

# Overview of July 1, 2025 Changes to OAC Chapter 3301-83 Pupil Transportation

## Global changes to OAC Chapter 3301-83

- Language revised to reflect SB 9 (134<sup>th</sup> GA)'s requirement that “restrictive regulatory language” be removed.
- Language that is redundant (it is already contained in the ORC or another OAC rule) is removed in some of the rules and replaced with a cross-reference to that ORC or OAC provision.
- The name “Department of Education” is changed to “Department of Education and Workforce” reflecting HB 33 (135<sup>th</sup> GA).
- Language is added to a number of rules reflecting HB 54 (136<sup>th</sup> GA)'s expanded authorization for the use of “alternative vehicles” for student transportation, i.e., 12-passenger (not including the driver) motor vans as referenced in R.C. 4511.76.
- Language is added consistent with the Ohio School Bus Safety Working Group Report (January 2024), Recommendations (rules with these changes are noted below in **red font**).
- Language is reorganized or moved for easier reference. In this overview moves are highlighted in **green font**.

## Rule 3301-83-01 “Calculation of pupil transportation operation requirements”

**Topic:** Addresses how pupil transportation payments to school districts, and community schools that provide pupil transportation, are calculated under R.C. 3317.0212 and R.C. 3317.024.

### Changes:

- (A)(3) replaced “state average cost” calculated under R.C. 3317.0212 with “amount” calculated under R.C. 3317.0212.
- (C)(1), for the T-1 ridership count week, language is revised to align with R.C. 3313.62, which defines a “school week” as five days – this ensures payments are based on a full school week of ridership data.
- (E)(1)(a) “Measurement of distance” **was moved to rule 3301-83-04(B)(3)**
- (E)(7)(a) for Type III (mass transit) cost reimbursement, removed language stating the transit authority must file “operational” costs with a district board of education – now must file only “actual” costs.

### **Rule 3301-83-04 “Scope and definition”**

**Topic:** Clarifies that the rules in Chapter 3301-83 OAC are designed to establish minimum standards for a safe pupil transportation program, including management, general operation, maintenance of school buses and other transportation vehicles, training of personnel, pupil management, driver qualifications and emergency procedures.

#### **Changes:**

- (B)(1) – (B)(5), definitions for the following are added for clarity: “Barrier”, “Designated place of safety”, “Measurement of distance” (this **was moved from 3301-83-01**), “Motor van”, “Non-routine student transportation, non-routine trips, non-routine use”.

### **Rule 3301-83-05 “Administration”**

**Topic:** Outlines the responsibility for administration of pupil transportation operation and safety rules.

#### **Changes:**

- (D), language added consistent with the Ohio School Bus Safety Working Group Report (January 2024), **Recommendations #1, 2, and 3** that school bus owners will implement personnel policies and/or programs for bus drivers that include professional development, annual performance reviews, and wellness support programming (offered by DEW/DPS).

### **Rule 3301-83-06 “Personnel Qualifications”**

**Topic:** Qualifications for the transportation supervisor/director, school bus driver, maintenance personnel, bus aides, and drivers of other vehicles authorized for student transportation.

#### **Changes:**

- *Transportation supervisor/director qualifications:*
  - (A)(6), the classroom portion of the preservice driver training program needs to be completed within six months of appointment to the new position.
  - (A)(7), language added as a reminder that FMCSA regulation 49 C.F.R. 382.603 requires supervisors of CDL drivers to receive training in identifying circumstances and indicators that may create a reasonable suspicion that a driver is using or under the influence of alcohol or drugs, supporting referral of an employee for testing.

- *School bus or motor van driver qualifications:*
  - (B), qualification language for van drivers **moved here from paragraph (F)**
  - (B)(2), language is updated to reflect drivers will meet the Ohio minimum age set forth in R.C. 3327.10 (which is age 18), and federal minimum age (which is generally 21 for vehicles operated in interstate commerce). As before, employers have flexibility to require drivers to meet higher minimum age requirements.
  - (B)(11)(b), drivers need to be enrolled in Rapback (HB 33, 135<sup>th</sup> GA)
  - (B)(13), language added to clarify that employers will implement drug and alcohol testing for van drivers and impose standards for disqualification.
- (F)(7) Van drivers – preservice training requirements in paragraph (F)(7) **moved to Rule 3301-83-10(B)**
- *Bus aide qualifications:* Bus aides need to get criminal records checks every 5 years (not 6) as unlicensed employees per R.C. 3319.391.

