

10.64.201 SCHOOL BUS DRIVER QUALIFICATIONS (1) In addition to the school bus driver qualifications set forth in 20-10-103, MCA, the Board of Public Education requires that school bus drivers must obtain a Montana school bus driver certificate (form TR-35) pursuant to the requirements of ARM 10.7.111, by submitting proof of the following:

- (a) a minimum of five years of licensed driving experience;
- (b) no record of criminal offenses indicating they may be dangerous to children, as evidenced by a criminal background check provided to and approved by the school district prior to initial employment;
- (c) a satisfactory report of a physical examination as prescribed by 20-10-103, MCA;
- (d) a current first aid certificate meeting the requirements of ARM 10.7.111;
- (e) a properly endorsed commercial driver's license (CDL) with continuing compliance with all of the requirements associated with that license; and
- (f) a safe driving record, which may not have evidence of any of the following:
  - (i) more than one moving traffic violation within any 12-month period of the preceding 36 months;
  - (ii) any conviction for driving under the influence of alcohol or drugs within the preceding 36 months; or
  - (iii) a conviction resulting in mandatory revocation or suspension of a driver's license in the previous five years.

10.7.111 BUS DRIVER CERTIFICATION REQUIREMENTS FOR REIMBURSEMENT (1) School bus drivers must hold a valid Montana school bus driver certificate in order for a district to receive state reimbursement for that driver's bus routes. Qualifications for bus drivers are prescribed by 20-10-103, MCA, and by the Board of Public Education in ARM 10.64.201.

(2) The bus driver certificate forms are provided electronically by the Superintendent of Public Instruction. The school district must input all necessary documentation into the Office of Public Instruction's electronic pupil transportation system, which generates the completed certificate. The chair of the board of trustees signs the certificate which is issued to a driver who is authorized and qualified to drive a school bus pursuant to all applicable rules, regulations and laws. The district retains a copy of each bus driver's certificate, provides a copy to the bus service contractor, if applicable, and files a copy with the county superintendent. The bus driver is also given a hard copy of the certificate, which must be carried at all times while driving a school bus.

(3) The first aid certificate required by ARM 10.64.201 must include instruction in adult and pediatric CPR, be signed by a certified instructor, and be received after an initial in-person training of at least four hours. The certificate must be renewed every two years. The renewal course may be in-person or online.

(4) State reimbursement for bus transportation for the full school term will be made only when a new driver of the bus has completed the first aid requirement within 60 days from the employment date. Any bus operated by a driver not so qualified will not be eligible for state reimbursement for that portion of the term that the driver is not qualified. Drivers who have driven the previous year must have the first aid requirement

completed before the expiration date on their certificate.

(5) In the event a district (or contractor) is obligated to employ a driver as a replacement for a driver employed at the beginning of the school year, or must employ an additional driver, a period of 60 days will be permitted for the new driver to acquire the first aid certificate. If after 60 days following the date of first employment of the additional or replacement driver, the first aid requirement has not been met, the bus operated by the driver will not qualify for state reimbursement for that portion of the year that the driver is not qualified, including the 60-day grace period.

(6) A school bus driver certificate remains valid until the earliest expiration date of the commercial vehicle operator's endorsement, the first aid certificate, and/or physical examination. A new certificate must be issued to the driver when any of the above items expires and is renewed. A driver may not operate a school bus without a valid, current certificate.

(7) The qualifications of all bus drivers are reviewed at the time the state verification of transportation claims is made, as the qualifications of the bus driver are one of the criteria for eligibility for reimbursement. With the exception of (4) and (5), the State Superintendent will not reimburse for routes driven by drivers without a current certificate on file with the Office of Public Instruction. If any license, certificate, or examination was expired for any period of time, the Office of Public Instruction will withhold transportation reimbursement funding for the number of days the driver was not qualified.

(8) Districts must retain a signed copy of each bus driver certificate on file for audit purposes.