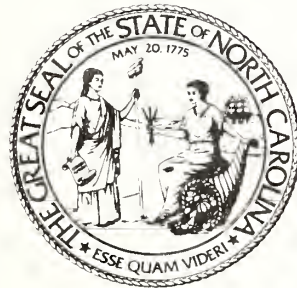


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# LEGISLATIVE RESEARCH COMMISSION

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## DRIVERS' EDUCATION AND SCHOOL BUS DRIVERS' PROGRAMS



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INSTITUTE OF GOVERNMENT  
UNIVERSITY OF NORTH CAROLINA

### REPORT TO THE 1981 GENERAL ASSEMBLY OF NORTH CAROLINA

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STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



January 14, 1981

TO THE MEMBERS OF THE 1981 GENERAL ASSEMBLY:

The Legislative Research Commission herewith reports to the 1981 General Assembly on the matter of drivers' education and school bus drivers' programs in North Carolina. The report is made pursuant to Resolution 69 (Senate Joint Resolution 667) and Senate Resolution 1096 of the 1979 General Assembly.

This report was prepared by the Legislative Research Commission's Drivers' Education and School Bus Drivers' Program Study Committee and is transmitted by the Legislative Research Commission for your consideration.

Respectfully submitted,

*Carl J. Stewart, Jr.*

Carl J. Stewart, Jr.

*W. Craig Lawing*

W. Craig Lawing

Cochairmen  
Legislative Research Commission



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## INTRODUCTION

The Legislative Research Commission, created by Article 6B of Chapter 120 of the General Statutes, is authorized pursuant to the direction of the General Assembly "to make or cause to be made such studies of the investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" and "to report to the General Assembly the results of the studies made," which reports "may be accompanied by the recommendations of the Commission and bills suggested to effectuate the recommendations." G.S. 120-30.17. The Commission is co-chaired by the Speaker of the House and the President Pro Tempore of the Senate and consists of five Representatives and five Senators, who are appointed respectively by the Co-Chairmen. G.S. 120-30.10(A).

At the direction of the 1979 General Assembly, the Legislative Research Commission has undertaken studies of numerous subjects which were grouped into broad categories. (See Appendix A for a list of the Commission members.) Pursuant to G.S. 120-30.10(b) and (c), the Commission Co-Chairmen appointed committees consisting of legislators and public members to conduct the studies. Each member of the Legislative Research Commission was delegated the responsibility of overseeing one group of studies and causing the findings and recommendations of the various committees to be reported to the Commission. In addition, one Senator and one Representative from each committee were designated Co-Chairmen. (See Appendix B for a membership list of the Committee on Drivers Education and School Bus Drivers' Programs.)

The 1979 General Assembly authorized, in Resolution 69 (Senate Joint Resolution 667) the Legislative Research Commission to "evaluate the present Drivers' Education and School Bus Drivers' Programs in the public schools and make recommendations for necessary improvements to the 1981 Session of the General Assembly."

The study was initiated because of (1) the increase in school bus accident-related deaths and injuries over the last several years; (2) the General Assembly's desire that students receive adequate drivers' education and that pupils are carried to and from school safely; and (3) the present lack of sufficient information to enable the General Assembly adequately to evaluate the present drivers' education and school bus drivers' programs in North Carolina. The Committee was also authorized - pursuant to Senate Resolution 1096 of the 1979 General Assembly, Second Session - to study the age and training requirements of school bus drivers. (See Appendices C and D.)

This report sets forth the existing framework for drivers' education and school bus drivers' programs in North Carolina, presents the major issues raised during the Committee meetings, and sets forth Committee recommendations to the 1981 General Assembly. Appendix E provides a summary of the Committee proceedings.



DRIVERS' EDUCATION PROGRAMS

BACKGROUND

The State Superintendent of Public Instruction organizes and administers, and the State Board of Education and county and city boards of education must provide in North Carolina public high schools, a program of training and instruction in the operation of motor vehicles. (G.S. 115-201; G.S. 115-202.) The drivers' education courses are available free of charge to all persons at least 14-and-a-half years of age and under 18 years of age - including public school students, non-public school students, and out-of-school youth - whose physical and mental qualifications meet license requirements. (G.S. 115-202; N.C. Administrative Code, Public Instruction - Section (henceforth cited as Public Instruction Regulations) .703(b).)

By March 15 of each year the county or city superintendents submit to the State Superintendent a plan of operation consistent with program content and procedures specified in Public Instruction Regulations .0703(c). (See Appendix F.) The instruction must consist of at least 30 hours of classwork and 6 hours per student behind-the-wheel training. The North Carolina Department of Public Instruction issues advisory lists of instructional media to school superintendents to help local school administrators select books and other course materials.

The superintendents also submit a proposed budget to finance the plan of operation. The State Superintendent reviews the proposed plan and budget and, within funds available for this purpose and on

a fair and equitable basis, recommends to the State Board of Education a budget allotment for each administrative unit for the fiscal year. (Public Instruction Regulations .0703(f).) State funds for drivers' education come from a \$3 motor vehicle registration tax pursuant to G.S. 20-88.1 and are used to pay for classroom materials, automobile use (for treatment of drivers' education loan car costs, see pages 4 and 11 of Appendix E), and drivers' education teachers at their full professional rate of pay.

Instructors of drivers' training are nominated by the city or county superintendent and elected by the local board of education. Persons with a drivers' education certificate may teach in high school drivers' education programs. The Department of Public Instruction, Division of Certification, rates and certifies the instructors (Public Instruction Regulations .0703.)

Prior to beginning behind-the-wheel instruction, participants must have secured a Restricted Instruction Permit from the Division of Motor Vehicles. Completion of the drivers' education course is prerequisite to application for a drivers' license by those 16 to 18 years old, but does not guarantee licensing. The applicant must then pass written and road tests administered by the Division of Motor Vehicles to obtain a driver's license.

According to the Department of Public Instruction Safety and Driver Education Section, the North Carolina drivers' education programs accommodate 110,000 students per year. Over the years, the programs have served more than 1.5 million people, involving more than 100,000,000 miles in road training, and have resulted in only

one fatality. The State's drivers' education cost is approximately \$110 per year for each student. The course of instruction seeks to teach participants safe driving habits and skills which they will need all their lives whether in their own automobiles or behind the wheels of school buses.

#### ISSUES

Speakers at Committee meetings suggested several basic changes in what otherwise was felt to be a good program. Suggested changes included the following:

-- Increase the classroom portion of study and make drivers' education an elective credit course. This change, it was argued, would increase students' exposure to driving and safety instruction and motivate them to devote more attention to the course since they would be graded on their performance. Students would be encouraged to do more than just complete the course with a passing grade.

-- Increase behind-the-wheel training; six hours is not enough.

-- Provide follow-up instruction for students during their junior and senior years in high school so that they do not forget what they previously learned.

-- Use ranges to teach driving skills. Presently, 19 pilot ranges are used across the State in drivers' education courses. The first ranges were constructed in the late 1960's on an experimental basis. Instructors have reported that the ranges are excellent educational tools in teaching maneuvering skills. Through the use

of a radio system, one instructor may effectively teach 20 to 25 students particular aspects of driving. Ranges also give students experience in encountering simulated road hazards. Speakers urged the Committee to recommend building more of these ranges. The U.N.C. Highway Safety Research Center published a report in 1975 entitled, "Effect of Range Training: Comparison of Road Test Scores for Driver Education Students." Although this preliminary study showed no appreciable differences in scores, it recommended upgrading and increased use of range training.

-- Include instruction on the use of a manual shift. Most drivers learn to drive a manual shift only after obtaining their licenses - and frequently without proper instruction and supervision.

-- Provide night driving road instruction to students since driving at night requires skills and knowledge beyond those necessary for daytime driving.

-- Develop a special program for exceptional or handicapped youths for whom the current drivers' education program is inadequate.

SCHOOL BUS DRIVERS' PROGRAMS

BACKGROUND

Each North Carolina county and city board of education determines whether it will operate a school bus program in which public school students are transported to and from schools within the county or city administrative unit. (G.S. 115-180.) The State Board of Education then allocates to the local boards of education, according to their needs and on a fair and equitable basis, funds appropriated by the General Assembly for school bus transportation. (G S. 115-181(f)(g).) These funds cover the operation, maintenance, and replacement of school buses and the salaries of school bus drivers. Money necessary to train school bus drivers comes from another source: Highway Fund appropriations finance the Division of Motor Vehicles Traffic Safety Section which is responsible for training and licensing school bus drivers.

Eighty-two full-time Traffic Safety Section employees (including five field supervisors) are stationed throughout North Carolina. They train and certify school bus drivers with the help of the chief mechanic or transportation supervisor in each county.

School principals receive applications and then determine which applicants will be trained. The training consists of (1) two days of classroom instruction in which safe driving procedures, defensive driving techniques, first aid, and laws, rules and regulations governing school bus drivers are covered; and (2) road work to provide the

skills needed to drive a bus safely. (N.C. Administrative Code, Division of Motor Vehicles Section - henceforth cited as D.M.V. Regulations - .0101. See Appendix G.) Participants in the road work are those who have successfully completed the classwork. The roadwork lasts an average of 3 to 4 days (usually from 8:30 a.m. to 3:00 p.m.), but varies in length according to the driver's ability and previous driving experience. A Traffic Safety Section representative gives the road instruction to groups of 3 or 4 drivers. The Traffic Safety Section estimates the cost of training a school bus driver to be between \$135 and \$140.

The local chief mechanic or transportation supervisor countersigns the certificate that the D.M.V. issues to qualified school bus drivers. Requirements for certification include successful completion of the training course, good physical condition and character, 6 months' driving experience as a licensed motor vehicle operator, and no conviction for traffic violations for a period of 6 months prior to certification. (D.M.V. Regulations .0102.) The D.M.V. must cancel the school bus driver's certificate upon the driver's conviction of certain traffic offenses while driving the bus or other motor vehicles; and the Division may cancel it for conviction of a moving violation, which, in the opinion of the Division, constitutes failure to operate a motor vehicle in a reasonable and prudent manner. (D.M.V. Regulations .0103, which refers indirectly to the publication, "Rules and Regulations Governing the Issuance and Cancellation of School Bus Driver Certificates." See Appendix G.)

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Although Division of Motor Vehicle personnel train school bus driver candidates, each county and city board of education with a school bus transportation program hires its drivers. (G.S. 115-185 (a).) The local board of education then assigns the drivers to particular schools, and the school principals assign the drivers to bus routes. (G.S. 115-185(a).)

The school bus driver, subject to the direction of the principal, has complete authority over and responsibility for operation of the bus and maintaining order on board. The driver must report promptly discipline problems on the bus to the principal who determines what action will be taken. (G.S. 115-185(b).) The school bus driver is also responsible for keeping the bus clean inside, checking the bus for Mechanical malfunction, and taking the bus for repair when needed. (Administrator's Handbook for School Transportation, p. 28-29. Copies of the Handbook may be obtained from the Division of Transportation, State Board of Education.)

Federal law provides that employment as a motor vehicle driver on a public road or highway is "particularly hazardous" for those between 16 and 18 years of age (29 Code of Federal Regulations 570.52. See Appendix H) and prohibits employment in a "particularly hazardous" occupation (29 United States Code 203(1), 212). Sec. 570.52 of the Regulations, however, provides that upon application - approved and filed by the governor of a state - the U.S. Secretary of Labor may in his discretion give an exemption for school bus driving so that persons under 18 may drive school buses in the applicant state. The criteria for

the Secretary of Labor's evaluation of the application is set forth in Section 570.52. North Carolina applies for this exemption annually and has been granted the exemption since 1968.

According to Mr. Worth McDonald, Director of the D.M.V. Traffic Safety Section, 78 percent of North Carolina school bus drivers are between the ages of 16 and 18; the rest vary in ages from 19 to 65.

Fatalities resulting from school bus accidents have increased in the past several years. One death occurred during the 1976-77 school year compared to 12 deaths during the 1979-80 school year. Otherwise, based on statistics from the North Carolina D.M.V. Traffic Records Section, the number and severity of school bus accidents have not increased greatly in the past 4 years. (Appendix I contains statistics for the 1979-80 school year. Contact the D.M.V. Traffic Records Section for figures on previous years.)