### **Rule 3301-83-07 “School transportation driver physical qualifications rule”**

**Topic:** Provides standards for school bus or motor van driver physical fitness.

#### **Changes:**

- T-8 Report: (E)(7) no longer requires medical examiner to file physical exam reports with DEW.
- Insulin Dependent Waivers:
  - (F)(4), requirement of having a driving record of at least 3 years is changed to 2 years.
  - (F)(6), updated for driver to present glucometer or printout of the electronically stored logs to document past 3 months of blood glucose levels to any authorized enforcement official upon request (the 3-month period aligns with FMCS 49 CFR 391.46).
  - (F)(6)(g) and (h) are removed so driver does not need to report contact information or employer changes to DEW; (i) driver not required to provide medical information arising from accidents to DEW except if requested; (j) log records of blood glucose levels 24 hours prior to accident are not required to be provided to DEW.
  - (F)(6)(g), 6-month follow up endocrinologist exams no longer are required to be conducted/reported to DEW.
  - (F)(6)(m) ophthalmologist statement no longer required prior to waiver anniversary date as 20/40 vision test if part of regular T-8 physical, and the endocrinologist assesses for proliferative retinopathy.

- (F)(7), new process for submitting insulin waiver packet to a secure DEW email dropbox.
- (G)(1), insulin waiver is valid for 6 years instead of 3 years.

### **Rule 3301-83-08 “Pupil transportation management policies”**

**Topic:** Outlines the components of pupil transportation management policies intended to ensure the safety and welfare of school bus passengers.

**Changes:**

- (C)(9), updated to reflect definitions contained in R.C. 2927.02.

### **Rule 3301-83-09 “Pupil instruction” is renamed: “Pupil and parent or guardian bus safety orientation; pupil instruction”**

**Topic:** Outlines the timing and content of bus safety instruction for students.

**Changes:**

- The title of the rule, and paragraph (A), are revised to implement the Ohio School Bus Safety Working Group Report (January 2024), **Recommendation #6**, which recommends a bus safety orientation for pupils, parents and guardians in addition to pupil instruction.

### **Rule 3303-83-10 “Personnel training program”**

**Topic:** Outlines the preservice and annual in-service training for bus drivers, motor van drivers, bus aides, pupil transportation director/supervisors, drivers of vehicles other than school buses, school bus mechanics, and on-the-bus instructors.

**Changes:**

- School bus preservice
  - On-the-bus instruction: (A)(1)(w), added “defensive driving”
  - Classroom instruction: (A)(2)(o), added ‘liability and responsibility’
  - (A)(4), CDL with school bus and passenger endorsements required for preservice certification of complete - the CDL language was **moved from (A)(5)**.
- Van driver preservice
  - (B), language is **moved here from 3301-83-06(F)(7)**
  - (B)(1)(b), driving performance evaluation by OBI or another person employed and designated by an ESC, school, or district demonstrating the driver is “accustomed to” the vehicle per R.C. 4511.76(G)(3) (HB 33/135<sup>th</sup> GA).

- (B)(2), added additional training for preschool and special need student transportation like that required for school bus drivers.
- On-the-bus instructors: training certificate record language that was located in (E)(5) **moved to (A)(5)**
- (G)(5) and (6), school bus driver certification renewal – changed so that the advanced training course can be counted for the classroom portion, and the safety road-e-o can be counted for the driving portion if completed at any time during the 6-year certificate period (instead of requiring completion within 24 months prior to expiration).
- (A) and (H) (former G) are revised to better distinguish the training completion certificate issued by the preservice instructor from the R.C. 3327.10 certification issued by school administrators or contractors, and to better reflect that the training certificate issued by the preservice instructor may be rescinded in the department’s web-based driver’s record.
- New (I) added to implement the Ohio School Bus Safety Working Group Report (January 2024), **Recommendation #1** regarding driver professional development.

**Rule 3301-83-11 “School bus inspections” is renamed: “School bus and motor van inspections”**

**Topic:** Outlines the process for daily, operational, post-trip and pre-trip bus inspections to ensure buses are operating safely for the transportation of students.

**Changes:**

- (B), qualified mechanic safety inspection is part of Rule 3301-83-22, “Vehicle Maintenance” but is added here at the recommendation of the ODPS/OSHP as it is also part of the inspection process.
- (C)(3) and (4), language for van pre-trip and post-trip inspection is added.
- Language related to inspections by bus drivers is updated throughout the rule based on ODPS/OSHP recommendations, and consistent with HB 54 (136<sup>th</sup> GA), reflecting current mechanical features and reduction of time consuming tasks not proven to increase safety:
  - (C)(1)(a) Pre-starting inspection – removed under the hood “oil and water check” as indicator lights will alert to issues
  - (C)(1)(b) Walk around inspection:
    - (ii) – removed “excessive corrosion, cracks, sanders, splash guards” and added “mud flaps”.
    - (viii): removed “sagging exhaust pipes, short and leaky tailpipes and defective mufflers” and added “leaks and proper support”
    - (ix through xii) removed suspension system, brake system, driver shaft, frame.

- ix – xiv - fuel tank removed inspection for “leaks, fuel cage securement”; removed check for fluid leaks: evidence of puddles.
- (x) - exits – added “verification that lights and alarms are operating properly”.
- (C)(1)(c)(iii)(l) Inside safety check – emergency equipment – removed check of fuses and fuses

### **Rule 3301-83-12 “Safety procedures”**

**Topic:** Outlines general safety procedures and specialized procedures for school bus stops, railroad crossings and other situations.

