

**RULES
OF
THE TENNESSEE DEPARTMENT OF SAFETY
HIGHWAY PATROL DIVISION**

**CHAPTER 1340-03-03
RULES AND REGULATIONS FOR SCHOOL BUS INSPECTION PROCEDURES**

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1340-03-03-.01 PURPOSE. To establish a uniform procedure for inspecting school buses and promoting school bus safety.

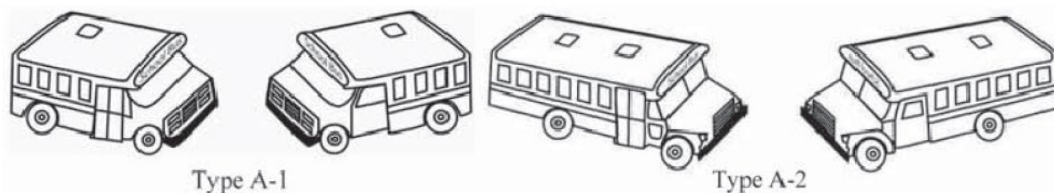
Authority: T.C.A. §§ 4-3-2009, 49-6-2102, and 49-6-2109. **Administrative History:** Original rule filed July 20, 1989; effective October 29, 1989. Amendments filed February 13, 2023; effective May 14, 2023.

1340-03-03-.02 DEFINITIONS.

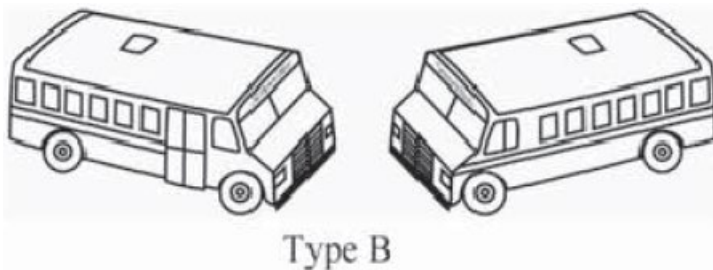
- (1) Annual Inspection. An inspection performed within the period of twelve (12) months that begins with the first day of the month following the month in which the last inspection was performed.
- (2) CDL. Commercial Driver's License Issued by the Department.
- (3) Commissioner. The appointed commissioner of the Department.
- (4) Department. The Tennessee department of safety and homeland security.
- (5) Extended Utilization Inspection. An inspection performed semi-annually as required by Tennessee Code Annotated (T.C.A.). Extended Utilization Inspections only apply to Type C and Type D buses.
- (6) Extended Utilization Inspection Sticker. An identification sticker issued by the Department as a system of enabling responsible officials and law enforcement personnel to visually identify the inspection status of school buses transporting pupils on a semi-annual basis.
- (7) FMVSS. The Federal Motor Vehicle Safety Standards as defined by Title 49, part 571 of the Code of Federal Regulations.
- (8) Out-Of-Service Sticker. An identification sticker issued by the Department as a system of identifying vehicles not to be used for transporting of students until removal of this notice by the State Safety Inspector due to failing to meet the criterion to safely transport students.
- (9) PAAMS. The portal administrative account management system, used by the pupil transportation division within the Department.
- (10) Qualified School Bus Inspector. A person approved by the Department to inspect school buses subject to the rules and regulations of this state.
- (11) Recorded Mileage. School bus mileage that must be established by written records and/or odometer readings.

(Rule 1340-03-03-.02, continued)

- (12) School Bus In-service Date. Date determined by the original title or the body build date.
- (13) School Bus Inspection Report. The inspection report form that is to be completed by the Department's Inspector, on a form developed by the Department which can be submitted electronically.
- (14) School Bus Inspection Sticker. An identification sticker issued by the Department as a system of enabling responsible officials and law enforcement personnel to visually identify the inspection status of school buses transporting pupils. These are assessed on an annual basis.
- (15) School Bus Type Definitions:
- (a) School bus: A bus owned, leased, contracted to, or operated by a school or school district and regularly used to transport students to and from school or school-related activities, but not including a charter bus or transit bus. A school bus must meet all applicable FMVSS and is readily identified by alternately flashing lamps, National School Bus Yellow paint, and the legend "School Bus," except as may be provided for the Multifunction school activity bus. The following describes each of these types and styles of vehicle:
1. Type A: A Type "A" school bus is a conversion or bus constructed utilizing a cutaway front section vehicle with a left side driver's door. This definition includes two classifications: Type A-1, with a Gross Vehicle Weight Rating (GVWR) of 14,500 pounds or less; and Type A-2, with a GVWR greater than 14,500 pounds and less than or equal to 21,500 pounds.



