

2013 -- H 5817

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES

Introduced By: Representatives Diaz, Slater, and Almeida

Date Introduced: February 28, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-22-11.6 of the General Laws in Chapter 31-22 entitled
2 "Miscellaneous Rules" is hereby amended to read as follows:

3 **31-22-11.6. Child care vehicles and school extra-curricular vehicles.** -- (a) (1)
4 Pursuant to section 31-22-10, the division of motor vehicles is authorized to promulgate rules and
5 regulations concerning the type, construction, and equipment of motor vehicles used for the
6 transportation of children to and from child care facilities and to and from school sponsored
7 activities including athletics and extra-curricular activities.

8 (2) (i) For the purposes of this section, "school bus", as referred to in section 31-1-3(v),
9 is defined as a vehicle which is used to carry children to or from school on school bound routes at
10 the outset of the children's school day and/or on home bound routes at the end of the children's
11 school day. For these routes, a school bus or a pupil transportation vehicle as set forth in sections
12 31-22.1-1 and 31-22.1-2 must be used regardless of the number of students being transported.

13 (ii) For purposes of this section, "school extra-curricular vehicles" is defined as vehicles
14 designed to transport fewer than fifteen (15) students to and from school sponsored activities
15 including athletics, internships, work experiences, and extra-curricular activities where school
16 buses are not used because of the small number of students being transported.

17 (iii) For the purpose of this section, "child care vehicle" is defined as a motor vehicle
18 owned or leased by a licensed child care agency that does not exceed fifteen (15) passengers and
19 is being used to transport children from schools to child care facilities and/or from child care

1 facilities to schools. Two (2) door sedans shall not be considered child care vehicles or school
2 extra-curricular vehicles.

3 (iv) "Family child care home" means any home other than the child's home in which child
4 care, in lieu of parental care and/or supervision, is offered at the same time to four (4) or more
5 children who are not relatives of the caregiver.

6 (b) The division of motor vehicles shall have the authority to suspend the registration of
7 any vehicle used for child care transportation or school extra-curricular transportation that does
8 not meet the following requirements:

9 (1) Seating. - Adequate seating space for all passengers shall be provided. The maximum
10 seating capacity of a child care vehicle and school extra-curricular vehicle shall be fifteen (15)
11 persons, including the driver. No standing shall be permitted while the vehicle is in operation.

12 (2) Safety belts. - Safety belts shall be required for all passengers riding in the child care
13 vehicle and school extra-curricular vehicle.

14 (3) Vehicle registration. - All child care vehicles and school extra-curricular vehicles
15 shall be registered as public vehicles.

16 (4) Vehicle inspection. - All child care vehicles and school extra-curricular vehicles shall
17 be inspected for excessive emissions and/or safety items according to a staggered appointment
18 schedule as determined by the director of revenue, or his or her designee, and from time to time
19 thereafter as may be required, and the vehicle owner shall display upon the vehicle the certificate
20 of inspection and approval issued to the vehicle until the certificate shall expire.

21 (5) Inspector's rejection notice. - The director of revenue, or his or her designee, may
22 affix a notice of rejection to any vehicle that fails to pass the required inspection requirements.
23 The rejection notice shall not be destroyed or removed from the vehicle until the vehicle has
24 passed the inspection requirements, or its removal has been authorized by the director of revenue
25 or his or her designee.

26 (6) (i) Vehicle identification. - Any and all child care vehicles and school extra-
27 curricular vehicles must have the name of the child care organization conspicuously placed on the
28 side of the vehicle. The identification shall be required to possess two inch (2") letters, and be
29 permanently affixed on the side of the vehicle. All child care home vehicles will be exempt from
30 vehicle identification.

31 (ii) Should any child care vehicle and school extra-curricular vehicle be a leased vehicle,
32 the vehicle shall forego the requirement of having the name of the child care facility or school
33 permanently affixed to the side of the vehicle, but instead may satisfy the identification
34 requirement by placing a magnetized sign naming the child care facility or school or any other

1 temporarily affixed apparatus; provided, that the temporary identification sign not be
2 interchanged, replaced, or modified to change the purpose or function of the child care vehicle
3 and school extra-curricular vehicle.

4 (7) (i) Fire extinguisher. - The child care vehicle and school extra-curricular vehicle shall
5 be equipped with at least one pressurized, potassium bicarbonate base dry chemical-type fire
6 extinguisher, mounted in the manufacturer's extinguisher bracket, and located in the driver's
7 compartment in full view of and readily accessible to the driver. A pressure gauge shall be
8 mounted on the extinguisher so as to be easily read without removing the extinguisher from its
9 mounted position.

10 (ii) The fire extinguisher shall have a minimum capacity of not less than two and a half
11 pounds (2 1/2 lbs.) and be of a type approved by the Underwriters Laboratories, Inc., with a rating
12 of not less than ten (10) BThe operating mechanism shall be sealed with a type of seal that will
13 not interfere with use of the fire extinguisher.

14 (8) First-Aid, Airway, and Bodily Fluid Spill kits. - Every child care vehicle and school
15 extra-curricular vehicle shall be equipped with a first-aid kit mounted in an area accessible to the
16 operator which consists of bandages, sterile pads, adhesive tape, and Band-Aids, ~~as well as an~~
17 ~~approved Emergency Airway Kit~~, for use in the administration of first-aid treatment. In addition,
18 every ~~child care vehicle and~~ school extra-curricular vehicle shall be equipped with a bodily fluid
19 spill kit [and an approved emergency airway kit](#).

20 (9) Each [school extracurricular](#) vehicle shall also have an audible door alarm and an
21 audible back up alarm.

22 (10) All persons operating a pupil transportation vehicle to convey children shall hold a
23 Rhode Island chauffeur's license and shall have passed a written test as may be prescribed by the
24 department of motor vehicles. In addition, all such persons who operate a pupil transportation
25 vehicle to convey children shall submit to a national and statewide criminal and driving record
26 background check by the hiring agency.

27 (11) School extra-curricular vehicles purchased after January 1, 2000 shall further
28 comply with regulations which the division of motor vehicles is authorized to promulgate which
29 require these vehicles to meet appropriate safety standards. The additional safety requirements of
30 this subsection shall, effective January 1, 2008, also apply to school extra-curricular vehicles in
31 service prior to January 1, 2000, which are still in service after January 1, 2008.

32 SECTION 2. 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 change the requirement of the approved emergency airway kit being
2 mounted in an area accessible to the operator of the child care vehicle and school extracurricular
3 vehicle to the basic requirement of every child care vehicle and school extracurricular vehicle
4 being equipped with an approved emergency airway kit.

5 This act would take effect upon passage.

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