ISSUES

School Bus Drivers' Pay

Several Committee witnesses argued that the best way to prevent school bus accidents is to employ high quality school bus drivers. This, they felt, is impossible without offering salaries that make school bus driving financially worthwhile and that are competitive with salaries other employers offer. Drivers now receive \$3.30 per hour. Senate Bill 1065, ratified in the 1980 Session, will increase their pay to an average of \$3.50 per hour, effective March 1, 1981.

For a non-student, employment as a school bus driver often requires transportation to and from school twice daily for a job that is only part-time. The time, cost, and effort involved in such displacement often make employment as a school bus driver unattractive. Many potential school bus drivers can find jobs elsewhere for higher pay and with much less responsibility, inconvenience, and risk. For example, fast food restaurants and grocery stores offer steady work for students at wages often exceeding \$3.50 per hour. The most extensive recruiting campaigns sometime succeed only in obtaining drivers no one else will hire.

Speakers also argued that the current state salary system does not encourage experienced drivers to continue driving. School bus drivers receive \$3.30 per hour whether they are 16-and-a-half years old or 30 years old with 10 years of experience. A state pay scale in which experience and good driving are rewarded with salary

increases would not only help local school boards keep high quality drivers, but may also be cost effective since the rate of turnover among bus drivers would likely decrease. A number of school administrative units supplement drivers' pay with longevity incentive amounts (See Appendix J), but it is perhaps unreasonable to expect all local units to finance effective salary schedules for school bus drivers.

### Criteria for Hiring Drivers

Committee members and speakers agreed that bus safety is not solely a function of drivers' salaries. The most highly qualified drivers must be selected from among applicants. As to the best criteria for driver selection there was much less consensus.

The Committee heard evidence that older, more experienced school bus drivers have fewer accidents than the youngest drivers. According to a report prepared by the University of North Carolina Highway Safety Research Center entitled, "School Bus Accidents and Driver Age," (Appendix K provides a brief summary of the report findings), 16 year old drivers have had higher accident rates than older age groups. Drivers 17 through 19 years of age were found to have slightly lower accident rates than those between the ages of 20 and 24 and compared well with the safest age group of 25 through 54 years of age. The report suggests that it may be worthwhile to experiment using more 17 year old drivers than 16 year olds, but acknowledges that the lower accident rates of those 17 years of age may be attributable in part to the experience they received as school bus drivers when they were 16.

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The North Carolina House Highway Safety Committee in its 1980 report on North Carolina School Bus Accidents recommended (see Appendix L for a list of that Committee's recommendations) that school bus drivers not be certified until they have at least 6 months of driving experience. The General Assembly responded by passing in the 1980 Session House Bill 387 which requires a person to have a least 6 months' experience as a licensed operator of a motor vehicle before employment as a school bus driver. (See Appendix M.)

Several county school representatives defended the use of 16 year old drivers, arguing that good driving habits and skills are individual qualities not necessarily related to age. They feared that if the minimum age for school bus drivers were raised to 17, capable 16 year old students may begin working in other jobs and not consider employment as school bus drivers when they turn 17. Local school boards, they said, should be able to choose from as many applicants as possible. Many parents, however, simply do not feel that 16 year olds are mature enough to be trusted on North Carolina highways with the lives of what the parents termed "our most precious cargo."

Most Committee members and speakers agreed that a driver's record should be an important factor in selecting school bus drivers and permitting them to continue driving. Currently, the Division of Motor Vehicles will not certify a school bus driver candidate who was convicted of a moving traffic violation or had a chargeable accident during the six months immediately preceeding the time for certification.

Also, the Division will cancel a school bus driver's certificate for violations listed in Appendix G. A uniform, statewide requirement that numbers appearing on school buses be placed in a specific area on the bus would facilitate identification of school buses whose drivers have violated traffic laws.

#### Training School Bus Drivers

The Committee also agreed that proper school bus driver training is crucial in preventing future school bus accidents. The current program is briefly described above in this report and in detail in the Administrator's Handbook for School Transportation. (Copies may be obtained from the Division of Transportation, State Board of Education.)

Several speakers at Committee meetings suggested the following additions to school bus driver training programs:

-- In-service training: drivers should receive additional training after they are certified to promote safe and competent driving habits throughout their careers.

-- Training on a loaded school bus: bus drivers are trained on school buses but not on buses full of children under rush-hour conditions. Bus drivers should train under the supervision of an experienced bus driver for at least several days under conditions they can typically expect to face on the job. House Bill 1770, enacted during the 1980 Session, now provides State Tort Claims Act coverage for trainee school bus drivers. (See Appendix N.)

-- Use of ranges: School bus drivers should receive extensive training in maneuvering the buses in close situations on driving ranges since most school bus accidents result from improper turning and backing.

-- More classroom hours: school bus driver candidates should

receive more than 2 days of classroom instruction to insure that they know well the traffic laws, defensive driving techniques, means of keeping order on the bus, and first aid.

-- Training to accommodate exceptional students: drivers should learn procedures to enhance the well-being of handicapped pupils on and around the bus.

### Problems Encountered When Driving the Bus

Even the well-trained, experienced driver can expect to encounter difficult situations on the road threatening the safety of school bus passengers and others using the highways. These problems include lack of discipline on the bus and the failure of other motorists to obey traffic laws.

Disorderly conduct on the buses was cited repeatedly by those appearing before the Committee as a problem which increases the risk of accidents. The driver is responsible for maintaining discipline but necessarily must devote most of his or her attention to driving the bus. Principals were urged to take strong disciplinary action against students whose misbehavior threatens the well-being of other pupils.

One suggested reason for the problems on the bus was the lack of sufficient seating to accommodate all the passengers. Not only is the driver's rear vision impaired, but an environment conducive to misconduct frequently results. Rule .0727 of the State Board of Education's rules and procedures (See Appendix O) states that by the 1980-81 school year local school agencies must provide seating for all school

bus passengers entitled to transportation. As of October, 1980, parents insist that seating is not available to all students on the buses.

Several speakers suggested that the use of monitors on buses could alleviate discipline problems and otherwise enhance passenger safety. Section 115-185(d) of the General Statutes **authorizes local** school agencies to employ monitors. Advocates of state funding of monitors recognized that such funding is unlikely since it is difficult enough to obtain what was felt were adequate wages for the drivers. They nevertheless argued that the use of monitors would help maintain order on the bus and would assist pupils in getting on and off the buses and crossing the street, which is when many injuries occur. School bus drivers from their seats often fail to see a child crossing directly in front of the bus; and drivers are helpless to alert other motorists when a child is about to step into the path of on-coming traffic. Monitors could also help drivers back the buses safely and maneuver in difficult places. One school superintendent suggested that school bus candidates be required to serve as monitors for several months before assuming the driving responsibilities.

Another problem school bus drivers face is the flagrant and frequent disregard of traffic laws designed to protect school bus passengers. One Wake County school bus driver reported that other vehicles pass her stopped school bus with regularity. The 1980 General Assembly reacted by passing House Bill 1769 which makes proof that a motor vehicle illegally passed a stopped school bus prima

facie evidence that the registered owner of the vehicle was driving. (See Appendix P.) Violation of the law continues, but the 1980 legislation should make convictions easier. The bus driver is instructed to report any traffic violations affecting the safety of school bus passengers to the principal who in turn should report the violation to local law enforcement agencies.

#### Law Enforcement and Safety Awareness

Parents and other speakers were clearly anxious to see highway laws enforced. They also complained that many local school agencies do not properly implement existing school bus driver programs. In addition, speakers felt that publicity campaigns should be conducted on a state-wide basis through the news media to make the general public aware of laws protecting school bus passengers and to encourage parents to teach their children safety habits.

RECOMMENDATIONS

DRIVERS' EDUCATION PROGRAMS

- (1) State educational agencies shall take steps to ensure that local educational agencies properly implement drivers' education and school bus drivers' programs.
- (2) The classroom portion should be increased, and drivers' education should be made a course for which academic credit may be obtained at public high schools.
- (3) The State Department of Public Education should provide for increased behind-the-wheel training in its drivers' education program requirements.
- (4) Drivers' education courses should include instruction in use of the manual shift.
- (5) The State Department of Public Education should provide additional drivers' education mini-courses or activities for students during their junior or senior year in high school.
- (6) The State Department of Public Education should develop, and local educational agencies should implement, a special drivers' education program for exceptional students.
- (7) Additional ranges should be constructed and used statewide for drivers' education and school bus drivers' training. Ranges should be innovated and further developed to provide the best possible instruction of driving skills.
- (8) Drivers' education courses should include road training at night.



SCHOOL BUS DRIVERS' PROGRAMS

- (1) State allocations for school bus drivers' salaries should be increased to provide for a minimum pay of \$4.00 per hour.  
(Legislation proposed to implement this recommendation is on page 21 of this report.)
- (2) The State Department of Public Education should develop a schedule of salary and benefits for school bus drivers which rewards experience and good driving records.
- (3) At least twelve months of licensed experience in driving a motor vehicle would be desirable before school bus driver certification.
- (4) School principals shall take strong disciplinary action against students causing disorder on buses.
- (5) Local law enforcement agencies shall enforce all laws protecting school bus passengers.
- (6) The Division of Motor Vehicles should give school bus driver candidates three rather than two days of classroom instruction.
- (7) School bus driver candidates should receive at least five days of training on loaded school buses.
- (8) The course of instruction for school bus drivers should be modified to teach the drivers procedures to enhance the well-being of handicapped pupils on and around the bus.
- (9) School bus drivers should receive in-service training annually from the Division of Motor Vehicles.
- (10) School bus drivers should be required to attend monthly safety meetings.

- (11) A statewide uniform system of school bus numbering should be used in which numbers are placed in a specified area on the back of school buses to aid identification.
- (12) Local educational agencies should require school bus driver candidates, such as those with less than six months' experience as licensed motor vehicle drivers, to serve as monitors on buses before assuming the duties and responsibilities of school bus drivers.

LEGISLATIVE PROPOSAL

A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR SCHOOL BUS DRIVERS' SALARIES

The General Assembly of North Carolina enacts:

Section 1. The State Board of Education shall establish a salary schedule for school bus drivers which includes a minimum allotment of four dollars (\$4.00) per hour during fiscal year 1981-82 and four dollars and fifty cents (\$4.50) per hour during fiscal year 1982-83.

Sec. 2. There is appropriated from the General Fund to the State Board of Education for fiscal year 1981-82 the sum of three million, five hundred and forty thousand, six hundred and eighteen dollars (\$3,540,618) to fund the increase to four dollars (\$4.00) and for fiscal year 1982-83 the sum of seven million, eighty-one thousand, two hundred and thirty-six dollars (\$7,081,236) to fund the increase to four dollars and fifty cents (\$4.50) per hour as provided in Section 1 of this act.

Sec. 3. Section 1 of this act is effective upon ratification.

Sec. 4. Section 2 of this act shall become effective on July 1, 1981.



APPENDIX A

LEGISLATIVE RESEARCH COMMISSION

House Speaker Carl J. Stewart, Jr. Cochairman	Senate President Pro Tempore W. Craig Lawing, Cochairman
Representative Chris S. Barker, Jr.	Senator Henson P. Barnes
Representative John Gamble	Senator Melvin R. Daniels, Jr.
Representative Parks Helms	Senator Carolyn Mathis
Representative John J. Hunt	Senator R. C. Soles, Jr.
Representative Lura S. Tally	Senator Charles E. Vickery



APPENDIX B

LEGISLATIVE RESEARCH STUDY COMMITTEE ON DRIVERS' EDUCATION AND  
SCHOOL BUS DRIVERS' PROGRAMS

LRC Member Responsible for Study

Senator R. C. Soles, Jr.

Members of Committee

Senator William D. Mills, Cochairman

Representative Neal Smith, Cochairman

Senator Carolyn Mathis

Mrs. Jo Ann Parker

Senator Edward Renfrow

Senator James R. Turner

Mr. Q. K. Wall

Representative Eugene White





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1979  
RATIFIED BILL

RESOLUTION 69

SENATE JOINT RESOLUTION 667

A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DRIVERS' EDUCATION AND THE SCHOOL BUS DRIVERS' PROGRAMS.

