

2021 -- H 5917

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PUPIL TRANSPORTATION DRIVERS

Introduced By: Representatives Place, Quattrocchi, Chippendale, and Nardone

Date Introduced: February 24, 2021

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-7 of the General Laws entitled "Foreign Vehicles" is hereby  
2 amended by adding thereto the following section:

3 **31-7-3.1. State student transportation provider exemption.**

4 Notwithstanding the provisions of §§ 31-7-1 and 31-7-3, any student transportation  
5 provider, registered in Massachusetts or Connecticut, retained by or via the Rhode Island  
6 department of education, to provide student transportation services, may utilize student  
7 transportation vehicles, as defined in § 31-1-3 currently registered in Massachusetts or Connecticut,  
8 to provide student transportation services in Rhode Island provided that:

9 (1) Each student transportation vehicle has current, valid Massachusetts or Connecticut  
10 registration and inspection stickers.

11 (2) Each student transportation vehicle is covered by an insurance policy meeting the  
12 requirements of § 31-22-10.21.

13 (3) Rhode Island department of education has verified compliance with subsections (a)(1)  
14 and (a)(2) of this section.

15 (4) The retained provider complies with the registration requirement for each student  
16 transportation vehicle, pursuant to § 31-7-2.

17 SECTION 2. Section 31-10-5 of the General Laws in Chapter 31-10 entitled "Operators'  
18 and Chauffeurs' Licenses" is hereby amended to read as follows:

19 **31-10-5. Special restrictions for drivers for compensation.**

1 (a) No person who is under the age of twenty-one (21) years shall drive any school bus  
2 transporting school children or any motor vehicle when in use for the transportation of persons or  
3 property for compensation nor in either event until he or she has been licensed as a chauffeur for  
4 either purpose and the license so indicates. Colleges and universities shall be exempt from the  
5 requirement for a public plate for vehicles used to shuttle only students or employees to various  
6 points within the college or university campus or if a college or university owned or leased vehicle  
7 is used for the occasional transportation of college or university employees or students either on or  
8 off campus provided that the vehicle is operated by a college or university employee possessing a  
9 valid Rhode Island chauffeur's license or a commercial drivers license with a passenger  
10 endorsement. Provided, however, that the college or university shall operate the shuttle service and  
11 there shall be no specific charge for the transportation of students or employees. The division of  
12 motor vehicles shall not issue a chauffeur's license for either purpose unless the applicant has had  
13 at least one year of driving experience prior to the application, and has filed with the division of  
14 motor vehicles one or more certificates signed by a total of at least three (3) responsible people to  
15 whom he or she is well known certifying to the applicant's good character and habits and the  
16 administrator of the division of motor vehicles is fully satisfied as to the applicant's competency  
17 and fitness to be so employed.

18 (b) In addition to the requirements provided in subsection (a) of this section, any person  
19 attempting to obtain a chauffeur's license to drive a school bus transporting school children shall,  
20 prior to being certified:

21 (1) Successfully complete a ten (10) hour school bus driver training course conducted by  
22 the department of revenue or the department of revenue's designee and file a certificate of  
23 successful completion with the division of motor vehicles. The curriculum of that course and the  
24 accreditation of courses offered shall be pursuant to rules and regulations promulgated by the  
25 division of motor vehicles;

26 (2) Pass a written examination prepared and given by the department of revenue or the  
27 department of revenue's designee.

28 (3) Pass a driving test in a school bus of a like type which that person will be employed to  
29 drive. The test will be prepared and given by the department of revenue.

30 (c) Prior to issuing a certificate to any person who intends to drive a school bus, the division  
31 of motor vehicles shall conduct a search of that person's motor vehicle record. Any violation of any  
32 safety regulation or conviction of any motor vehicle law in this or any other state shall be grounds  
33 for refusing to issue a certificate.

34 [\(d\) Notwithstanding the express license requirements in this section, drivers currently](#)

1 [licensed in Massachusetts or Connecticut to operate student transportation vehicles and employed](#)  
2 [by retained transportation providers shall be allowed to operate in Rhode Island.](#)

3 SECTION 3. Section 31-22.1-3 of the General Laws in Chapter 31-22.1 entitled "Pupil  
4 Transportation Vehicles" is hereby amended to read as follows:

5 **31-22.1-3. Equipment and operation of pupil transportation vehicles.**

6 No person shall operate any student transportation vehicle, and the owner or custodian of  
7 a student transportation vehicle shall not permit the same to be operated to convey students unless  
8 the following requirements are complied with:

9 (1) The operator of a pupil transportation vehicle shall not allow the number of school  
10 students riding in the pupil transportation vehicle at any one time to exceed the number of adequate  
11 seats therein nor shall the operator drive said bus until each student is seated.

12 (2) No person shall operate a pupil transportation vehicle referred to in this section, nor  
13 knowingly allow any passenger to ride in such vehicle unless the operator and all passengers are  
14 wearing a safety belt which is properly adjusted and fastened.