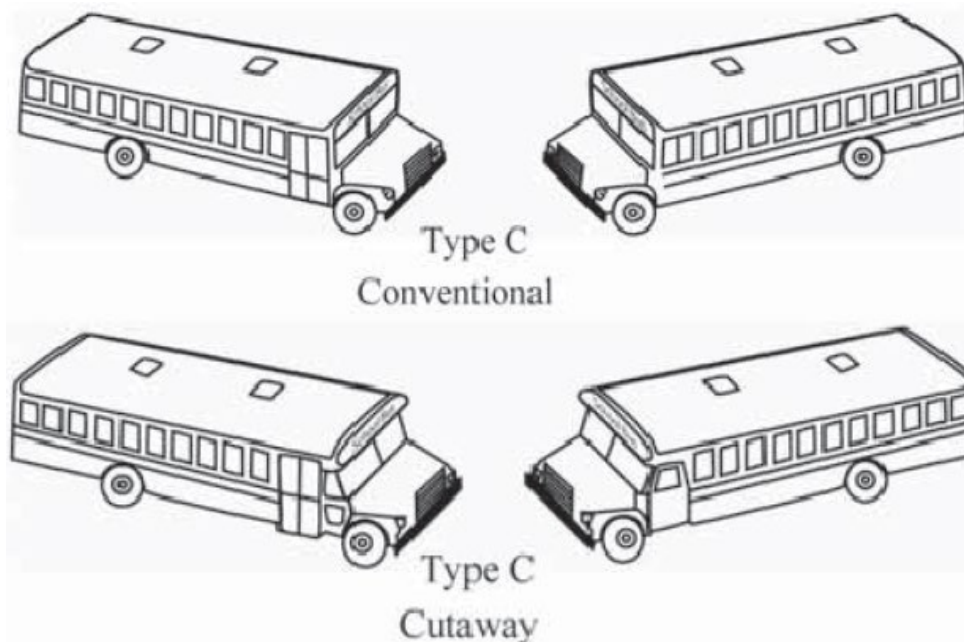
2. Type B: A Type "B" school bus is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: Type B-1, with a GVWR of 10,000 pounds or less; and Type B-2, with a GVWR greater than 10,000 pounds.



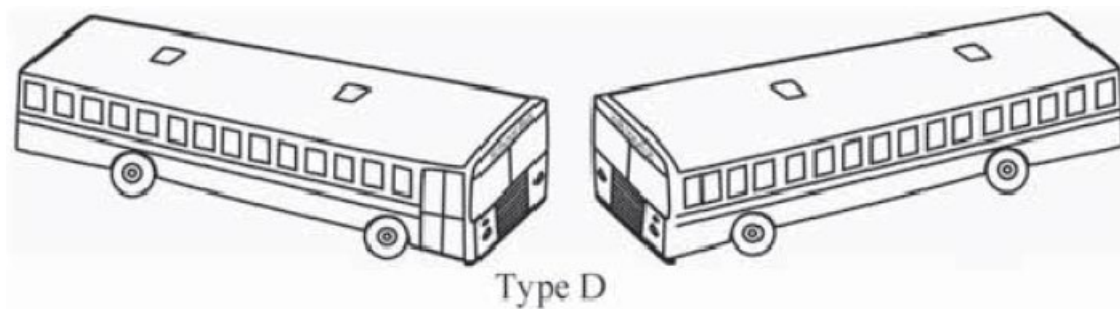
3. Type C: A Type "C" school bus is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels; also known

(Rule 1340-03-03-.02, continued)

as a conventional school bus. This type also includes cutaway truck chassis or truck chassis with cab with or without a left side door and a GVWR greater than 21,500 pounds.



4. Type D: A Type "D" school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels; also known as rear or front engine transit style school bus.



- (b) Multifunction school activity bus (MFSAB) or Multipurpose passenger vehicles are subcategories of school buses that meet all the Federal Motor Vehicle Safety Standards (FMVSS) for school buses except the traffic control requirements (alternately flashing signal and stop arm), referenced in 49 CFR 571.3.
 1. Multifunction school activity bus (MFSAB) means a school bus whose purposes do not include transporting students to and from home or school bus stops.
 2. Multipurpose passenger vehicle means a motor vehicle with motive power, except a low-speed vehicle or trailer, designed to carry 10 persons or less which

(Rule 1340-03-03-.02, continued)

is constructed either on a truck chassis or with special features for occasional off-road operation.