Whereas, the Drivers' Education Program for students in the public schools and the School Bus Drivers' Program have become of increasing public concern because of recent dramatic and tragic events; and

Whereas, it is a matter of vital concern to the State of North Carolina to provide adequate drivers' education to young people in school and to ensure that the children of this State are carried to and from school safely; and

Whereas, there is not at present sufficient information to enable the General Assembly adequately to evaluate the present Drivers' Education and School Bus Drivers' Programs and to recommend necessary improvements; and

Whereas, the Legislative Research Commission alone has the funding and the management resources adequately to evaluate the present Drivers' Education and School Bus Drivers' Programs and to recommend necessary improvements;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. The Legislative Research Commission may evaluate the present Drivers' Education and School Bus Drivers'

Programs in the public schools and make recommendations for necessary improvements to the 1981 Session of the General Assembly.

Sec. 2. The Legislative Research Commission is further authorized to study the Wilderness Camp in Surry County.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of June, 1979.

JAMES C. GREEN

James C. Green

President of the Senate

CARL J. STEWART, JR.

Carl J. Stewart, Jr.

Speaker of the House of Representatives

E + R

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 1979**

**S**

SENATE RESOLUTION 1096  
Adopted June 19, 1980

ADOPTED  
SIMPLE  
RESOLUTION

Sponsors                    Senators Wynne; Mills, Creech, Lake, Joseph Thomas,  
Garrison, Gray, Marvin, Scott, Turner, Soles, Hardison.

Referred to: Rules & Operation of the Senate.

June 19, 1980

A    SENATE    RESOLUTION    AUTHORIZING    THE    LEGISLATIVE    RESEARCH  
COMMISSION TO STUDY THE AGE AND TRAINING REQUIREMENTS FOR  
SCHOOL BUS DRIVERS.

Whereas, only ten states allow 16 year olds to drive school buses; and

Whereas, statistics recently released by the Department of Transportation indicate that the younger the school bus driver, the more likely he or she is to have an accident; and

Whereas, the citizens of this State, especially the parents of school children, are becoming increasingly concerned about school bus safety;

Now, therefore, be it resolved by the Senate,

Section 1. The Legislative Research Commission, through its Committee to Study Drivers' Education and School Bus Drivers' Programs, may study the age and training requirements for school bus drivers.

Sec. 2. In conducting this study, the Legislative Research Commission should consider the following questions:

(1) Should the State continue to allow 16 year olds to drive school buses, or should a higher minimum age be required?

1           (2) What driving experience, if any, should be required  
2 of school bus drivers?

3           (3) What special training, if any, should school bus  
4 drivers be required to undergo?

5           Sec. 3. The Legislative Research Commission may report  
6 its findings and recommendations to the 1981 Session of the  
7 General Assembly.

8           Sec. 4. This resolution is effective upon its adoption.

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APPENDIX E  
COMMITTEE PROCEEDINGS

November 9, 1979, Meeting

The Committee held its organizational meeting on November 9, 1979, at the State Legislative Building.

Dr. Jerome Melton, Deputy State Superintendent of the North Carolina Department of Public Instruction, was introduced, and on behalf of Dr. Craig Phillips, State Superintendent, and the State Board of Education expressed a strong interest and desire to work and cooperate with the Committee in carrying out the purposes of the study. He said that the problem of school bus-related accidents had intensified since the transportation of city school children had begun several years ago. Dr. Melton did not suggest that city school children not be provided transportation but simply that transporting students on city streets presented more problems than transporting students on rural roads.

Mr. John C. Noe, Consultant in Safety for the State Department of Public Instruction, treated the subject of drivers' education. Drivers' education programs are provided free at public schools to persons under 18 years of age whether they are students in public schools, non-public schools, or are out of school. This instruction is prerequisite to application for a license by those 16 to 18 years old. The programs are developed and are set up to accommodate 110,000 students per year. North Carolina drivers' education programs have served more than 1.5 million people, involving more than 100,000,000 miles of travel, and have incurred only one fatality. The State's drivers' education cost is approximately \$110 per student. Included in this amount is \$500,000 for the use of over 1,000

vehicles in the program yearly.

Mr. Worth McDonald, Director of the Division of Motor Vehicles Traffic Safety Education Section, discussed the training and licensing of school bus drivers. Seventy-seven Division of Motor Vehicles' representatives train and license school bus drivers across the State. Training begins with two days of classroom instruction. Small groups are then taken out to drive a bus. Training on the bus ordinarily is completed in 3 to 4 days, but may last as long as it takes the student to learn to drive the bus properly and safely. The estimated cost of training a school bus driver is \$135-\$140.

Of roughly 20,000 students who begin the school bus training programs only 13,000 are certified. More drivers are certified than are needed because of the rapid turnover due in part to the low wages paid to drivers. Certificates are signed jointly by the Division of Motor Vehicles' representative and the transportation supervisor of the particular county; in private schools the headmaster signs the certificate.

Mr. McDonald said that lack of discipline is one of the major causes of school bus accidents. Drivers are instructed to stop the bus on the road side when student passengers are unruly or too noisy until order is restored. The driver must report the discipline problem to the school principal who decides what action will be taken. The bus driver is also responsible for keeping the bus clean inside, checking the bus for mechanical malfunction, and taking the bus for repair when needed.

According to Mr. McDonald 78 percent of North Carolina school

bus drivers are between the ages of 16 and 18; the rest vary in ages from 19 to 65. Females constitute slightly less than half of the drivers and have a lower accident rate than males.

February 15, 1980, Meeting

The second committee meeting was held on February 15, 1980. Representative Jo Foster, Administrative Assistant to the Superintendent of the Charlotte/Mecklenburg School System - the State's largest school system - was the first of nine speakers to address the Committee.

Mrs. Foster stated that the main problem that the Charlotte/Mecklenburg School System had in recruiting good adult and teenage bus drivers was the low salary offered. Most students can earn more money by working at fast-food restaurants and grocery stores. She was also concerned that, if the minimum age for school bus drivers is raised to 17, recruiting will be even more difficult. Many highly qualified 16-year-old students would begin working elsewhere and would not consider employment as bus drivers when they turned 17.

Mrs. Foster further suggested that the news media be used to encourage school bus safety; that State funding of local school bus transportation be based on the number of miles driven, not merely the number of buses operated; that drivers receive follow-up instruction to improve their skills; and that night time and on-the-road training for bus drivers be utilized.

Mr. John C. Noe, Consultant in Safety, State Department of Public Instruction, appeared again before the Committee to give a

brief history of the drivers' education program in this State. North Carolina public schools have taught traffic safety since the mid-1920's. Originally, drivers' education programs were funded locally. In 1957 the General Assembly enacted legislation for State financing of these programs because city and county appropriations were inadequate. At present, State funds for drivers' education come from a \$3 fee collected along with vehicle registration. These funds are used to pay for gas, classroom materials, the use of automobiles, and to pay drivers' education teachers at their full professional certificate rate of pay. Since the mid-1960's, a minimum of 30 hours of classroom instruction and 6 hours of driving instruction have been available to eligible persons.

Mr. Noe then discussed the use of drivers' education automobiles. The number of cars needed for drivers' education is between 1,000 and 1,400 per year. Of these, approximately 25 percent have been purchased with State drivers' education funds, and 75 percent have been made available on a free loan basis by automobile dealers who have been provided incentives from automobile manufacturers. Manufacturers, however, have not made sufficient increases in incentives to keep up with the augmenting costs dealers face, and the number of cars available nationwide on a free loan basis is diminishing. Consequently, dealers across the country have been charging administrative fees of \$1 and \$1.50 for the use of automobiles for drivers' education programs. These administrative fees are expected to increase substantially over the next several years.



Mr. John Lacey, of the University of North Carolina Highway Safety Research Center, was the next speaker. He emphasized the importance of in-service training of school bus drivers to ensure that they have adequate skills and knowledge throughout their careers as bus drivers. He showed the Committee slides which are presented to students and which he felt should be shown periodically to school bus drivers. Mr. Lacey also gave statistics on the relation between school bus driver age and school bus accidents. According to a 1974 Highway Safety Research Center report, entitled, School Bus Accidents and Driver Age, sixteen-year-old bus drivers experienced a higher accident rate on a mileage basis than any other age group. The report stated, however, that removal of 16-year-old bus drivers may not reduce the accident rate significantly since the relatively good driving records of 17-year-olds may be attributable to the one year of experience that many 17-year-old bus drivers have obtained. Mr. Lacey further stated that although relatively few school bus accidents investigated by law enforcement agents have been specifically attributed to discipline problems on buses, inadequate discipline probably impairs the driver's overall efficiency.

Mr. Morris Hastings, Director of Transportation for the Winston-Salem/Forsyth County Schools, spoke next. Mr. Hastings felt that it was imperative that local educational authorities select the most highly qualified students and adults as school bus drivers. He felt that this selection is presently very difficult because of the low pay bus drivers receive. He also suggested that counties build drivers'

training ranges so that prospective school bus drivers could be taught thoroughly to maneuver buses in close places. Improper turns and backing have been the greatest causes of school bus accidents when the bus driver is at fault.

To help avoid accidents occurring when young children leave and enter buses, Mr. Hastings recommended employing people to ride elementary school buses and assist the children across the roads at bus stops. Possibly, 16-year-old students who want later to become bus drivers could serve this function.

The Superintendent of Bertie County Schools, Mr. Larry Ivey, then presented a report containing the following recommendations on school bus drivers' training: (1) adopt a graduated pay scale based on driver experience; (2) develop and implement a uniform system for selecting drivers; (3) require that all drivers be 17 years of age or over; (4) require all drivers to operate a loaded school bus under normal conditions for a period of 3 to 5 days prior to final driver certification; (5) require semi-annual review and evaluation of all drivers; (6) place monitors on all buses; and (7) require drivers who transport exceptional children to complete additional training designed to deal with problems encountered while transporting exceptional children.

Mr. Ivey's report also suggested the following concerning drivers' education programs: (1) provide training in vehicles with a manual shift; (2) increase classroom and road instruction in drivers' education programs; (3) provide limited permits to students

needing additional experience before receiving their licenses; (4) conduct night time driving instruction; (5) study the problems in training exceptional students; and (6) address the problems of employing teachers for extended day or summer instruction in light of extensive certification requirements.

Three speakers appeared on behalf of the Harnett County Schools: Mr. N. E. Jones, Associate Superintendent; Mr. Harrington Morris, Transportation Supervisor; and Mr. H. L. Sorrell, Jr., Coordinator of the Drivers' Education and School Bus Drivers' Program. They defended the use of 16-year-olds and other students as school bus drivers, arguing basically that good driving habits and skills are individual qualities not necessarily related to age. Mr. Sorrell then suggested that the Committee consider: (1) increasing the number of hours in the classroom and behind the wheel (beyond 30 classroom hours and 6 driving hours); (2) the use of ranges and simulation in drivers' education programs; (3) employment of drivers' education teachers on a full-time basis; (4) follow-up driving instruction in students' junior and senior years; and (5) a visual acuity check in drivers' education.

Mr. Wayne Bare, an Assistant Superintendent for Administrative Services, spoke for Wake County Schools. He stated that the Wake County School System is preparing a course of preservice training for prospective school bus drivers to be implemented in Wake County high schools to supplement the work of State Division of Motor Vehicles' personnel. The course will cover such topics as defensive

driving and safety measures and will be given starting with the 1980-81 school year. Mr. Bare recommended that local school system (rather than Motor Vehicle Division) personnel be instructed to train school bus drivers and that bus drivers receive additional in-service training.

Mrs. Trenna Perkins of the Millbrook School Advisory Council, in Raleigh, outlined the Council's recommendations concerning school bus drivers' programs, which included: (1) emphasis on thorough pre-screening and an active campaign to recruit school bus drivers; (2) hiring qualified full-time school bus coordinators; and (3) employing school bus monitors to relieve the driver of the responsibility of maintaining discipline.

Mrs. Clay Knight, Committee Counsel, then presented a report received from Mr. Paul K. Beal, Superintendent of Clay County Schools, which strongly favored the use of student school bus drivers. Reasons included: (1) there are more students than adults from which to choose, resulting in higher quality student drivers; (2) use of student drivers facilitates assignment of bus routes; (3) student drivers are more easily trained and have excellent safety records; (4) students have a much closer rapport with school administrators than do other drivers; and (5) students are more available for emergencies.

#### May 13 Meeting

The Committee met again on May 13, 1980. Mrs. Jean Cornwell, President of the Buncombe County School Bus Drivers' Association, and speaking for school bus associations in 63 North Carolina counties,

was the first guest speaker to address the Committee. She reiterated concern expressed in previous meetings that school bus drivers do not make enough money considering the responsibilities involved and the availability of other part-time employment for students. As a result, it is increasingly difficult to attract experienced students and qualified adults.

