must demonstrate knowledge and understanding of the competencies on school bus safety training by the end of the third week of school. All students enrolled in grades four through ten who are transported by school bus and are enrolled during the first or second week of school must demonstrate achievement of the competencies by the end of the sixth week of school. Students who enroll in school after the second week must receive training within four weeks after enrollment.

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<sup>9</sup> Costs are allocated according to the type of bus or bus route on which a pupil rides. For example, the cost of a disabled pupil who is able to ride a “regular” school bus would be counted in the regular category. The cost of a disabled pupil who rides in a specially equipped wheelchair lift bus is counted in the disabled category.

The competencies for which all students must demonstrate knowledge and understanding include at least the following:

- the privilege, not the right, of school bus transportation;
- district policies for student conduct and school bus safety;
- appropriate conduct while on the school bus;
- the danger zones surrounding a school bus;
- procedures for safely boarding and leaving a school bus;
- procedures for safe street or road crossing;
- school bus evacuation and other emergency procedures; and
- appropriate training on the use of lap belts and shoulder belts, if the district uses buses equipped with lap belts or lap and shoulder belts.

School districts must make reasonable accommodations for school bus safety training for students known to speak English as a second language and students with disabilities. ([Minn. Stat. § 123B.90](#))

Each school district is required to develop and implement a comprehensive, written policy governing pupil transportation safety, including transportation of nonpublic school students if applicable. Each district must review its policy annually and make appropriate amendments, which must be submitted to the School Bus Safety Advisory Committee within one month of approval by the school board. ([Minn. Stat. § 123B.91](#))

## **School Bus Safety Standards**

The Department of Public Safety (DPS) has primary responsibility for school transportation safety. A School Bus Safety Advisory Committee:

- prepared of an annual report to the governor and education committees of the legislature;
- quarterly reviewed all school transportation accidents; and
- periodically reviewed school district comprehensive transportation safety policies.

The School Bus Safety Advisory Committee expired on June 30, 2001, however, the DPS plans on continuing the advisory committee in some form. ([Minn. Stat. § 169.435](#))

All Type A, B, C, and D school buses used for the transportation of school students are required to meet the requirements of the 1995 revised edition of the “National Standards for School Buses and School Bus Operations” adopted by the Twelfth National Conference on School Transportation (for descriptions of the types of school buses, see pages 8 and 9). ([Minn. Stat. § 169.4501](#)) In addition, Minnesota requires school bus equipment standards beyond the standards adopted by the Twelfth National Conference on School Transportation. ([Minn. Stat. §§ 169.4502 to 169.4504](#)) The Minnesota State Patrol is required to annually inspect every school

bus to ensure that construction, design, equipment, and color comply with the law. The Minnesota State Patrol is also authorized to conduct random spot inspections of school buses. ([Minn. Stat. § 169.451](#))

Currently, Minnesota does not require lap belts or lap/shoulder restraint systems on school buses. The position of the National Highway Traffic Safety Administration (NHTSA) is that there is no compelling evidence to suggest that seat belts would provide higher levels of passenger protection in a crash and, therefore, there is insufficient reason for a federal mandate for seat belts on large school buses. However, NHTSA is currently conducting a two-year research program to consider alternative methods for potentially improving federal school bus passenger crash protection requirements.

Some states, such as New York and New Jersey, require lap belts in all new school buses purchased after a certain date. School bus seats equipped with lap belts are readily available, however, they are more expensive. School buses equipped with lap/shoulder restraint systems are unavailable at this time. Current federal regulations make it impossible to meet the requirements for a school bus seat and the requirements for lap/shoulder restraint systems.

## **School Bus Classifications**

There are five different classifications of school buses in Minnesota: Types A, B, C, D, and III.

**A Type A school bus** is a conversion or body constructed upon a van-type or cutaway front section vehicle with a left-side driver's door. Type A school buses are designed to carry more than ten passengers. This definition includes two classifications: Type A-I, with a gross vehicle weight rating over 10,000 pounds and Type A-II school buses, with a gross vehicle weight rating of 10,000 pounds or less.

