

*** DRAFT - NOT YET FILED ***

4501-1-01

Definitions.

For purposes of this chapter:

- (A) "Director" means the director of the department of public safety or the director's designee.
- (B) "Superintendent" means superintendent of the Ohio state highway patrol.
- (C) "License" means the license issued by the director to each person who engages in the transportation [or training for the transportation](#) of pupils to or from school on a school bus or enters into a contract with a board of education of any school district for the transportation of pupils on a school bus.
- (D) "Licensee" means each person who holds a license issued by the director pursuant to division (D) of section 4511.76 and section 4511.763 of the Revised Code.
- (E) "Insurance" means property damage, liability, and bodily injury accident insurance and medical payment.
- (F) "Bond" means performance bond which may be required for each and every school bus operated by the licensee.
- (G) "Mass transit system" means any person engaged in the transportation of the general public over established routes under the United States department of transportation (USDOT) or a permit issued by the public utilities commission of Ohio or franchise of a political subdivision.
- (H) "Dual operations" means any person engaged in the transportation of the general public over established routes under the United States department of transportation (USDOT) or a permit issued by the public utilities commission of Ohio or franchise of a political subdivision and also owns one or more school buses.
- (I) "Person" includes an individual, corporation, business trust, estate, trust, partnership, and association.
- (J) "Umbrella coverage" means a form of insurance protection against losses in excess of amounts covered by other liability insurance policies.

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Application of rules and regulations.

- (A) With the exception of rule 4501-1-03 of the Administrative Code, any person defined as a mass transit system is exempted from compliance with Chapter 4501-1 of the Administrative Code.
- (B) For school buses which they own or operate, any person as defined under dual operations shall comply with all rules and regulations of Chapter 4501-1 of the Administrative Code for school buses owned or operated by that person.
- (C) Any person engaged in the transportation of the general public and the transportation of pupils to or from school or school functions that does not operate under the United States department of transportation (USDOT) or public utilities commission of Ohio permit or franchise of a political subdivision shall comply with all rules and regulations of Chapter 4501-1 of the Administrative Code.

4501-1-03

Application for license and application process.

Each person intending to engage in the transportation [or training for the transportation](#) of pupils to or from school or school functions on a school bus shall make application for a license under this chapter in writing to the director. All materials necessary for an application shall be submitted within ninety days of the initial application date or the applicant must reapply.

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Prescribed application forms.

[Comment: forms incorporated by reference are available at ~~<http://statepatrol.ohio.gov/publications.stm>~~ <https://statepatrol.ohio.gov/services/vehicle-inspections/school-bus>]

The director shall supply prescribed application forms upon request. The information required on the "School Bus New License Application" form, OHP 0176 ~~(8/2008)~~[\(4/2015\)](#) shall be established by the director. The information required on the the "School Bus Renewal Application" form, OHP 0177 ~~(8/2008)~~[\(4/2015\)](#) shall be established by the director.

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Criminal record.

The director shall not issue a license to any person, and may revoke, suspend or take other appropriate action on any license held by any person who has been convicted of a felony or crime involving any violation specified in rule ~~3301-83-23~~[3302-83-23](#) of the Administrative Code. The applicant is required to submit a report of the state bureau of criminal identification and investigation processed within ninety days of date of application prior to issuance of a license. Once licensed, the licensee shall submit a new report every two years thereafter.

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Insurance coverage.

The director shall not issue a license to any person, and may revoke, suspend, or take other appropriate action on any license held by any person who does not have or does not maintain in effect either of the following:

(A) Minimum insurance coverage in the amounts of:

- (1) Bodily insurance liability - \$500,000 per person.
- (2) Bodily insurance liability - \$1,000,000 per accident occurrence.
- (3) Property damage liability - \$500,000 per accident occurrence.
- (4) Medical payment - \$5,000 per person.

(B) An insurance policy with minimum umbrella coverage of \$1,000,000.

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Performance bond.

The director shall not issue a license to any person and may revoke, suspend, or take other appropriate action on any license held by any person who does not have or does not maintain in effect a performance bond in the amount of not less than \$1,000 for each and every school bus operated under contract with a school by the licensee.

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4501-1-08

Driver qualifications.

The director shall not issue a license to any person and may revoke, suspend, or take other appropriate action on any license held by any person who employs a driver who is not physically, mentally, or otherwise qualified and licensed as required by the Revised Code and all rules and regulations related to school bus drivers adopted by the Ohio department of education [and workforce](#) and the department of public safety. This includes, but is not limited to, the requirements of section 3327.10 of the Revised Code and the minimum qualifications for school bus drivers listed in rule 3301-83-06 of the Administrative Code. A licensee may not employ a driver convicted of any offense listed in rule ~~3301-83-23~~[3302-83-23](#) of the Administrative Code.

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Certificate of insurance and bond.

- (A) Each licensee shall furnish to the director certificates attesting that the performance bond (when required) and the required insurance coverage are in effect.
- (B) The performance bond (when required) and the required insurance coverage shall accompany the application for license. All such certificates shall originate from the home office of the insurance and bonding companies.

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4501-1-10

Validity of license.

Every license shall be valid through the expiration date on the license. Any license issued by the director may be revoked, suspended, or subject to other appropriate action as provided in this chapter, regardless of the expiration date listed on the license. Each license shall expire annually or on a date designated by the director.

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Transfer of license.

A license issued by the director is not transferable. If ownership of the licensee changes the name under which it is operating, the licensee shall submit a new license application.

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Display of license.

Every license issued by the director shall be conspicuously and permanently displayed at the business address or local transportation office of the licensee as reported on the application form.

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Suspension or revocation of license.

The director may suspend, revoke, or take other appropriate action on a license of any licensee found to be in violation of any rule of Chapter 4501-1 of the Administrative Code. If a license issued under Chapter 4501-1 of the Administrative Code is revoked, the former licensee is prohibited from reapplying for a license for a period of six months from the date of revocation.

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4501-1-14

Failure to fulfill contract.

The director may suspend, revoke, or take other appropriate action on any license upon receipt of evidence that the licensee has failed to satisfactorily fulfill any contract for the transportation of pupils signed by the said licensee and shall seek payment of the performance bond required by rule 4501-1-07 of the Administrative Code.

During the annual renewal (rule 4501-1-16 of the Administrative Code), each licensee shall provide a list of each school to which the licensee provides transportation service.

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4501-1-15

Condition and operation of school bus.

Every school bus owned and/or operated by the licensee and used for transportation of school pupils shall be maintained in safe operating condition at all times and in accordance with standards established by the Ohio department of education [and workforce](#) and/or the department of public safety. Every school bus shall be operated in compliance with the operation and safety rules established by the Ohio department of education [and workforce](#) in Chapter 3301-83 of the Administrative Code.

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4501-1-16

Annual status report.

Sixty days prior to the expiration of a private pupil transportation license, the licensee shall submit an annual school bus and school bus driver status report on a form provided to the licensee by the director. The information required on the status report shall be established by the director and may be amended at any time at the director's discretion.

Failure to submit the annual status report shall cause the license to not be renewed.

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Inspection of facility and/or records.

The director or designee reserves the right to inspect the records and facility or facilities of any licensee during normal business hours. Licensee is required to maintain records of all drivers, vehicles and annual school bus and school bus driver status reports for a period of one year plus current year.