15 (3) All doors shall be kept closed while the pupil transportation vehicle is in motion. The  
16 vehicle shall have an audible open door warning alarm and an audible back up warning alarm.

17 (4) No fueling shall take place while any pupil transportation vehicle is occupied by  
18 passengers.

19 (5) Each pupil transportation vehicle shall be equipped with Type I Class A turn signal  
20 lamps, which shall have a four-way hazard warning signal switch to cause simultaneous flashing  
21 of the turn signal lamps which may be activated when a pupil transportation vehicle is approaching  
22 a stop to load or discharge school students and when needed as a vehicular traffic hazard warning.  
23 Each pupil transportation vehicle shall also be equipped with front and rear alternating flashing  
24 school bus red signal lamps, which shall remain flashing when school pupils are entering or leaving  
25 the pupil transportation vehicle. All aforementioned lamps shall comply with applicable Federal  
26 Motor Vehicle Safety Standards and any applicable rules and regulations promulgated by the  
27 department of motor vehicles. The operator of a pupil transportation vehicle shall cause its  
28 headlamps to be illuminated while such bus is in operation.

29 (6) Any person who operates such a pupil transportation vehicle shall not permit the  
30 boarding or discharging of school students therefrom unless the pupil transportation vehicle is  
31 stopped as close as is practicable to the right-hand side or edge of the ways and shall announce  
32 when discharging passengers there from that all persons who wish to cross to the other side of the  
33 way shall do so by passing in front of the pupil transportation vehicle immediately upon alighting  
34 therefrom. No person shall operate a pupil transportation vehicle away from the point of boarding

1 until it is safe for all discharged passengers who wish to cross to the other side have done so. The  
2 monitor requirement of § 16-21-1 shall not apply to pupil transportation vehicles.

3 (7) Each pupil transportation vehicle shall be required to be equipped with one pair of  
4 adequate chock blocks and three (3) flares in compliance with United States Motor Vehicle D.O.T.  
5 Safety Standard No. 125, which shall be placed upon the roadway in conformance with section 14  
6 B of chapter 85 when such vehicle becomes disabled upon the traveled portion of any way, and  
7 seat belts for each permanent seating accommodation designed and installed in compliance with  
8 applicable United States Motor Vehicle Safety Standards.

9 (8) All pupil transportation vehicles shall include an approved emergency airway and  
10 bodily fluid spill kits.

11 (9) All pupil transportation vehicles used to transport school students under the provisions  
12 of this section shall display sticker as authorized by the department of motor vehicles for a  
13 reasonable fee established by the department of motor vehicles.

14 (10) All persons operating a pupil transportation ~~vehicle~~ vehicles, to convey students, shall  
15 hold a Rhode Island ~~chauffeurs~~ chauffeurs' license and shall have passed a written test as may be  
16 prescribed by the division of motor vehicles; provided, however, those drivers currently licensed  
17 in Massachusetts or Connecticut to operate student transportation vehicles and employed by  
18 retained transportation providers may also operate in Rhode Island. In addition, all persons who  
19 operate a pupil transportation vehicle to convey students shall submit to a national and statewide  
20 criminal and driving record background check by the hiring agency.

21 SECTION 4. Chapter 31-22.1 of the General Laws entitled "Pupil Transportation Vehicles"  
22 is hereby amended by adding thereto the following section:

23 **31-22.1-5. Out-of-state pupil transportation vehicle operators.**

24 (a) A provider driver may operate student transportation vehicles, appropriate for their  
25 licensure, provided that:

26 (1) As applicable, the provider driver possess a current, valid Massachusetts or Connecticut  
27 commercial driver's license with a "P" and "S" endorsement and a current, valid Massachusetts  
28 school bus certificate if licensed in Massachusetts.

29 (2) As applicable, the provider driver possesses a current, valid Massachusetts or  
30 Connecticut driver's license that is the equivalent of a Rhode Island license, with the appropriate  
31 endorsement allowing for the transportation of school children.

32 (3) The Rhode Island department of education (RIDE has verified compliance with  
33 subsections (a)(1) and (a)(2) of this section.

34 (4) As applicable, the provider driver obtains a school bus certificate, governed by the

1 [division of motor vehicles regulation 280-RICR-30-05-2.](#)

2 [\(5\) As applicable, the provider driver obtains a pupil transportation certificate governed by](#)  
3 [division of motor vehicles regulation 280-RICR-30-05-5.4, on or before April 10, 2021.](#)

4 [\(6\) The provider driver complies with license requirements under §§ 31-10-5 and 31-22.1-](#)  
5 [3\(10\).](#)

6 SECTION 5. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would enable some Massachusetts and Connecticut based students transportation  
2 providers without Rhode Island licensed and registered vehicles to operate in Rhode Island, under  
3 limited conditions.

4           This act would take effect upon passage.

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