Mrs. Cornwell expressed the need to employ more experienced bus drivers. She quoted statistics showing that the driver in most school bus accidents involving fatalities since 1974 had less than 3 years' driving experience. Eighty percent of the drivers in fatal school bus accidents during the 1978-79 period had less than 3 years' experience. Mrs. Cornwell stated that in Buncombe County training programs require a person to ride on a loaded school bus under the supervision of a trained driver before being permitted to drive a loaded school bus, and she recommended that the State fund this type program state-wide.

Mrs. Cornwell also recommended adoption of a pay schedule based on experience. Since Buncombe County began using this schedule 4 years ago, the number of adult drivers there increased from 40 percent to 60 percent. Mrs. Cornwell further stated that since implementation of the Hazardous Pay Plan in Buncombe County in January, 1980, school bus accidents have decreased by 66 percent. The 1979 General Assembly funded the Hazardous Pay Plan by giving \$500 to each of 17 western North Carolina counties to hire adults to drive during hazardous weather.

Mr. Gilbert Dyson, from Rowan County Schools, appeared before the Committee and reviewed the services of the State Board of Education, Division of School Bus Transportation; the Department of Public Instruction, Division of Health, Safety, and Physical Education; and the Traffic Safety Education Section of the Motor Vehicles Division. He suggested that the three divisions be merged into one department under the authority of the State Board of Education to facilitate communication and cooperation among the staff of those divisions and with local authorities, better utilize existing personnel, and thereby strengthen driver safety programs throughout North Carolina. Mr. Dyson added that he believed that 36 hours of classroom and road instruction is sufficient for most drivers' education students.

Mr. Charles Walker, Transportation Supervisor of Yadkin County Schools, was recognized and told the Committee that present laws, regulations, policies, and procedures were sufficient to provide safe and effective drivers' education programs and school bus transportation. In his handout, he addressed areas that local educational agencies, with some help from the State Department of Public Instruction and the Division of Motor Vehicles' Driver Education Section, should attempt to improve. Mr. Walker advised that the key to effective drivers' education and school bus drivers' training programs is proper implementation of the programs by local public school administrative units. He said that the State Board of Education or General Assembly should mandate such proper implementation.

Mr. James Hall, consultant with the Department of Public Instruction, presented a film showing methods of instructing students to

become better drivers and pedestrians. The film depicted the use of driving ranges as instructional tools. The previous speaker, Mr. Walker, discussed the pilot range being operated in Yadkin County. Through the use of a radio system, an instructor may effectively teach 20 to 25 students particular driving skills. Mr. Walker said that there are 19 ranges now in operation in North Carolina and that the ranges can be used for many purposes other than driver training.

August 21, 1980, Meeting

The Committee met for an informal work session to discuss recommendations to be included in the Committee Report to the 1981 General Assembly.

Before proceeding with the discussion, the Committee recognized Mr. John Noe, Consultant for the Safety and Driver Education Section of the Department of Public Instruction. Mr. Noe updated his comments on drivers' education loan car costs made at the February 15, 1980, meeting with additional information. He said that the State Board of Education in May, 1980, had approved an increase in the administrative fee ceiling for loan cars from \$1.50 per day loaned to \$4.00 per day. The \$4.00 ceiling is based on the national average of drivers' education cars and the prime rate of interest at that time. On this basis, the administrative fee per car per day would average \$3.08 for all cars obtained in May through August, 1980. The ceiling is determined at four month intervals to apply to the succeeding months. The State Controller urges local superintendents to negotiate with dealers to borrow automobiles at the lowest possible cost.

The Committee then discussed issues raised during the previous 3 meetings. The Committee decided to review a draft Committee report on November 6, 1980, containing a summary of the issues and possible recommendations and at that time determine which recommendations it would make to the 1981 General Assembly.

September 9, 1980, Public Hearing

The Committee held a public Hearing at which a representative of the North Carolina P.T.A. and a group of Wake County parents spoke on school bus drivers' programs.

Mrs. Janet Holem, Coordinator for Legislative Activities, North Carolina P.T.A. reviewed briefly the P.T.A.'s involvement in school bus safety, discussed action that the General Assembly has taken in the 1980 Session to upgrade school bus drivers' programs, and suggested that the Committee recommend the following to the 1981 General Assembly: (1) state allocation of an average of \$4.00 per hour for school bus drivers in a salary schedule rewarding good performance and longevity; (2) state funding for coordinators to recruit and train school bus drivers and help them remedy specific problems such as lack of discipline on the bus; (3) an increase in the State Board of Education's authority in school bus transportation and improved communications between the Board and agencies at all levels; (4) a requirement of one year of experience as a licensed motor vehicle driver before a person may drive a school bus; (5) in-service training of school bus drivers; (6) further careful study of the possibility of using monitors to aid children get on and off buses; (7) establishment of public awareness campaigns to help educate



parents to influence their children in areas of safety and discipline.

Senator Robert Wynne of Wake County was recognized. He spoke briefly on several school bus safety issues and stated that he favored a salary increase for school bus drivers to \$4.00 per hour and that he would prefer that bus drivers be required to have one year's experience as a licensed driver before driving a bus.

Mrs. Myrtle Calhoun then spoke for a group of Wake County parents. She strongly urged increased training of school bus drivers and felt that driver attendance at school bus driver safety meetings should be mandatory. She underscored the importance of being very selective in hiring school bus drivers.

Mrs. Calhoun also discussed the use of monitors on school buses. Local school agencies are authorized but not required to hire school monitors. She called upon local P.T.A.'s to consider using monitors and to study the problems surrounding their use. Possibly, parents could serve as monitors during the first weeks of school. Mrs. Calhoun suggested that CETA funds be used to train monitors.

The next speaker was Mrs. Lib Raiford, Raleigh, North Carolina, who addressed the Committee as a concerned parent of two junior high school students. Mrs. Raiford emphasized four areas of school bus safety which she believed needed improvement: (1) age and experience - 16-year-olds are not mature or experienced enough to drive school buses; (2) overcrowded buses - enforcement of State Board of Education Rule .0727 requiring local education agencies to provide seating for all school bus passengers; (3) salaries - bus drivers' pay should be raised to \$4.00 per hour; (4) school bus maintenance - school

buses should be better maintained and garage facilities upgraded.

Mrs. Linda Gurganius, Wake County School Bus Driver, was recognized to give the Committee first hand knowledge of problems drivers face. She expressed concern with the lack of regard shown buses carrying children to and from school and cited dangerous daily incidents of being passed when the school bus was stopped. Mrs. Gurganius stated that enforcing present laws is more important than passing new ones. She emphasized the need to obtain the cooperation of the State Highway Patrol and local sheriff's departments. She also noted that the main responsibility for safety is with school bus drivers.

November 6, 1980, Meeting

At the November 6 meeting, Ms. Connie Craig, representing Wake County parents working for school bus safety, presented a report -- compiled by the parents -- containing information on school bus programs in more than 35 states. The Committee then reviewed a draft of its final report and voted on recommendations to be made to the 1981 General Assembly. A motion was made and carried to review and approve a final draft of the Committee report by mail.

Cochairmen Mills and Smith thanked the Committee for its fine work and the guests for their interest and assistance.

SECTION .0700 - HEALTH, SAFETY AND DRIVER EDUCATION,  
AND PHYSICAL EDUCATION

## .0701 GENERAL PROVISIONS

The division of health, safety and driver education, and physical education:

- (1) provides through its consultants and sections leadership services for program planning, development and assessment at the Department of Education and the local school systems levels; These services are for the purposes of implementing programs related to the needs of youth, grades K-12, in the areas of health, safety and driver education, and physical education;
- (2) develops course of study guidelines at the various learning levels, develops related resource materials, and aids local school systems in their implementation of effective programs of instruction;
- (3) upon request from local school systems, provides leadership services regarding improvement and accreditation of programs;
- (4) works with other divisions and sections of the Department of Education to accomplish jointly planned objectives;
- (5) works cooperatively with other agencies and organizations interested in school programs by responding to requests for information and by serving on special committees and task forces;
- (6) provides leadership in the development and implementation of special programs and projects such as school beautification program, dental health project, health and physical education demonstration centers and the pedestrian and bicycle safety curriculum, grades K-9.

History Note: Statutory Authority G.S. 115-14(1); 115-198;  
115-204; 115-201; 115-202;  
Eff. February 1, 1976;  
Readopted Eff. February 3, 1978.

## .0702 ORGANIZATION

(a) The division is composed of three sections: health education, safety and driver education, and physical education.

(b) The division is under the leadership of a director and an assistant director. There are consultant positions in the sections of health education, safety and driver education, and physical education.

(c) An additional consultant is responsible for the supervision of several special safety projects in cooperation

with the Governor's Highway Safety Program. The position is funded through June of 1976.

History Note: Statutory Authority G.S. 115-14(1);  
Eff. February 1, 1976;  
Readopted Eff. February 3, 1978.

.0703 DRIVER TRAINING AND SAFETY EDUCATION PROGRAM

(a) Administrative Relationships and Responsibilities

- (1) County and city boards of education shall be responsible for organizing and conducting courses in driver training and safety education.
- (2) In discharging responsibilities for driver training and safety education courses in the public schools, the State Department of Public Instruction and the State Board of Education shall deal only with county and city boards of education.
- (3) The restricted instruction permits authorizing students to enroll for the behind-the-wheel phase of the course shall be issued only by the Department of Motor Vehicles personnel.
- (4) If it is deemed advantageous and if the convenience of particular communities will be better served, county and city boards of education in adjacent administrative units, by written agreement recorded in their respective official minutes, may jointly operate a program of driver training and safety education. Such written agreement shall indicate the unit having administrative responsibility for the program and to which the State Board of Education shall allot funds.

(b) Student Eligibility Requirements

- (1) Enrollees shall meet mental and physical qualifications required of license applicants.
- (2) Courses shall be open at the public schools, without charge of any fee to eligible public school students, non-public school students and out-of-school youth under 18 years of age.
- (3) Students regularly enrolled in public and non-public schools who are age 14 years, 6 months and up to age 18 may be enrolled in the driver training and safety education courses; and out-of-school youth who are 14 years, 6 months of age and up to age 18 may be enrolled.
- (4) When feasible, eligible students under 16 years of age may be enrolled in the course of instruction at such time as to permit completion as near legal license age as is practical, preferably one to three months

immediately preceding. However, funding is on the basis of teaching in one year the number of students in each local school administration who will attain age 16 during one year. (Enrollment in the ninth school grade approximates that number.)

- (5) Prior to the beginning of behind-the-wheel instruction, enrollees shall have secured a Restricted Instruction Permit from the division of motor vehicles, State Department of Transportation. Motor vehicle laws governing operators' permits require that this credential be in the car during instructional periods. To obtain permits, contact the person who certifies school bus drivers in the county.

(c) Instructional Program, Materials, Organization and Scheduling

(1) Instructional Program

- (A) Classroom instruction shall consist of at least 30 clock hours; behind-the-wheel instruction shall consist of a minimum of 6 clock hours per student exclusive of time spent in the car as an observer.
- (B) The content of the courses shall be in accordance with a curriculum guide issued by the State Superintendent of Public Instruction.

(2) Materials. Advisory lists of instructional media issued to school superintendents by the North Carolina Department of Public Instruction provide information to all local school administrations in the selection of books and other instructional materials.

(3) Organization and Scheduling

- (A) Driver training and safety education courses shall be made reasonably available at the public schools to all eligible students on a 12 months basis.
- (B) Programs of instruction designed by county and city administrative units may include any combination of the following patterns of operation:
- (i) during the regular school day and term, full time or fraction thereof;
  - (ii) during summer term, full time or fraction thereof;
  - (iii) during extended school day and Saturday of regular term or summer.

- (C) Groups for classroom instruction shall normally range from 24 to 35 students and shall not be less than 12 students; except that fewer than 12 students may comprise a class when dictated by extraordinary circumstances. Groups for in-car

instruction shall normally be three students and shall not be less than two nor more than four at any one time. Class size legislation applies to driver education.