- (16) Temporary Sticker. An identification sticker issued by the Department to indicate that the bus was determined to need minor repairs, but not considered an immediate threat to the safety of students for a temporary status. These minor repairs must be corrected before final approval may be given.

Authority: T.C.A. §§ 4-3-2009, 4-4-102, 49-6-2102, and 49-6-2109. **Administrative History:** Original rule filed December 3, 2007; effective April 29, 2008. Amendment filed July 27, 2016; effective October 25, 2016. Amendments filed February 13, 2023; effective May 14, 2023.

1340-03-03-.03 POLICIES FOR SCHOOL BUS INSPECTIONS.

- (1) Annual School Bus Inspections (Type A, B, C, D and Multifunction School Activity Buses).
- (a) School Bus Inspections will be conducted by a Qualified School Bus Inspector. Those charged with inspecting such vehicles must have completed the training program provided by the Department prior to conducting inspections.
 - (b) The inspector will be responsible for ensuring that all vehicles designed for use in the school system used for the transportation of students to and from school and school-related activities will meet the requirements as identified in the State Board of Education minimum specifications for school buses. These minimum specifications can be accessed on the Board's website <https://www.tn.gov/sbe/rules--policies-and-guidance/policies.html>.
 - (c) All inspections will be coordinated through Pupil Transportation Safety Headquarters office.
 - (d) Placing a vehicle out-of-service will be the responsibility of the inspector.
 - (e) The inspector shall be required to explain the reasons for noncompliance with the specifications to the Transportation Director and/or Superintendent of schools.
 - (f) Upon approval of and/or noncompliance of the bus(es), the inspector shall:
 - 1. Complete the School Bus Inspection Report in its entirety.
 - 2. The inspector will submit the School Bus Inspection Report to the School Bus Inspection database.
 - 3. The inspection report shall be available to the local education administration through the School Bus Inspection program. Each School District Transportation Director shall be responsible for electronically acknowledging each School Bus Inspection for the school district fleet.
 - (g) Every Public School, Private School, Charter School, Contractor, Head Start or Daycare wishing to have a School Bus Inspection completed as required by Tennessee law or pursuant to complimentary agreement to satisfy a federal requirement shall be entered into the electronic School Bus Inspection program prior to the transportation of children for any reason. The owner of said school bus shall also make available a copy of the registration and title to identify proper in-service date as required by the T.C.A. Years of service will be determined according to T.C.A. § 49-6-2109. Determination of the original in-service date shall be based on the original title or body build date;

(Rule 1340-03-03-.03, continued)

whichever best represents the true life of the school bus. School buses that were used as "demo" or nonregistered and working school buses and having less than 2,500 odometer miles shall have an in-service date of the original title/registration date.

- (h) A school bus involved in a crash or incident that necessitates mechanical repair shall be considered out-of-service by the Department. When the school bus is repaired and road worthy, an inspection must be conducted by a Qualified School Bus Inspector prior to transporting pupils. It is the responsibility of the School District Transportation Director to make notification of any school bus crash to their assigned Department school bus inspector. An incident/crash that requires any repair or the school bus to be towed shall be reported to the Department's pupil administrative office or district bus inspector for inspection.
 - (i) The owners of all school buses, whether State Government, Local Government, or by contract, that are in service shall maintain records of all maintenance actions and safety inspections performed on each bus. Such records shall be available at all times to the Commissioner or the Commissioner's designee for review.
 - (j) All maintenance actions and records thereof shall comply with the minimum standards set forth by the bus manufacturers and Tennessee School Bus Specifications. The Tennessee School Bus Specifications are maintained by the Tennessee State Board of Education.
 - (k) Driver pre-trip inspection reports shall be completed and maintained, and such records shall be available at all times to the Commissioner or the Commissioner's designee. The pre-trip inspection report shall at a minimum indicate compliance with all items set forth in the CDL driver handbook, pre-trip section.
- (2) Extended Utilization Inspections (Type C School Buses, Type D School Buses and Multifunction School Activity Buses)
- (a) All policies of the Annual School Bus Inspections shall apply to Extended Utilization Inspections.
 - (b) Extended Utilization Inspections shall be conducted on all Type C, Type D, and Multifunction school activity buses prior to the beginning of the 16th year of service.
 - (c) At such inspections, the inspector shall have the authority to require repairs or reconditioning to be made which they consider necessary for the continued safe use and operation of the bus.
 - 1. If the local authority or owner refuses to take the required actions, or if the inspector considers continued use of a bus to be unsafe, the inspector shall order its removal from service.
 - (d) Any Type C, Type D, or Multifunction school activity bus purchased from an out-of-state entity shall be in service in Tennessee for a minimum period of 2 consecutive years to be eligible for additional years of service beyond 15 years.
 - (e) Application for extended utilization of Type C, Type D, and Multifunction school activity buses shall be submitted 30 days prior to said school bus starting the 16th year. A Local Education Agency (LEA) may choose to request one or two inspection(s) per application. Each request for inspection shall be accompanied by three hundred eighty-five dollars (\$385.00) per inspection.