**A Type B school bus** is a conversion or body constructed and installed upon a van or front-section vehicle chassis, or stripped chassis, with a gross vehicle weight rating of more than 10,000 pounds. Type B school buses are designed to carry more than ten passengers. Part of the engine is beneath or behind the windshield and beside the driver's seat. The entrance door is behind the front wheels.

**A Type C school bus** is a body installed upon a flat back cowl chassis with a gross vehicle weight rating of more than 10,000 pounds. Type C school buses are designed to carry more than ten passengers. All of the engine is in front of the windshield and the entrance door is behind the front wheels. A Type C school bus has a maximum length of 45 feet.

**A Type D school bus** is a body installed upon a chassis with a gross vehicle weight rating of more than 10,000 pounds. The engine may be behind the windshield and beside the driver's seat; at the rear of the bus, behind the rear wheels; or midship between the front and rear axles. The entrance door is ahead of the front wheels. Type D school buses are designed to carry more than ten passengers. A Type D school bus has a maximum length of 45 feet.

**Type III school buses** have a maximum manufacturer's rated seating capacity of ten or fewer passengers, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. A Type III school bus must not be outwardly equipped and identified as a Type A, B, C, or D school bus. A van or bus converted to a seating capacity of ten or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

Types A through D are different sizes of yellow school buses. Type III school buses are restricted to passenger cars, station wagons, vans, and buses. Type III vehicles are restricted to ten persons—the driver and nine student passengers. A Type III school bus cannot be yellow in color, have a stop arm, or the eight-light system. In addition, a Type III school bus cannot be used to transport students if the vehicle is ten years of age or older.

## School Bus Driver Qualifications

In order to become a driver of a Type A, B, C, or D school bus, an individual must take both written and driving tests. In addition, the individual must have a background check, drug testing, and submit to a physical exam every two years (upon renewal of the school bus endorsement).

There are four different classes of licenses: Class A, B, C, and D. ([Minn. Stat. § 171.02](#)) An individual with a Class D (the standard driver's license) license may operate a single unit vehicle designed to carry less than 15 passengers, including the driver. An individual with a Class C license and a school bus endorsement may operate all vehicles that an individual with a Class D license can drive and school buses designed to carry 15 or fewer passengers, including the driver. An individual with a Class B license and passenger and school bus endorsements may operate all vehicles that an individual with a Class D or Class C license can drive and school buses with a gross vehicle weight rating of less than 26,000 pounds and designed to carry more than 15 passengers. An individual with a Class A license and passenger and school bus endorsements may operate all vehicles.

The type of school bus an individual can drive depends upon the license class the individual has received. For example, an individual with a Class A license, with proper endorsements, can drive Types A, B, C, and D school buses. An individual with a Class C license would only be able to drive Type A and some Type B school buses.

The 2001 Legislature passed a law that allows an individual to operate a Type A school bus without a school bus endorsement as long as certain conditions are met, including but not limited to:

- the bus has a gross vehicle weight of 10,000 pounds or less;
- the bus is designed to transport 15 or fewer passengers, including the driver;
- the operator drives the bus only from points of origin to points of destination, not including home-to-school trips;

- the operator's driver's license is verified annually by the entity that owns, leases, or contracts the bus; and
- the school bus must bear a current certificate of inspection.

This provision expires on July 1, 2003. ([Minn. Stat. § 171.02](#))

Individuals who drive Type III school buses can do so with a Class D license, without any additional endorsements. However, local school boards may adopt additional requirements for Type III school bus drivers.

The following competency levels must be met by drivers of Type A, B, C, and D school buses:

- safely operate the type of school bus the driver will be driving;
- understand student behavior, including issues relating to students with disabilities;
- encourage orderly conduct of students on the bus and handle incidents of misconduct appropriately;
- know and understand relevant laws, rules of the road, and local school bus safety policies;
- handle emergency situations; and
- safely load and unload students.