- (D) Periods for classroom instruction shall not exceed two hours daily; in-car instruction, including time spent as an observer, shall not exceed two hours daily; and, enrollees shall not be scheduled for more than two clock hours of instruction per day, except that one hour of in-car instruction may be in addition to two hours classroom in one day, or two clock hours on an every-other-day basis may be in addition to two hours of classroom instruction in one day.
- (E) Extended school day and Saturday programs shall not exceed 16 instructional hours per week per teacher; not more than two hours daily in the extended day and not more than six hours on Saturday.
- (F) County and city superintendents shall use all available news media to apprise all segments of the public as to the availability of courses in driver training and safety education; the date courses will begin, the schedule for classes, and information as to the procedures for enrolling.

(d) Certificates of Completion

- (1) A student satisfactorily completing the prescribed course of 30 hours of classroom instruction and 6 hours per student of behind-the-wheel instruction, exclusive of time in the car as an observer, shall be issued a certificate on a form supplied by the State Superintendent of Public Instruction.
- (2) The school's file copy of the certificate shall be held by the school system where the course was completed until the student reaches 25 years of age. For students transferring out of the school system, a record of driver education status should be entered in the student's permanent records being sent to the next school.

(e) Instructional Personnel

- (1) Persons who hold a full driver education certificate, class A or class B, may teach in the high school driver education program;
- (2) Persons who now hold provisional driver education certificates and are working on a competency program prescribed for them by a college approved to offer driver education teacher preparation programs; Such

persons may continue to teach as long as they make annual progress toward meeting full certification. Upon meeting the requirements for full certification, they would fall in the above category;

- (3) Persons, who, prior to September, 1974, had met the requirements for teaching driver education in North Carolina; Such a person would be eligible to teach when he/she is associated with one of the approved teacher education preparation programs and that institution certifies that he/she has the minimum competencies necessary to teach high school driver education;
  - (4) Any person holding at least a bachelor's degree and who does not fall in any of the three categories above and desires to enter the program; Such a person would qualify by meeting requirements prescribed by one of the colleges approved to offer driver education teacher preparation programs. Approval to teach would be upon the colleges' recommendation to the State Department of Public Instruction that the person has the minimum competencies necessary to teach high school driver education courses;
  - (5) Certification and rating of instructors in this program shall be administered by the division of certification of the State Department of Public Instruction;
  - (6) Each instructor shall possess a valid North Carolina driver's license and shall have an acceptable driving record as shown by the official records of the division of motor vehicles, State Department of Transportation:
    - (A) Employing superintendents shall verify the driving records of instructors annually. Forms for requesting official driving records of instructors are available from the State Department of Public Instruction.
    - (B) Local administration's determination of acceptable driving records, with regard to employability of teacher, may be based upon guidelines available from the State Department of Public Instruction.
  - (7) Instructors of driver training and safety education shall be nominated by the superintendent and elected by the county or city boards of education, and the conditions of their employment shall be subject to the rules and regulations of the county or city boards of education and the State Board of Education.
- (f) Plan of Operation
- (1) On or before March 15 of each year the county or city superintendents shall submit the following, in

triplicate, to the State Superintendent of Public Instruction:

- (A) A proposed plan of operation for organizing and conducting courses in driver training and safety education in the high schools of the administrative unit for the succeeding fiscal year;
  - (B) A proposed budget in support of the contemplated plan of operation;
  - (C) The proposed plan and budget, to be prepared on forms supplied by the State Superintendent of Public Instruction and the Controller of the State Board of Education, shall be approved and certified by the county or city boards of education. Subsequent transfers and changes in the plan of operation and budget shall be filed as stated above.
- (2) The Superintendent of Public Instruction shall review the proposed plan of operation and the proposed budget to finance the plan of operation and, within the funds available for such purpose and on a fair and equitable basis, shall recommend to the State Board of Education a budget allotment for each administrative unit for the fiscal year.
- (3) The budget allotment recommended by the State Superintendent of Public Instruction shall be based on the estimated number of students to be enrolled for training, a standard amount of teaching time per student, a standard level of service per student, a standard cost of expenditures developed by past experience, and the most effective organization for making the course reasonably available to eligible persons throughout the fiscal year.

History Note: Statutory Authority G.S. 115-198; 115-201;  
115-202; 115-59; 20-11; 20-88.1;  
P.L. 89-564; 91-596;  
Eff. February 1, 1976;  
Readopted Eff. February 3, 1978.

.0704 DRIVER TRAINING AND SAFETY EDUCATION PLAN OF FINANCE

(a) Allotments. To carry out the statewide program of driver training and safety education, the State Board of Education will follow these procedures:

- (1) Revenues. Determine the total amount of money available for the fiscal year's operation;



- (2) Administration and Supervision. Determine the amount necessary for the administration and supervision of the program of driver training and safety education by the State Board of Education and the State Department of Public Instruction and set up, out of the total amount under (a)(1) of this Rule, such amount for this purpose;
- (3) Reserve Amounts for Adjustment of Local Budgets. Determine amount necessary for this purpose, and reserve such funds for future allotments;
- (4) Available Funds for Allotment. Determine the total net amount available for allotment to all school administrative units;
- (5) Allotments to Administrative Units. Within the funds available for such purpose, the State Board of Education upon the budget recommendation of the State Superintendent of Public Instruction will make the allotments for the fiscal year to each administrative unit on or about July 1 (or as soon thereafter as feasible);
- (6) Approved Budget and Plan of Operation. The State Superintendent of Public Instruction shall file one copy of the approved budget and plan of operation for each administrative unit with the Controller and shall return one copy of these forms to the administrative unit. Upon receipt of the approved budget, the Controller shall make the funds available for expenditure by the administrative unit as provided for in (b) of this Rule;
- (7) Reallocation of Funds. On or before October 31 of each year, each administrative unit shall file with the State Superintendent of Public Instruction a revised budget estimate for the fiscal year ending June 30. This revised budget shall be based upon current data as to the number of persons trained and to be trained during the fiscal year. The State Superintendent will review the revised budgets and make recommendations to the State Board of Education which will reduce or increase the allotment to each unit within funds available;
- (8) Allotment Balances. The allotment balance of each administrative unit will revert to the board at the end of each fiscal year. Balances will not accumulate to the credit of any administrative unit from year to year.

(b) Uses of Allotments. Within the amount of state funds allotted to an administrative unit, county and city boards of

education may use such funds to provide courses in driver training and safety education which are organized and conducted in accordance with these rules, regulations, policies and procedures. Expenses may be paid from state funds as follows:

- (1) Teacher Salaries. Teacher salaries paid from these state funds shall be made in accordance with state salary schedules as follows:
  - (A) Teachers of driver training and safety education employed on a full-time basis during the regular day of the regular state school term shall be paid from these state funds on the basis of the state salary schedule for teachers paid from the state school funds;
  - (B) Teachers assigned to teach driver training and safety education less than full time during the regular day of the regular school year shall be paid under the state salary schedule for state school fund teachers on the basis of the percentage of the regular six-hour instructional day devoted to this assignment;
  - (C) Teachers paid from the state school fund may be assigned to teach driver training and safety education not more than one period per day during the regular school day; such assignment of teachers shall not be cause for additional pay or pro-ration of salary;
  - (D) All teachers of driver training and safety education employed at times other than the regular school day of the regular state school term shall be paid on the basis of the State Board of Education's summer salary schedule for driver education; The rate of pay for personnel teaching during the extended day and Saturday, or during summer shall be determined on the basis of the equivalent of the percentage of a regular six-hour instructional day;
  - (E) Current copies of the summer salary schedule for driver training and safety education teachers may be obtained from the Office of the Controller, State Board of Education, Raleigh, N.C.;
  - (F) County and city boards of education in administrative units having local salary supplements may pay such salary supplements to teachers of driver training and safety education except that state-aid driver training and safety education funds shall not be used for this purpose;

- (2) Instructional Supplies. The cost of tests, test devices, printed matter, driving guides, textbooks, and other essential materials may be paid from this fund;
- (3) Car Operation Expenses. This includes gas, oil, grease, antifreeze, parts, labor, tires and tubes, washing, and other necessary costs of operation of cars, simulators and other equipment. All gasoline used in driver training cars shall be purchased on state contract, either from pumps operated by the county or city boards of education for the school bus garage or school maintenance shop, or purchased on credit cards of companies holding the state contract for such deliveries. Gasoline used in driver training cars is exempt from state and federal taxes on gasoline and such taxes will not be paid from these funds;
- (4) Insurance. Premiums for all necessary types of insurance;
- (5) Rental of Cars and Other Major Equipment. Payments for non-owned cars, driving simulators, and other major equipment; Rental commitments shall be made only upon prior written approval from the State Department of Public Instruction. Requests for approval of rental of equipment shall be fully supported by a statement of the circumstances which cause the rental to be necessary and feasible;
- (6) Equipment. Original cars, replacement cars, driving simulators, and other equipment:
  - (A) The purchase and sale of cars, driving simulators, and other major equipment shall be made only upon prior written approval from the State Department of Public Instruction. Herein, "major equipment" is an item costing more than two hundred dollars (\$200.00). State purchase and contract division regulations shall govern all purchases and sales of automobiles and equipment essential to the operation of the driver training and safety education program. Amounts for purchases of cars and receipts for sales of owned cars are handled at the state level;
  - (B) All cars obtained under contract for driver education, either purchased or on a free-loan basis, shall be restricted to driver education activities. This matter shall be monitored by the field auditing and accounting staff of the State Board of Education;
- (7) Retirement and Social Security. Employer's share of retirement and social security costs.

## (c) Accounting Procedures

- (1) Administrative Unit Accounts. The Controller shall establish and maintain an account for each administrative unit for driver training and safety education, in which shall be recorded the allotments made to the administrative unit and charged against the allotment, the unused balance of funds allotted, the expenditures of the administrative unit for the purpose, and the cash balance of the administrative unit representing the difference between expenditures made and payments received from the Controller.
- (2) Monthly Report and Payment of Funds. Funds shall be paid by the Controller to each administrative unit monthly as needed if the administrative unit has an allotment balance. The monthly payment shall be based on a monthly report filed by the administrative unit. The monthly report shall contain the budget, expenditures for the calendar month and year to date, budget balance, and request for funds for the succeeding calendar month. This report shall be supported by a voucher register listing the vouchers issued by the administrative unit for this purpose and by a copy of the invoices for general expense items paid in the calendar month. One copy of each of the records referred to in this Paragraph shall be filed with the Controller by the fifth of each calendar month.
- (3) Accounting Forms. The Controller shall design and make available to the administrative units the monthly report forms, voucher registers, and any other forms necessary for the proper accounting for these funds.
- (4) Coding of Expenditures and Receipts. The coding used in accounting for expenditures and receipts of this program shall be according to line items listed on the forms provided by the Controller, re: Item (3) of this Subparagraph.

## (d) Special Provisions

- (1) The State Superintendent of Public Instruction shall make his recommendations to the board for budget allotments in accordance with Part (f) of Rule .0703 of this Section. In making the recommendations for budget allotment for the year ahead, all balances or deficits of administrative units accrued at June 30, each year, shall be deducted from or added to the budget recommendations for the year ahead in accordance with Subsection (a) of this Rule. This will eliminate all

accumulated balances or deficits as of July 1, each year, in administrative unit accounts.

- (2) Due to the time element involved in program planning, budget preparation and necessary evaluation of proposed plans of operation and budgets by the State Superintendent of Public Instruction and in order that the driver training program shall not be disrupted the State Superintendent of Public Instruction and the Controller are authorized to make further tentative allocations of funds to those administrative units whose program has required the use of all funds presently allotted to the administrative units, pending final budget allocation of the State Board of Education to the administrative units for the fiscal year.

History Note: Statutory Authority G.S. 115-202;  
20-88.1; P.L. 89-564 (402), (403);  
Eff. February 1, 1976;  
Readopted Eff. February 3, 1978.



SUBCHAPTER 3G - TRAFFIC SAFETY EDUCATION  
SERVICES SECTIONSECTION .0100 - SCHOOL BUS DRIVER TRAINING  
AND CERTIFICATION

## .0101 SCHOOL BUS DRIVER TRAINING

The Traffic Safety Education Services Section trains, and along with the chief mechanic in each county, certifies school bus drivers. Applicants for this training are selected by the principal of the school for which they are to drive. The training is made up of two phases:

- (1) Two days of classroom instruction in which safe driving procedures, defensive driving techniques, first aid, and rules, regulations and laws governing school bus drivers and school bus operation are covered;
- (2) The roadwork phase provides actual practice in driving a school bus so that the applicant can obtain the necessary skill to drive a bus safely. The length of this instruction depends largely upon previous driving experience and driving ability.