(Rule 1340-03-03-.03, continued)

1. All applications for extended utilization are processed electronically through PAAMS. Access to PAAMS shall be the responsibility of the School District Transportation Director.
2. All payments must be processed through the Department's Cashier's Office. The Pupil Transportation Section is not authorized to accept any payments. Once the Pupil Transportation Section has obtained a receipt of payment from the Cashier's Office, the request will be approved and made available for inspection.

Cashier's Office
P.O. Box 24589
Nashville, TN 37202

(f) Inspection Fees

1. Inspection fees must be paid to the Department prior to the inspections being conducted.
2. Owners are encouraged to pay for both Extended Utilization Inspections at the time application is made for the bus.
3. Inspection fees will not be reimbursed if a bus does not pass inspection requirements.
4. Any bus for which application has been made for extended utilization shall be placed out-of-service if the required inspection fee has not been paid.

- (g) A School Bus Inspection Report shall be completed on all Extended Utilization Inspections. Transportation Directors can receive a printable copy of the School Bus Inspection Report utilizing PAAMS.

(3) Random Spot Check Inspections

- (a) All policies of the Annual School Bus Inspections shall apply to unannounced spot check inspections.
- (b) Spot check inspections shall be conducted at the discretion of the school bus inspectors. These inspections are random and/or unannounced to determine whether buses are able to safely operate and transport children.
1. Spot check inspections shall be conducted on buses that have annual inspections performed during the same school year.
 2. Dates and times for the spot check inspections shall not be announced.
 3. School bus inspectors shall determine dates and times so as not to interfere with normal operations of the school system being inspected.
 4. A minimum of 10% of each school district's vehicles, determined as of August 1 each year, shall be inspected prior to July 31 of the subsequent year. The pupil transportation division within the Department shall provide guidance to the school bus inspectors in selecting buses for spot check inspections.

(Rule 1340-03-03-.03, continued)

- (c) A School Bus Inspection Report shall be completed on all spot check inspections. School District Transportation Directors can receive a printable copy of the School Bus Inspection Report utilizing PAAMS.
- (4) During the inspection process, inspectors will permit on-the-spot repairs to be made by school officials if they do not interfere with the ongoing inspection. Every effort should be made to correct those deficiencies prior to inspection, during inspection, and post inspection periods to reduce follow-up inspections.
- (5) Penalties for Violations
 - (a) Any driver who operates a bus that has been placed out-of-service or who fails to comply with any other provision of this rule, or any other rules or state laws, shall be subject to downgrade licensing action, which includes removal of the school bus endorsement on their Commercial Driver's License (CDL) for a period of one (1) year.
 - 1. Any downgrade licensing action against a driver shall be preceded by notification as provided by T.C.A. § 55-50-502, permitting request for a hearing before licensing action is initiated.
 - 2. Drivers that have their school bus endorsement removed may reapply for the endorsement and have operating privileges restored after one (1) year and upon satisfactorily completing the required safety training as mandated for all other Tennessee school bus drivers and complying with the laws and regulations for reinstatement of the endorsement through required testing by the driver's license issuance division within the Department.
 - (b) Non-compliance with any provision of this rule may result in notification to the state department of education for review of transportation funding.

Authority: T.C.A. §§ 4-3-2009, 49-6-2102, 49-6-2109, and 49-6-2113. **Administrative History:** Original rule filed July 20, 1989; effective October 29, 1989. Amendments filed December 3, 2007; effective April 29, 2008. Emergency rules filed November 13, 2009; effective through May 12, 2010. Amendments filed November 13, 2009; effective April 30, 2010. Amendments filed February 13, 2023; effective May 14, 2023.

