



Bus and Van Operations: Safety and Risk Management Considerations

If a municipal agency chooses to operate a bus or van service for youth programs, senior programs, or any function, that agency must establish a comprehensive program to protect the riders, the employees, and the community. This bulletin details risk management considerations and reviews questions for consideration and identifies actions that are to be addressed.

The Program

1. ***Is this a program that should be undertaken?*** Or can the agency partner with an established program such as County or State, NJ Transit, or even a private entity? Instead of bussing seniors to lunch, could lunch be brought to the seniors? Should the agency hire a private bus company to transport residents, thereby transferring risk?
2. ***What restrictions will be placed on riders?*** Will users of the bus or van be responsible for boarding or exiting the vehicle without assistance from the agency's driver/attendant? Will riders with special needs be responsible to provide their attendants? If riders with special needs are to be serviced, to what level of assistance will be provided?
3. ***What mechanical aids, equipment, training, etc. will be provided to support patrons with special needs?*** Will the van be equipped with wheelchair lifts, tie-downs, etc.?
4. ***Will the wheelchair be used for seating while in motion or will the person be lifted from the wheelchair to a seat?*** Many wheelchairs are not rated by ANSI/RESNA WC19 to be used as a seat while a vehicle is in motion. Who will verify which wheelchairs are compliant and which are not?
5. ***There are significant ADA considerations and requirements that will need to be evaluated.*** Consult with the municipal attorney, ADA officer, and your local risk management consultant.
6. ***Who will be responsible for developing and implementing the written program and policies?*** A written policy manual should be developed which addresses the items in this bulletin. Contact your Safety Director for sample programs.

The Vehicle

1. ***What size bus or van will be used?*** Vehicles that have a Gross Vehicle Weight (GVW) of 26,000 pounds, or are rated at more than 15 passengers (even if less than 15 will be on-board), will require a Commercial Driver's License (CDL) to operate. Specific requirements are given in the [New Jersey CDL manual](#), available on the [New Jersey MVC Website](#).
2. ***How will the maintenance be performed and documented?*** Establish an Inspection Testing Maintenance schedule.
 - Written pre-trip inspections are required for CDL vehicles and strongly recommended for all vehicles. Drivers must be trained and physically able to perform the inspections.
 - Most Department of Public Works already uses a CDL Pre-Trip Inspection Form.



- Other routine inspections must be performed by a state inspection station or qualified automotive technician. Vehicles with air brakes must be serviced by a certified air brake technician.
 - [NJ MVC Sample Bus Inspection Form](#)
 - The JIF Risk Control Consultant can provide or develop additional forms.
- Maintenance and repairs must be logged and tracked.

3. *What form of communication will be provided for bus drivers to report emergency conditions?*

The Driver and Attendant

Depending on the decisions made, the driver selection, duties, and training may be significant risk management considerations.

1. **CDL Driver:**

- They must meet the physical requirements under 49 CFR 391.
 - There are additional physical requirements required of CDL drivers who hold a 'P' (Passenger) endorsement.
- They must pass a background check.
- They must be included in the agency's Drug and Alcohol Random Testing.
- Periodic training on the agency's Drug and Alcohol Policies. Provide a copy of the policy to each driver. Supervisors should receive CDL Reasonable Suspicion training.
- They must register for the [CDL Clearinghouse](#).
- They must meet the requirements of the new [Entry Level Driver Training Regulations](#).

2. **Non-CDL Driver:**

- Conduct a [Motor Vehicle Records check](#).
- Develop a written job description with physical capabilities identified.

Depending on the duties of the driver and attendant additional training may be required. Maintain training records on the following:

- Proper use of equipment such as lifts, tie-downs, etc.
- Bloodborne Pathogens and Infection Control
- CPR/AED and First Aid
- Safe Handling of Oxygen Cylinders, Compressors, and Other Medical Equipment
- Patient Lifting and Handling
- HIPAA and Other Privacy Training

Please be sure to contact your risk management consultant and municipal attorney before introducing any bus and/or van operations within your community.