History note: Statutory Authority G.S. 20-1; 20-218;  
Eff. July 1, 1978.

## .0102 REQUIREMENTS FOR CERTIFICATION

(a) Certification depends upon each applicant satisfactorily meeting and complying with the requirements of both the Division of Motor Vehicles and the State Board of Education.

(b) The requirements include good physical condition, good character, even temperament, positive attitudes, minimum age of 16, valid North Carolina driver's license, and no conviction for traffic violations for a period of six months preceding certification.

(c) A publication pertaining to school bus certification may be obtained by writing to the Traffic Safety Education Services Section, Motor Vehicles Building, Raleigh.

History Note: Statutory Authority G.S. 20-1 20-218;  
Eff. July 1, 1978.

## .0103 PUBLICATIONS

All publications pertaining to this Section are on file in the Commissioner of Motor Vehicles' Office and are available for inspection and review during normal office hours.





RULES AND REGULATIONS GOVERNING THE ISSUANCE & CANCELLATION OF  
SCHOOL BUS DRIVER CERTIFICATE

- 1 -

DEFINITIONS OF WORDS AND PHRASES.-- The following words and phrases when used in these Rules and Regulations shall, for the purpose of these Rules and Regulations, have the meanings respectively prescribed to them, except in those instances where the context clearly indicates a different meaning:

- (1) Conviction.-- A conviction upon a plea of guilty, or of nolo contendere; or the determination of guilt by a jury or by a court though no sentence has been imposed or, if imposed, has been suspended, and it includes a forfeiture of bail or collateral deposited to secure appearance in court of the defendant, unless the forfeiture has been vacated, and shall include prayer for judgment continued.
- (2) Training course for school bus drivers.-- The course of study developed by the North Carolina Department of Motor Vehicles which sets forth the rules, regulations and laws governing school bus drivers and school bus operation as prescribed by the Department of Motor Vehicles and the State Board of Education.
- (3) Driving privilege.-- The privilege to operate a motor vehicle upon the highways of this state as evidenced by an operator's or chauffeur's license.
- (4) Moving Violation.-- A motor vehicle moving violation, as used herein, includes any violation of the motor vehicle laws of this State, except those offenses for which no points under the point system may be assessed by specific reference in G.S. 20-16(c), nor does the term include those equipment violations specified in Part 9 of Article 3 of Chapter 20.

1. The officials of the North Carolina Department of Motor Vehicles recognize the authority of the local school officials in the various county and city administrative units to select, assign, and dismiss school bus drivers. This manual defines the eligibility requirements for certification of school bus drivers as established by the Department of Motor Vehicles; and sets the standards of performance and conduct necessary to retain certification.

2. School bus driver certification is contingent upon each applicant satisfactorily meeting and complying with all requirements as defined by both the Department of Motor Vehicles and the State Board of Education. Requirements of the Department of Motor Vehicles for school bus driver applicants are as follows:

- a. No record of conviction for moving traffic violation(s) for a period of six months immediately preceding certification.
- b. No chargeable traffic accidents during six months immediately preceding certification.
- c. Physically able-bodied and free of physical handicaps.
- d. No chronic diseases such as heart trouble, epilepsy, high or low blood pressure, fainting or dizzy spells, diabetes, or any physical or mental disability or disease as will serve to prevent such person from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways.
- e. Satisfactory vision, both eyes. (At least 20/40 each eye with or without corrective lenses.)
- f. Adequate hearing, both ears.
- g. Be at least sixteen years of age and have a valid North Carolina chauffeur's or operator's license.
- h. Satisfactorily complete the training course for school bus drivers.

3. School bus driver certificates are issued for a period of four years.. Persons having certificates issued prior to July 1, 1964, will be required to renew such certificates at a time and place designated by the Driver Education Representative. Subsequent re-certification will be determined on the basis of the date of issue.

4. The Department shall have authority to cancel any school bus driver certificate upon determining that the certificate was issued on the basis of misinformation, false statements or fraud.

5. Upon cancellation, all school bus certificates issued to the holder thereof are void as of the date of cancellation and any certificates in the possession of the holder shall be surrendered to the Department.

6. The Department of Motor Vehicles shall cancel the school bus driver's certificate of any school bus driver for the following reasons:

- a. Any suspension, revocation or cancellation of the driving privilege;
- b. Conviction of passing a stopped school bus;
- c. Two convictions of a moving violation within a period of twelve months;
- d. Conviction of hit and run, property damage only.
- e. Conviction of a moving violation in connection with an accident.
- f. Conviction of speeding in excess of 15 MPH of the posted limit.

7. The Department of Motor Vehicles shall cancel the school bus driver's certificate of any school bus driver for convictions of offenses committed while operating a school bus for the following reasons:

- a. Any of the offenses enumerated in Item 6;

- b. Failure to stop at a railroad crossing;
- c. Speeding;
- d. Failure to stop at a stop sign.

8. The Department of Motor Vehicles may cancel the school bus driver's certificate of any school bus driver who has been convicted of a moving violation, which, in the opinion of the Department, constitutes failure to operate a motor vehicle in a reasonable and prudent manner.

9. A person whose school bus driver certificate has been cancelled will not be eligible to apply for re-certification for a period of six months from the date of cancellation. Any person so applying must be recommended by the superintendent or principal of the school and will be required to complete the full training program required of a beginning driver.

10. The Department of Motor Vehicles will require a yearly re-examination of all school bus drivers of sixty-five years of age and over.

11. Upon recommendation of the Driver Education Representative or local school officials, the Department of Motor Vehicles may require re-examination of any certified school bus driver whose qualifications become questionable or who exhibits evidence of improper or unsafe driving practices and procedures.

§ 570.52 Motor-vehicle driver and outside helper (Order 2).

(a) *Finding and declaration of fact.* Except as provided in paragraph (b) of this section, the occupations of motor-vehicle driver and outside helper on any public road, highway, in or about any mine (including open pit mine or quarry), place where logging or sawmill operations are in progress, or in any excavation of the type identified in § 570.68(a) are particularly hazardous for the employment of minors between 16 and 18 years of age.

(b) *Exemptions*—(1) *Incidental and occasional driving.* The finding and declaration in paragraph (a) of this section shall not apply to the operation of automobiles or trucks not exceeding 6,000 pounds gross vehicle weight if such driving is restricted to daylight hours: *Provided*, Such operation is only occasional and incidental to the child's employment; that the child holds a State license valid for the type of driving involved in the job which he performs and has completed a State approved driver education course: *And provided further*, That the vehicle is equipped with a seat belt or similar device for the driver and for each helper, and the employer has instructed each child that such belts or other devices must be used. This subparagraph shall not be applicable to any occupation of motor-vehicles driver which involves the towing of vehicles.

(2) *School bus driving:* The finding and declaration in paragraph (a) of this section shall not apply to driving a school bus during the period of any exemption which has been granted in the discretion of the Secretary of Labor on the basis of an application filed and approved by the Governor of the State in which the vehicle is registered. The Secretary will notify any State which inquires of the information to be furnished in the application. Neither shall the finding and declaration in paragraph (a) of this section apply in a particular State during a period not to exceed the first 40 days after this amendment is effective while application for such exemption is being formulated by such State seeking merely to continue in effect unchanged its current program using such drivers, nor while such application is pending action by the Secretary.

(3) *Evaluation of application for exemption for school bus driving.* In evaluating the application of a State for an exemption for school bus driving under subparagraph (2) above the Secretary will consider the following:

(i) Whether the accident experience of school bus drivers under 18 years of age in the State, if any are employed, compares favorably with that of adult school bus drivers.

(ii) Whether school bus drivers are selected by the school principal and approved by the county superintendent or an official of equivalent responsibility.

(iii) Whether school bus drivers are required to have completed a State approved driver education course, or a special school bus driver training course prior to being allowed to transport passengers.

(iv) Whether training and testing of school bus drivers includes classroom and behind-the-wheel training and is this done by qualified officials.

(v) Whether school bus drivers are required to pass a physical examination.

(vi) Whether the operation of school buses is supervised by the school principal, the transportation or other equivalent officer, and State, county, or city police.

(vii) Whether school buses are thoroughly inspected a minimum of four times a year at a State, district, or county inspection station and receive maintenance and repairs at regular intervals to ascertain and insure their safe operating conditions on a continuous basis, and that all inspections, maintenance, and repairs are performed by qualified inspectors and mechanics.

(viii) Whether school bus drivers are provided with and required to use seat belts.

(ix) Whether adequate measures are taken by State and local officials to control the speed of school buses in order to insure that the buses are not driven at a speed greater than is reasonable and prudent.

(x) Whether adult chaperones, approved by local school authorities, accompany school bus drivers on special activity trips sponsored by the school.

(xi) Whether the school buses conform substantially to the Minimum Standards for School Buses, 1964 Revised Edition, recommended by the National Conference on School Transportation and published by the National Education Association.

(xii) Any other factors which the Secretary may find relevant in evaluating the application for exemption.

(c) *Definitions.* For the purpose of this section:

(1) The term "motor vehicle" shall mean any automobile, truck, truck-tractor, trailer, semi-trailer, motorcycle, or similar vehicle propelled or drawn by mechanical power and designed for use as a means of transportation but shall not include any vehicle operated exclusively on rails.

(2) The term "driver" shall mean any individual who, in the course of his employment, drives a motor vehicle at any time.

(3) The term "outside helper" shall mean any individual, other than a driver, whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivering goods.

(4) The term "gross vehicle weight" includes the truck chassis with lubricants, water and full tank or tanks of fuel, plus the weight of the cab or driver's compartment, body, and special chassis and body equipment, and payload.



## ALL SCHOOL BUS TRAFFIC ACCIDENTS

School Year 1979 — 1980

(Like 15)

BUS OWNERSHIP

Public School Bus	1278
Public Activity Bus	13
Private School Bus	19
Private Activity Bus	
Commercial School Bus	4
<b>TOTAL BUSES</b>	<u>1314</u>

FATALITIES

Pupil Passenger:	
At Stop By Other Vehicle	1
-----	
Pedestrian or Bicyclist	2
-----	
Occupants Of Other Vehicles	9
-----	

	<u>TOTAL ACCIDENTS</u>	<u>PERCENT</u>
--	------------------------	----------------

SEVERITY OF ACCIDENT

Fatal Accidents	12	1.0
Injury Accidents	341	28.0
Property Damage Accidents	865	71.0
Persons Killed	12	
Persons Injured		
Severely "A"	79	7.0
Slightly "B"	379	33.8
Complaint "C"	661	59.0

TYPE OF ACCIDENT

School Bus Ran Off Road	149	12.2
School Bus Overturned in Road		
School Bus Other Non-Collision	9	0.7
School Bus Collision With:		
Pedestrian	11	0.9
Bus or Other Vehicle in Traffic	950	78.0
Legally Parked Vehicle	85	7.0
Railroad Train	1	0.1
Bicycle	5	0.4
Animal		
Fixed Object	4	0.3
Other Object	4	0.3

TIME OF DAY

Morning	571	46.9
Afternoon	640	52.5
Not Stated	7	0.6

DAY OF WEEK

Monday	227	18.6
Tuesday	249	20.4
Wednesday	244	20.0
Thursday	227	18.6
Friday	248	20.4
Saturday	15	1.2
Sunday	8	0.7
Not Stated		

NOTE: School Bus Traffic Accidents include Fatal, Injury, and Proper Damage of \$200.00 or more that occurred on a trafficway.

