2317 (EEAEA) School Bus Driver Requirements 2317 (EEAEA)

1. Statement of Policy

The Milford School Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the vehicle.

This policy applies to three categories of drivers:

a. school bus drivers (see RSA 189:13-b; 263:29 & 29-a);

b. "contracted carriers": non-school bus drivers, of vehicles which are designed to transport 16 or more passengers, including the driver, and a carrier of passengers that has been contracted by the Milford School District (see RSA 376:2);

c. drivers of District operated multi-passenger vehicles with max capacity of less than 14 passengers.

The term "CDL holder" means someone who is required as part of their job duties to hold a Commercial Driver's License. The term "safety-sensitive function" refers to all tasks associated with the operation and maintenance of commercial vehicles. A "commercial vehicle" is any vehicle capable of carrying 16 or more passengers, including the driver.

Each driver, as well as others who perform safety-sensitive functions with commercial vehicles that transport students, must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy related to the fitness for duty of transportation personnel.

The Superintendent/designee shall adopt and enact any procedures necessary or appropriate to assure compliance with applicable state and federal laws and regulations.

2. Medical Examination of School Bus Operators

In accordance with RSA 200:37, before employing any person as a school bus driver, directly or through a vendor, the District shall require that such persons submit a certificate signed by a licensed physician setting forth the physician's findings as a result of an examination to determine the physical condition of drivers in accordance with the requirements of 49 C.F.R. Part 391.41-391.49. Such certificate shall be submitted to the District prior to the commencement of such employment, and the District shall retain a copy of such certification. Every 2 years thereafter, or sooner if required by a physician, either prior to the commencement of the school year or prior to the reemployment of such persons as a school bus driver, the District shall require submission of a like certificate, except that school bus operators attaining the age of 70 shall be required to undergo an annual examination and to submit a certificate annually. *This provision shall apply to contracted carriers.*

3. Certification

No person shall be employed as a school bus driver, directly or through a vendor, unless the person has received a School Bus Driver's Certificate from the NH Department of Motor Vehicles as required by RSA 263:29.

Contracted carriers shall comply with all applicable provisions of RSA 376:2, as well as have a valid commercial driver's license and operate a vehicle with a valid state inspection sticker. If the carrier operates multipurpose passenger vehicles for the transport of students and the State of New Hampshire no longer provides for inspection stickers, the carrier shall maintain proof of an inspection within the past 12 months covering all requirements defined in SAF-C 1312.

4. Criminal Background Investigation

Before employing any person as a school bus driver, directly or through a vendor or as a contracted carrier, the District shall require a criminal background investigation as set forth in RSA 189:13-a and District policy 2410 (GBCD). For a school bus driver employed directly by or who volunteers for the District, the employee will pay for the investigation. If the District contracts with a vendor to provide transportation services, either the vendor or the driver will pay for the investigation at the discretion of the vendor.

5. Mandatory Drug and Alcohol Testing For CDL Holders

In compliance with the United States Department of Transportation's Title 49 Code of Federal Regulations, Part 391, all commercial driver's license holders and personnel performing safety-sensitive functions related to the transportation of the students of this District will be required to submit to drug and alcohol testing. Testing procedures and facilities used for the tests shall conform to the requirements of the 49 C.F.R. Part 40. The District and any transportation contractor transporting students on behalf of the District shall utilize the Drug and Alcohol Clearinghouse to comply with all requirements for drug and alcohol testing and reporting, in accordance with 49 C.F.R. Parts 382 and 391.

If the District employs the CDL Drivers directly, the District will be responsible for ensuring compliance with the mandatory Drug and Alcohol Testing requirements. If the District contracts with a vendor to provide student transportation services, the vendor shall be the employer and provide assurance to the District on an annual basis that they are in compliance with the Mandatory Drug and Alcohol Testing requirements.

The Drug and Alcohol Testing will include pre-employment, random, reasonable suspicion, and post-accident testing as defined by Department of Labor Regulations. The School District enforces a zero-tolerance policy related to substance abuse per Policy 4050 (GBEC). Therefore, any personnel who have a confirmed positive test for drugs or a confirmed alcohol concentration of 0.02 or greater will be terminated from employment.

NH Statutes	Description
RSA 189:13-b	School Bus Driver & Transportation Monitor Criminal History Records Check
RSA 200:37	Medical Examination of School Bus Operators
RSA 263:29	School Bus Driver's Certificate
RSA 266-A:2, VII	Motor Carriage of Passengers

NH Regulations	Description
SAF-C-1300	CHAPTER Saf-C 1300 School Bus Transportation

Federal Regulations	Description
49 CFR 40.1-40.13 (2001)	Transportation Workplace Drug Testing Program
49 CFR Part 382	Controlled Substances and Alcohol Use and Testing
49 CFR Part 391	Qualifications of Drivers

Federal Statutes	Description
49 U.S.C. §5331	Omnibus Transportation Employee Testing Act of 1991

Adopted: 9/2026