1340-03-03-.04 POLICY FOR SCHOOL BUS INSPECTION STICKERS.

- (1) School Bus Inspection Stickers shall consist of different and recognizable bumper and windshield decals as follows:
 - (a) The School Bus Inspection Sticker shall be affixed to the lower left-hand corner of the front bus bumper upon completion of the inspection on an annual basis. If the front bumper has a surface material that is not conducive to sticker retention, said sticker may be attached to the metal body components located just above the front bumper left side. This sticker will indicate the month and year of said inspection.
 - (b) Only personnel from the pupil transportation division within the Department have the authority to affix or remove inspection stickers.
 - (c) Once affixed, a School Bus Inspection Sticker indicates that the bus was determined to be in satisfactory condition at the initial inspection, having no written discrepancies requiring follow-up action.

(Rule 1340-03-03-.04, continued)

- (d) The Extended Utilization Inspection Sticker shall consist of red letters on a yellow background. This sticker shall indicate the expiration date of said sticker. If the front bumper has a surface material that is not conducive to sticker retention, said sticker may be attached to the metal body components located just above the front bumper left side.
- (e) Once affixed, a Temporary Sticker indicates that the bus was determined to need minor repairs, but not considered an immediate threat to the safety of students. However, the minor repairs must be corrected with formal inspection before final approval may be given.
 - 1. School officials shall be given a reasonable period of time to correct deficiencies.
 - 2. A mutual time shall be decided upon by the school official and inspector for the follow-up inspection, not to exceed 30 days from the date of the initial inspection.
 - 3. After completion of the follow-up inspection and provided all identified deficiencies have been corrected, the inspector shall remove the Temporary Sticker and replace with an Annual or Extended Utilization Sticker, whichever is applicable.
 - 4. If the identified deficiencies have not been corrected in a timely manner, the inspector shall remove the Temporary Sticker and affix an Out-Of-Service Sticker in its place.
 - 5. Subsequent follow-up inspection shall be decided upon between the school officials and inspector. Once all identified deficiencies have been corrected, the Out-Of-Service Sticker shall be replaced by an Annual or Extended Utilization Sticker.
 - 6. A Temporary Sticker shall consist of a green sticker 1.5" by 3" placed on the bumper over the left side of the previous School Bus Inspection Sticker.
- (f)
 - 1. An Out-Of-Service Sticker declares "the vehicle is not to be used for the transporting of students until removal of this notice by the State Safety Inspector." The international prohibition sign is super-imposed over the word "Students". This sticker shall be placed on the windshield in view of the driver. When it has been determined by the school bus inspector that a bus fails to meet the criteria as outlined in this manual the vehicle will be considered out-of-service.
 - 2. When the noted deficiencies have been corrected, the inspector shall remove the Out-Of-Service Sticker and affix the appropriate Annual or Extended Utilization Sticker in its place.

Authority: T.C.A. §§ 4-3-2009, 4-4-102, 49-6-2102, and 49-6-2109. **Administrative History:** Original rule filed July 20, 1989; effective October 29, 1989. Amendments filed December 3, 2007; effective April 29, 2008. Emergency rule filed November 13, 2009; effective through May 12, 2010. Amendment filed November 13, 2009; effective April 30, 2010. Amendments filed February 13, 2023; effective May 14, 2023.

1340-03-03-.05 SCHOOL BUS INSPECTION PROCEDURES.

- (1) The following information should be recorded on the School Bus Inspection Report or the Electronic Inspection Database:

(Rule 1340-03-03-.05, continued)

- (a) County in which the vehicle primarily operates;
 - (b) Date of inspection;
 - (c) Owner of bus;
 - (d) Bus number;
 - (e) Registration information;
 - (f) Make of chassis;
 - (g) Model;
 - (h) Make of body;
 - (i) Mileage;
 - (j) Years in service; and
 - (k) Type of school bus.
- (2) The Commissioner hereby adopts the most current sections of the "School Bus Inspection Program," "School Bus Recommended Out-Of-Service Criteria," and "Recommended School Bus Inspection Procedures" as set forth in the National School Transportation Specifications and Procedures, which are promulgated, approved, and adopted by the National Congress on School Transportation, located at <https://www.nasdpts.org/NSTSP-Documents>. All School Bus Inspections will be conducted in accordance with these adopted procedures.