<u>TOTAL PROPERTY DAMAGE</u>	<u>TOTAL ACCIDENTS</u>	<u>PERCENT</u>
	\$ 0 thru \$ 49	31
50 thru 99	3	0.2
100 thru 199	14	1.1
200 thru 299	210	17.2
300 thru 499	286	23.5
500 thru 999	320	26.3
1,000 thru 1,499	133	10.9
1,500 thru 2,499	123	10.1
2,500 thru 4,999	78	6.4
5,000 and Up	18	1.5
Not Stated	2	0.2

TYPE OF ROAD

Interstate Highways	1	0.1
U. S. Numbered Highways	73	6.0
N. C. Numbered Highways	94	7.7
Rural Paved Roads	354	29.1
Rural Unpaved Roads	127	10.4
City Streets	569	46.7

KIND OF LOCALITY

Open Country	410	33.7
Residential	552	45.3
Commercial	203	16.7
Institutional	44	3.6
Industrial	7	0.6
Not Stated	2	0.2

WEATHER CONDITION

Clear	854	70.1
Cloudy	183	15.0
Raining	150	12.3
Snowing	10	0.8
Fog	17	1.4
Sleet or Hail		
Not Stated	4	0.3

CHARGES PREFERRED

Single Vehicle:		
School Bus Driver Charged	26	20.5
School Bus Driver Not Charged	101	79.5
Multiple Vehicle:		
School Bus Driver Charged	308	14.3
School Bus Driver Not Charged	817	37.9
Other Driver Charged	281	13.0
Other Driver Not Charged	749	34.8
<hr/>		
Accident With Charges	586	48.1
Accident Without Charges	632	51.9



	<u>TOTAL ACCIDENTS</u>	<u>PERCENT</u>
<u>VEHICLES INVOLVED</u>		
School Bus With:		
School Bus	61	4.7
Passenger Car	865	66.6
Truck	232	17.9
Other Motor Vehicle	14	1.1
School Bus Only	127	9.8

VEHICLE MANEUVER (SCHOOL BUS)

Stopped in Travel Lane	132	10.3
Parked Out of Travel Lane	27	2.1
Parked in Travel Lane	14	1.1
Going Straight Ahead	595	46.5
Changing Lanes or Merging	21	1.6
Passing	12	0.9
Making Right Turn	79	6.2
Making Left Turn	160	12.5
Making U Turn	1	0.1
Backing	130	10.2
Slowing or Stopping	85	6.6
Starting in Roadway	19	1.5
Parking		
Leaving Parked Position	4	0.3
Avoiding Object in Road		
All Others		

SEX AND RACE (SCHOOL BUS DRIVERS)

Male—White	411	32.8
Male—Black	401	32.0
Male—Indian	3	0.2
Male—Race Not Stated	2	0.2
Female—White	234	18.7
Female—Black	134	10.7
Female—Indian	6	0.5
Female—Race Not Stated		
Sex and Race—Not Stated	61	4.9

AGE OF DRIVERS (SCHOOL BUS DRIVERS)

Under Driving Age	7	0.6
16 Years	259	20.7
17 Years	499	39.9
18 Years	219	17.5
19 Years	48	3.8
20 Years	19	1.5
21—24 Years	44	3.5
25—34 Years	62	5.0
35—54 Years	60	4.8
55 Years and Older	12	1.0
Not Stated	23	1.8

	<u>TOTAL ACCIDENTS</u>	<u>PERCENT</u>
<u>VIOLATIONS (SCHOOL BUS DRIVERS)</u>		
DUI/Alcohol	1	0.2
DUI/Drugs		
Failed to Yield	79	12.1
Disregarded stop sign	10	1.5
Disregarded traffic signal	7	1.1
Exceeding safe speed	75	11.5
Below minimum speed		
Passed stopped school bus	1	0.2
Passing on hill		
Passing on curve	1	0.2
Improper overtaking	7	1.1
Improper lane change	4	0.6
Use of improper lane	24	3.7
Improper turn	28	4.3
Improper or no signal		
Safe movement violation	242	37.1
Following too closely	50	7.7
Improper backing	17	2.6
Improper parking		
Other improper driving	23	3.5
Reckless driving	6	0.9
Left of center	45	6.9
Speeding below 55 mph		
Speeding 55 thru 65 mph		
Speeding over 65 mph		
Improper lights		
Improper brakes	6	0.9
Other improper equipment	4	0.6
Improper backing at road intersection	14	2.1
Improper backing at public driveway	2	0.3
Improper backing at private driveway	6	0.9
Improper backing at school or driver yard		
<hr style="border-top: 1px dashed black;"/>		
Driver in Violation	640	51.1
Driver Not in Violation	526	42.0
Driver Violation Not Stated	86	6.9

VIOLATIONS (OTHER DRIVERS)

DUI/Alcohol	10	2.0
DUI/Drugs	1	0.2
Failed to yield	46	9.2
Disregarded stop sign	13	2.6
Disregarded traffic signal	14	2.8
Exceeding safe speed	97	19.4
Below minimum speed		
Passed stopped school bus	3	0.6
Passing on hill		
Passing on curve	1	0.2
Improper overtaking	25	5.0

	<u>TOTAL ACCIDENTS</u>	<u>PERCENT</u>
Improper lane change	11	2.2
Use of improper lane	11	2.2
Improper turn	9	1.8
Improper or no signal	1	0.2
Safe movement violation	117	23.4
Following too closely	34	6.8
Improper backing	4	0.8
Improper parking	9	1.8
Other improper driving	19	3.8
Reckless driving	2	0.4
Left of center	41	8.2
Speeding below 55 mph	5	1.0
Speeding 55 thru 65 mph	1	0.2
Speeding over 65 mph	1	0.2
Improper lights	2	0.4
Improper brakes	11	2.2
Other improper equipment	7	1.4
Improper backing at road intersection		
Improper backing at public driveway	1	0.2
Improper backing at private driveway	4	0.8
Improper backing at school or driver yard		
<hr style="border-top: 1px dashed black;"/>		
Driver in violation	479	46.5
Driver not in violation	488	47.4
Driver violation not stated	63	6.1

**DEGREE OF INJURY**

**SCHOOL BUS DRIVERS**

Killed		
Injured		
Severely "A"	5	9.6
Slightly "B"	15	28.8
Complaint "C"	32	61.5

**SCHOOL BUS PASSENGER**

Killed		
Injured		
Severely "A"	21	2.7
Slightly "B"	256	33.8
Complaint "C"	480	63.4
Total School Bus Occupants	16152	

**PEDESTRIAN**

Killed	2	
Injured		
Severely "A"	4	30.7
Slightly "B"	4	30.7
Complaint "C"	5	38.4

	<u>TOTAL ACCIDENTS</u>	<u>PERCENT</u>
<b><u>PEDESTRIAN STRUCK BY</u></b>		
Pupil struck by school bus	3	20.0
Pupil struck by passenger car	5	33.3
Pupil struck by truck	1	6.7
Pupil struck by other vehicle		
Pupil struck by flying object		
Non-pupil struck by school bus	5	33.3
Non-pupil struck by other vehicle	1	6.7
Non-pupil struck by flying object		
<b><u>PEDESTRIAN ACTION</u></b>		
Crossing at intersection		
Crossing not at intersection	2	13.3
Coming from behind parked vehicle		
Walking with traffic	2	13.3
Walking against traffic		
Getting on or off vehicle		
Standing in road	1	6.7
Working in road		
Playing in road		
Lying in road	1	6.7
Other	1	6.7
Not in road	2	13.3
Walking to or from school bus	6	40.0

COUNTIES	TOTAL ALL ACCIDENTS	PER-CENT	COUNTIES	TOTAL ALL ACCIDENTS	PER-CENT
Alamance	21	1.7	Jones	4	0.3
Alexander	2	0.2	Lee	5	0.4
Alleghany	3	0.2	Lenoir	7	0.6
Anson	8	0.7	Lincoln	8	0.7
Ashe	11	0.9	Macon	1	0.1
Avery	3	0.2	Madison	12	1.0
Beaufort	10	0.8	Martin	6	0.5
Bertie	2	0.2	McDowell	3	0.2
Bladen	5	0.4	Mecklenburg	177	14.5
Brunswick	5	0.4	Mitchell	3	0.2
Buncombe	18	1.5	Montgomery	4	0.3
Burke	10	0.8	Moore	13	1.1
Cabarrus	6	0.5	Nash	9	0.7
Caldwell	10	0.8	New Hanover	33	2.7
Camden			Northampton	2	0.2
Carteret	1	0.1	Onslow	17	1.4
Caswell	3	0.2	Orange	10	0.8
Catawba	19	1.6	Pamlico	1	0.1
Chatham	8	0.7	Pasquotank	5	0.4
Cherokee	5	0.4	Pender	4	0.3
Chowan	2	0.2	Perquimans	4	0.3
Clay	2	0.2	Person	3	0.2
Cleveland	22	1.8	Pitt	15	1.2
Columbus	9	0.7	Polk	1	0.1
Craven	17	1.4	Randolph	16	1.3
Cumberland	40	3.3	Richmond	7	0.6
Currituck	4	0.3	Robeson	13	1.1
Dare	1	0.1	Rockingham	15	1.2
Davidson	16	1.3	Rowan	21	1.7
Davie	6	0.5	Rutherford	7	0.6
Duplin	9	0.7	Sampson	4	0.3
Durham	29	2.4	Scotland	8	0.7
Edgecombe	10	0.8	Stanly	5	0.4
Forsyth	50	4.1	Stokes	3	0.2
Franklin	6	0.5	Surry	17	1.4
Gaston	13	1.1	Swain	2	0.2
Gates	1	0.1	Transylvania	3	0.2
Graham	2	0.2	Tyrrell		
Granville	6	0.5	Union	16	1.3
Greene	4	0.3	Vance	5	0.4
Guilford	97	8.0	Wake	99	8.1
Halifax	6	0.5	Warren	1	0.1
Harnett	8	0.7	Washington	3	0.2
Haywood	5	0.4	Watauga	13	1.1
Henderson	8	0.7	Wayne	20	1.6
Hertford	8	0.7	Wilkes	13	1.1
Hoke	1	0.1	Wilson	11	0.9
Hyde			Yadkin	2	0.2
Iredell	10	0.8	Yancey	7	0.6
Jackson	6	0.5			
Johnston	12	1.0	TOTAL	1218	100.0

TYPES OF SCHOOL BUS ACCIDENTS	SCHOOL BUS PASSENGERS		SCHOOL BUS DRIVERS		OTHER THAN SCHOOL BUS OCCUPANTS		TOTAL KILLED & INJURED	TOTAL NUMBER ACCIDENTS			
	KILLED	INJURED	KILLED	INJURED	KILLED	INJURED		FATAL	PER. INJURY	PROP. DAMAGE	TOTAL
Collision with one or more other vehicles		540		40	8	280	868	8	263	766	1037
Collision with Railroad Train										1	1
Other Types of Collisions					2	6	8	2	5	6	13
Non-Collision Accidents		217		12		15	244		64	92	156
Pedestrians (Pupil and/or Non-pupil)					2	9	11	2	9		11
GRAND TOTAL		757		52	12	310	1131	12	341	865	1218

LOCAL SCHOOL ADMINISTRATIVE UNIT  
SUPPLEMENTS PAID TO SCHOOL BUS DRIVERS

Alamance Co.	\$100.00 per yr.
Burlington	90.00 " "
Alexander Co.	25.00 Adults per school month \$10.00 High School Driver
Buncombe Co.	.10 per hr. after 1st yr. \$.20 per hr. after 2nd yr.
	.34 per hr. after 5th yr. .48 per hr. after 8th yr.
	.63 per hr. after 11th yr. .78 per hour after 14th yr.
Burke Co.	.30 per hr.
Caldwell Co.	.62 per hr.
Camden Co.	2.35 per day (adult Drivers)
Catawba Co.	.62 per hr.
Hickory	.62 " "
Newton	.62 " "
Cherokee Co.	42.00 " yr. adults \$32.00 students
Clay Co.	20.00 " yr. students \$30.00 adults
Kings Mountain	200.00 " yr. (if they drive the whole year.)
Shelby	200.00 " "
Currituck Co.	55.00 per mo.
Dare Co.	30.00 " yr. students \$60.00 adults
Davie Co.	.25 " hr. goes up 5¢ each yr. up to 50¢ (\$200.00 if they drive all year)
Durham Co.	6.01-\$7.67 daily , Students \$1.00 per day
Durham	6.01-daily
W-Salem/Forsyth	.10 per hr.
Graham Co.	1.19 students \$1.92 adults per day
Guilford Co.	25.00 per mo. adults, \$.10 per hr. students
Greensboro	.10 per hr.
High Point	.40 per hr. students
	.90 per hr. adults
Roanoke Rapids	1.60 " "
Henderson Co.	.80 " " adults
	.40 " " students
Lincoln Co.	100.00 " yr.
Macon Co.	.33 " hr.
Madison Co.	15.00 per yr.
McDowell Co.	.25 " hr.
Char./Meck.	.27 " " students \$.27 adults
Moore Co.	10.00 " mo. per adult
Orange Co.	100.00 " yr. with safe driving record
Chapel Hill	.20 " hr. adult or student 2 yrs. experience
Polk Co.	1.25 " day adult
Asheboro	8.00 " mo. (\$24.00 quartly) if accident free or accident not their fault
Salisbury	.60 per hr.
Rutherford	1.30 " day adults
	.50 " day students
Clinton	15.00 to \$25.00 per year
Stokes	.50 per hr. adults
Surry	20.00 " mo. adults
Mt. Airy	10.00 twice a year with accident free record
Transylvania	10.00 per mo. (all drivers)

Watauga Co.	\$ .25 per hr. - 0-10 experience (1-3 yrs. 50¢)(4-6-75¢) 7-9 \$1.25)
Wilkes	20.00 per yr. to adults not working in school
Yadkin	2.00 per day-adults or 15¢ per mile over 13 miles
Yancey	20.00 per yr. students



## SCHOOL BUS SAFETY IN NORTH CAROLINA

Presented to the North Carolina  
State Board of Education  
Transportation Committee

Patricia F. Waller, Ph.D.  
Staff Associate  
The University of North Carolina  
Highway Safety Research Center

April 1, 1976

Although school buses provide one of the safest forms of transportation on the basis of miles driven, nevertheless it is of concern to parents and society to make it even safer. The federal government now has a standard covering pupil transportation that outlines in detail the requirements for an acceptable program.