Employers are required to keep assessments for each driver available for inspection by the Department of Public Safety. School districts, nonpublic schools, and private contractors are required to annually certify to the school board or governing board of a nonpublic school that each school bus driver meets the school bus driver training competencies and to report the number of in-service training hours completed by each driver. School districts, nonpublic schools, and private contractors also are required to annually verify the validity of the license of each school bus driver. ([Minn. Stat. § 171.321](#))

According to [Minnesota Rules 7470.1700](#), school bus drivers of students with disabilities must receive additional training including:

- instruction in basic first aid and procedures for the pupils under their care;
- participation in a program of in-service training on the proper methods for dealing with specific needs and problems of students with disabilities;
- instruction on assisting students with disabilities on and off the bus when necessary; and
- ensuring that any protective safety devices required by the student are in use and fastened properly.

## **Potential Legislative Issues**

### **Transportation Study**

The 2001 Omnibus K-12 Education Finance Act requires the Commissioner of Children, Families and Learning to conduct a study of various school bus ridership categories. The commissioner is required to prepare a report on per pupil transportation costs to the legislative committees responsible for kindergarten through grade 12 education finance. The report must:

- identify funding inequities;
- make recommendations for providing equitable transportation funding;
- consider changes in student demographics, attendance patterns, declining enrollment, district topography, labor and fuel costs; and
- examine whether public transportation options can be used more effectively to provide transportation services.

The commissioner must consult with transportation professionals throughout the state in developing and preparing the report.

### **Seat Belts**

According to the NHTSA, there is no compelling evidence to suggest that seat belts would provide higher levels of passenger protection in a crash and, therefore, there is insufficient reason for a federal mandate for seat belts on large school buses. However, NHTSA is currently conducting a research program to consider alternative methods for potentially improving federal school bus passenger crash protection requirements.

Some states, such as New York and New Jersey, require lap belts in all new school buses purchased after a certain date. School bus seats equipped with lap belts are readily available, however, they are more expensive. A 66-passenger Blue Bird school bus equipped with lap belts is approximately \$1,500 more than a 66-passenger Blue Bird school bus without lap belts. On average, about 550 new school buses are purchased each year in Minnesota, half by school districts and half by school bus contractors. If all new school buses purchased were required to be equipped with lap belts, school districts and contractors would have to pay a total of an additional \$825,000 per year.

### **School Bus Air Quality**

A Natural Resources Defense Council (NRDC) report indicates that diesel fumes cause increased cancer risk to children riding in school buses (*No Breathing in the Aisles*, January 2001). However, other organizations, such as the School Bus Information Council, have responded by charging that the NRDC study has some notable limitations, including the fact that the buses used in the study appear to have been manufactured before the implementation of diesel engine emissions requirements in 1988.

Other issues related to this are the placement of school bus loading and unloading areas in relation to school building air intake valves, and school bus loading and unloading areas configured so that school buses are forced to line up end-to-end with the exhaust fumes from one bus flowing into the next bus.

### **Alternative Fuels**

Officials with the U.S. Environmental Protection Agency (EPA) estimate that nationwide, 8,300 premature deaths, 5,500 cases of chronic bronchitis, and 17,600 cases of acute bronchitis in children would be prevented annually by the use of low-sulfur fuel technology.<sup>10</sup> Recently, the EPA has required that almost all heavy-duty trucks and buses switch to ultra-low-sulfur fuel beginning in June 2006.

Several California school districts recently concluded an 18-month pilot program investing in low-sulfur fuel technology, which consists of an engine and a muffler-type device specially developed for low-sulfur diesel fuel. Low-sulfur diesel fuel has only 15 parts per million of sulfur, compared to an allowable 500 parts per million in regular diesel. The Los Angeles Unified and San Diego Unified school districts are both taking actions to use the technology more widely. The California Environmental Protection Agency administers a program that allots money for grants to reduce harmful emissions from the state's oldest, highest polluting school buses.

Currently, low-sulfur diesel technology is not widely used. One reason is cost. In California, a bus powered by low-sulfur technology costs \$6,000 to \$8,000 more than a regular diesel-powered bus. Also, low-sulfur fuel costs from three to ten cents more per gallon.

In addition to low-sulfur diesel fuel, other alternative fuels include natural gas, liquefied petroleum gas, methanol, and ethanol.

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<sup>10</sup> Stricherz, Mark. "California Districts Investing in Low-Polluting School Bus Technology." *Education Week*. August 8, 2001.