Authority: T.C.A. §§ 4-3-2009, 4-4-102, 49-6-2102, and 49-6-2109. **Administrative History:** Original rule filed July 20, 1989; effective October 29, 1989. Repeal and new rule filed December 3, 2007; effective April 29, 2008. Amendments filed February 13, 2023; effective May 14, 2023.

1340-03-03-.06 CRITERIA FOR REMOVING BUSES FROM SERVICE.

When one (1) or more of the following items have been found to be unsatisfactory, it shall be cause for placing the bus out-of-service until the unsatisfactory item(s) has been repaired or replaced in such a manner that it will meet the requirements set forth in 1340-03-03-.05(2). The determination to place the vehicle out-of-service shall be made by the school bus inspector.

- (1) Brake System;
- (2) Brake System (Hydraulic);
- (3) Brake Components (Air and Hydraulic);
- (4) Parking Brake - including, but not limited to, not present or working as designed;
- (5) Steering System - including, but not limited to, any modification or other condition that interferes with the free movement of any steering component;
- (6) Suspension Components;
- (7) Chassis/Frame/Unibody;

(Rule 1340-03-03-.06, continued)

- (8) Exhaust System;
- (9) Fuel System;
- (10) Driveshaft;
- (11) Differential;
- (12) Engine;
- (13) Tires/Wheels/Hubs;
- (14) Aisle;
- (15) Electrical;
- (16) Battery;
- (17) Windshield Wipers;
- (18) Body Interior;
- (19) Windows;
- (20) Body Exterior;
- (21) Lamps/Signals;
- (22) Emergency Equipment;
- (23) Wheelchair Equipped Vehicles; or
- (24) Other Unsafe Conditions - Should the school bus inspector identify any other condition or conditions not listed above, but in their judgment which renders the bus to be unsafe for the transportation of students, the bus shall be placed out-of-service. In the event a bus is placed out-of-service for reasons as described above, the inspector shall secure approval for such action from the supervisor of the pupil transportation division within the Department.

Authority: T.C.A. §§ 4-3-2009, 4-4-102, 49-6-2102, and 49-6-2109. **Administrative History:** Original rule filed July 20, 1989; effective October 29, 1989. Repeal and new rule filed December 3, 2007; effective April 29, 2008. Amendments filed February 13, 2023; effective May 14, 2023.

1340-03-03-.07 SCHOOL BUS DRIVERS AND TRAINING.

- (1) Driver Training Programs
 - (a) All drivers having a Commercial Driver's License (CDL) with the school bus endorsement for the privileges to operate a school bus will be required on an annual basis to attend and satisfactorily complete all state sponsored training programs pursuant to T.C.A. § 49-6-2102 to keep the endorsement class license. Training exemptions may be granted upon determination that a school bus driver already meets or exceeds minimum safety training requirements as established by the Department.

(Rule 1340-03-03-.07, continued)

- (b) State offered training shall be delivered through a medium to be determined by the pupil transportation division within the Department.
- (c) Any downgrade licensing action against a school bus operator for failing to meet minimum training requirements to maintain a school bus endorsement on their CDL shall be preceded by notification as established in T.C.A. § 55-50-502, permitting request for a hearing before adverse licensing action is initiated.
- (d) The school bus endorsement downgrading action:
 - 1. Will occur on the first day of the following month of the S endorsement holder's training month.
 - 2. Drivers not meeting the minimum training requirements stated in this rule will be downgraded.
 - 3. All other adverse actions against school bus endorsement privileges shall be governed by provisions of T.C.A. § 55-50-502 or other state law.
 - 4. Drivers that have their school bus endorsement removed may reapply for the endorsement and have operating privileges restored upon satisfactorily completing the required safety training as mandated for all other Tennessee school bus drivers and complying with the laws and regulations for reinstatement of the endorsement through required testing by the driver's license issuance division within the Department.
- (e) School Activity
 - 1. Drivers of school buses utilized for "school activity purposes" shall possess a Commercial Driver's License (CDL) with the passenger and school bus endorsements.
 - 2. "School activity purposes": includes, but is not limited to: field trips, ball trips, band camps and other non-regular route use that is sanctioned by the board of education on either board-owned, contractor-owned, or school-owned equipment.

Authority: T.C.A. §§ 4-3-2009, 4-4-102, 49-6-2102, and 49-6-2109. **Administrative History:** Original rule filed July 20, 1989; effective October 29, 1989. Repeal and new rule filed December 3, 2007; effective April 29, 2008. Amendments filed February 13, 2023; effective May 14, 2023.