To the eyes of an outside observer the most disturbing aspect of the North Carolina pupil transportation system is the fact that we use primarily high school students as our drivers. Because of the growing national concern about school bus transportation and because there was some feeling among those who train school bus drivers in North Carolina that perhaps the students available for training today are not of the caliber that was once the case, we examined the records of school bus drivers to see how the younger ones perform compared to the older ones.

Accident rates in North Carolina for one school year were analyzed. It was found that younger drivers (age 16 through 20) had a higher accident rate than the adult drivers (age 21 and over), but the poorer record of the younger drivers was accounted for by the 16-year-old drivers. With this group removed, drivers age 17 through 20 were as good as the older ones.

Because further analyses indicated that the problem of the 16-year-old driver was primarily one of inexperience, recommendations were made to license more school bus drivers at age 17 rather than 16 whenever possible, provided they have had a full year of motor vehicle driving experience. It was also recommended that the training of the 16-year-old drivers be extended and upgraded.

It should be underscored that the drivers age 17 through 19, who constitute the vast majority of the total number of school bus drivers in North Carolina, compared well with the drivers age 25 through 54. Furthermore, the crashes of the 16-year-old drivers, although more frequent, were no more severe than those of older drivers. Thus, it appears that our practice of using student drivers can be justified in light of the findings.



APPENDIX L

1980 HOUSE HIGHWAY SAFETY COMMITTEE REPORT ON THE STUDY OF NORTH CAROLINA SCHOOL BUS ACCIDENTS, PURSUANT TO H. R. 421, 1979 SESSION

RECOMMENDATIONS

- \* 1) Give the bus driver trainees some experience driving the bus while it is loaded with children. A trained supervisor would be aboard to point out any errors. This recommendation could require an amendment to the State Tort Claims Act (Appendix C).
- 2) Have the buses inspected daily by a duly authorized mechanic (Appendix C). An additional safeguard might be to have the driver fill out a maintenance form each day which would show any mechanical deficiencies.
- 3) At the start of the school year and periodically during the year, notify the parents of the bus regulations and its schedule and encourage a regular schedule for the bus (Appendix C).
- 4) Require better local supervision of the bus drivers which would include initial selection, attention to attitude and fitness, and physical capabilities to carry out the responsibilities of a school bus driver (Appendix C).
- 5) Improve the salary for school bus drivers. The minimum salary for a starting driver should be set at \$4.00 per hour. This would not necessarily require a state appropriation since local funds could be used to pay whatever is necessary to attract competent drivers in a given locality (Appendix D). (The State Board of Education is

\*Legislation required

going to furnish the Chairman of the subcommittee a list of local school units that supplement bus driver's salaries.)

- 6) Require all local school bus supervisors to be thoroughly familiar with the school bus driver training course offered by the Division of Motor Vehicles and encourage them to take the test. This requirement would include principals and assistant principals that supervise bus drivers (Appendix E).
- 7) Do not certify school bus drivers until they have at least six months' licensed driving experience (Appendix E).
- 8) Encourage public monitoring of school bus drivers and passengers so that infractions are reported by the public (Appendix E).
- \*9) Add a provision to G.S. Chapter 20 that would provide, in effect, that when a vehicle passes a stopped school bus illegally such action would constitute prima facie evidence that the illegal act was committed by the registered owner (Appendix F).
- 10) Encourage the formation of a legislative research committee to conduct a study to determine if the State Board of Education or the Division of Motor Vehicles should be given greater authority over the supervision and management of local school bus systems (Appendix H & I). A report of those findings should be made to the

\*Legislation required

1981 General Assembly, together with any recommendations for additional legislation.

- 11) The school buses shall not be loaded beyond seating capacity and all school bus passengers will have to be seated while the bus is in operation.
  - 12) An unruly passenger should be reported by name to the school principal. Upon notice of a second occurrence of the unruly student the parents shall be notified in writing and the unruly student may be prohibited from riding the bus again, pending an administrative hearing.
  - 13) Investigate the purchase of snub-nosed buses.
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The subcommittee at this time does not have any recommendations on the desirability of using school bus monitors. Also, the subcommittee did not investigate the possibility of employing commercial bus companies to perform the services now performed by school buses.

## CONCLUSIONS

The subcommittee is concerned about the number of school bus accidents. However, statistical analyses indicates that riding in a school bus is still safer than riding in an automobile. In other words, from a statistical point of view, a student is safer traveling to school in a school bus than he is traveling to school in the family automobile.

The committee also believes that administrative rules and regulations, both state and local, lack clarity and make it difficult to fix responsibility when there is a school bus accident. It should also be noted that the subcommittee heard considerable testimony indicating that local officials in charge of school bus operations often take a lackadaisical attitude towards their responsibilities, and in some cases are guilty of outright incompetence.

The subcommittee wishes to express its appreciation to Ben F. Loeb, Jr., Professor of Public Law and Government, Institute of Government, the University of North Carolina at Chapel Hill, and John H. Lacey, Projects Director, School Bus Accidents Studies, UNC Highway Safety Research Center for their extensive research and drafting assistance.

GENERAL ASSEMBLY OF NORTH CAROLINA

1979 SESSION (2nd SESSION, 1980)

RATIFIED BILL

CHAPTER 1156

HOUSE BILL 387

AN ACT TO REQUIRE THAT ALL SCHOOL BUS DRIVERS HAVE A MINIMUM OF SIX MONTHS OF DRIVING EXPERIENCE.

The General Assembly of North Carolina enacts:

Section 1. The second sentence of G.S. 115-185(a) is amended to read:

"The drivers shall have all qualifications prescribed by the regulations of the State Board of Education herein provided for and must have at least six months driving experience as a licensed operator of a motor vehicle before employment as a regular or substitute driver, but the selection and employment of each driver shall be made by the county or city board of education, and the driver shall be the employee of the county or city administrative unit."

Sec. 2. This act shall become effective on January 1,  
1981.

In the General Assembly read three times and ratified,  
this the 23rd day of June, 1980.

**JAMES C. GREEN**

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James C. Green

President of the Senate

**CARL J. STEWART, JR.**

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Carl J. Stewart, Jr.

Speaker of the House of Representatives



## GENERAL ASSEMBLY OF NORTH CAROLINA

1979 SESSION (2nd SESSION, 1980)

## RATIFIED BILL

CHAPTER 1332

HOUSE BILL 1770

AN ACT TO PROVIDE THAT TRAINEE SCHOOL BUS DRIVERS ARE COVERED BY THE STATE TORT CLAIM ACT.

The General Assembly of North Carolina enacts:

Section 1. The first sentence of G.S. 143-300.1(a) is rewritten to read:

"(a) The North Carolina Industrial Commission shall have jurisdiction to hear and determine tort claims against any county board of education or any city board of education, which claims arise as a result of any alleged mechanical defects or other defects which may affect the safe operation of a public school bus or school transportation service vehicle resulting from an alleged negligent act of maintenance personnel or as a result of any alleged negligent act or omission of the driver of a public school bus or school transportation service vehicle when:

- (1) the salary of that driver is paid or authorized to be paid from the State Public School Fund, and the driver is an employee of the county or city administrative unit of which that board is the governing body, or
- (2) the driver is an unpaid school bus driver trainee under the supervision of an authorized employee of the Department of Transportation, Division of Motor

Vehicles, or an authorized employee of that board or a county or city administrative unit thereof, and which driver was at the time of the alleged negligent act or omission operating a public school bus or school transportation service vehicle in the course of his employment by or training for that administrative unit or board."

Sec. 2. G.S. 143-300.1(d) is amended by deleting the period at the end of the first sentence and adding the following:

"or when the driver is an unpaid school bus driver trainee under the supervision of an authorized employee of the Department of Transportation, Division of Motor Vehicles, or an authorized employee of a county or city board of education or administrative unit thereof."

Sec. 3. Awards and judgments rendered under the provisions of this act shall be paid, during fiscal year 1980-81, from funds appropriated to the Public School Fund for Workers' Compensation claims and for claims for injuries to pupils. If appropriated funds for these purposes are insufficient to pay all awards and judgments entered in fiscal year 1980-81, the controller of the State Board of Education shall apply to the Director of the Budget for permission to make an internal budget transfer within the Public School Fund to cover the deficit.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified,  
this the 25th day of June, 1980.

JAMES C. GREEN

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James C. Green

President of the Senate

CARL J. STEWART, JR.

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Carl J. Stewart, Jr.

Speaker of the House of Representatives



APPENDIX O

APA - Request for Emergency Rule-Making. Approved initiation of rule-making procedures on rules pertaining to the Transportation Division of the State Board of Education by proposing the addition of Sections 3.0725 (Instruction of School Bus Passengers); 3.0726 (Evaluation of Supervisory and Safety Practices); 3.0727 (Seating of School Bus Passengers); and 3.0728 (Local Rules, Regulations, and Policies). An amendment to rule .0728(5) was approved to read as follows: A policy on action to be taken on acts of valdalism and damages to buses by drivers, passengers and others.

.0727 SEATING OF SCHOOL BUS PASSENGERS

By the end of the 1979-80 school year, Local Education Agencies shall provide seating for all school bus passengers entitled to transportation. The rated seating capacity of North Carolina school buses shall be as follows:

BUSES MANUFACTURED BEFORE APRIL 1, 1977

Bus Capacity	Conventional Type Buses					Transit Type Buses		
	1. Number Seats Per Bus	12	16	18	20	22	8	10
2. Rated Pupil Seating Cap.	36	48	54	60	66	20	25	30
3. H.S. Only Seating	24	32	36	40	44	16	20	24

BUSES MANUFACTURED AFTER APRIL 1, 1977

Bus Capacity	Conventional Type Buses					Transit Type Buses		
	1. Number Seats Per Bus	12	16	18	20	22	8	10
2. Rated Pupil Seating Cap.	35	47	53	59	65	20	25	30
3. H.S. Only Seating Cap.	24	32	36	40	44	16	20	24

History Note: Statutory Authority G.S. 115-181 (d)  
 FR-Vol. 38, No. 91, May 11, 1973 (Standard 17) Items IV,C,3  
 Eff. March 1, 1979



GENERAL ASSEMBLY OF NORTH CAROLINA  
1979 SESSION (2nd SESSION, 1980)  
RATIFIED BILL

CHAPTER 1323

HOUSE BILL 1769

AN ACT REGARDING THE IDENTITY OF A DRIVER WHO PASSES A STOPPED  
SCHOOL BUS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-217 is amended by designating the  
present language as subsection (a) and adding a new subsection to  
read:

"(b) Proof that a motor vehicle has passed a stopped school  
bus in violation of this section is prima facie evidence that  
that motor vehicle was operated at the time of the violation by  
the registered owner of the vehicle."

Sec. 2. This act shall become effective October 1,  
1980.

In the General Assembly read three times and ratified,  
this the 25th day of June, 1980.

JAMES C. GREEN

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James C. Green  
President of the Senate

CARL J. STEWART, JR.

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Carl J. Stewart, Jr.  
Speaker of the House of Representatives