#### **Changes:**

- (A), safety procedures for school bus stops: language **is moved here from Rule 3301-83-13(C)(1) – (6)**.
- (B), RR crossings – language is reordered so that safety procedures are sequentially listed.
- (E)(6), name of the form is updated to “Ohio Preservice School Bus Pre-Trip/Post-Trip Evaluation Form”.
- (A), language added **has been moved from rule 3301-83-13 (C)** so bus stop safety procedures are centrally located in one rule location.

### **Rule 3301-83-13 “School bus stops and routes”**

**Topic:** Discusses school bus stop locations and procedures and bus route sheets.

#### **Changes:**

- (B)(2), language added to ensure that in selecting the location of bus stops, districts consider the proximity to registered sex and child-victim offenders listed on the public registry.
- (C), language removed **has been moved to rule 3301-83-12 (A)**.
- (F), language for school districts to conduct safety audits of their bus routes, bus stops, and school pick-up/drop-off sites on school property not less than annually to implement the Ohio School Bus Safety Working Group Report (January 2024), **Recommendation #13**.

### **Rule 3301-83-14 “Records and reports”**

**Topic:** Outlines the records and reports that school vehicle owners are to submit to the Department of Education and Workforce in order to implement the state’s pupil transportation program.

#### **Changes:**

- (B) and (G) are updated to reflect that T-2 and T-10 data is submitted to the Department electronically.
- (G)(1), language added so that the T-10 accident report filed with ODEW will also be emailed to the OSHP.
- (G)(2), notification of the OSHP within 48 hours of an accident language **is moved here from Rule 3301-83-22.**
- (G)(3), definition of “accident” is added.

### **Rule 3301-83-15 “Emergency and evacuation procedures”**

**Topic:** Outlines the policies, procedures and training for school bus and motor van drivers and students in the event of emergencies.

#### **Changes:**

- (A),(2) language added to reflect new seizure training for bus drivers added in R.C. 3313.7117 (HB 33, 135th GA).
- (B)(7), language added to address stakeholder feedback that emergency and evacuation policies are readily available to the public, subject to any necessary legal redactions.

### **Rule 3301-83-16 “Non-routine use of school buses” is renamed: “Non-routine use of school buses and motor vans”**

**Topic:** Provides provisions for the use of school buses and other vehicles for purposes other than regularly scheduled routes to and from school.

#### **Changes:**

- (F)(2) and (3), language is removed as R.C. 3327.018 addresses school district contracts with third parties for the use of school buses.

### **Rule 3301-83-17 “Authorized and unauthorized passengers”**

**Topic:** Clarifies the distinction between authorized and unauthorized school transportation passengers.

**Changes:**

- (B)(3)(b), language added for flexibility for districts, ESCs, community schools or chartered nonpublic school bus owners to allow school buses to transport adult passengers in emergency situations.

### **Rule 3301-83-18 “Passenger capacity”**

**Topic:** Provides safety parameters for passengers.

**Changes:**

- (C), added to add that passengers in vans are properly seated and restrained according to state and federal law.

### **Rule 3301-83-19 “Authorized vehicles for transportation of pupils to and from school and school-related events”**

**Topic:** Outlines the types and standards for vehicles used to transport students to and from school and school related events.

**Changes:**

- (C), updated due to recent legislation (HB 54/136<sup>th</sup> GA – R.C. 4511.76) that authorizes the use of 12 passenger vans, not including the driver, for student transportation.
- (D), language added to better ensure that when contracting with commercial or charter bus services, student safety is the paramount consideration. See Ohio School Bus Safety Working Group Report (January 2024), **Recommendation #17**.

### **Rule 3301-83-20 “General rules”**

**Topic:** General rules for pupil transportation vehicle safety

**Changes:**

- (A)(1), updated to reflect definitions contained in R.C. 2927.02.
- (B) – language regarding equipment on school buses moved **from former paragraph (H)**.

- (C) – new language added regarding equipment on vans.
- (D) – language regarding maximum driving hours **moved from former paragraph (I)**.

**Rule 3301-83-21 “Supplementary provisions for county boards of developmental disabilities”**

**Topic:** Addresses provisions for county boards of developmental disabilities to provide transportation services for children ages three to twenty-one eligible for transportation and enrolled in department-funded programs.

**Changes:**

- (A), and throughout the rule language is updated to reflect current terminology. “Behavioral support plan” is replaced with “behavioral intervention plan” as defined in rule 3301-35-15; “individualized habilitation plan” is replaced with “individual education program” (IEP) as referenced in rule 3301-51-07.
- (H), language added to cross-reference R.C. 3327.01, transportation of chartered nonpublic students with IEPs that include transportation as a related service.

**Rule 3301-83-22 “Vehicle maintenance”**

**Topic:** Addresses vehicle mechanical inspections.

**Changes:**

- School buses – new language for at least quarterly inspections by a qualified mechanic.
- Vans – new language for at least twice per year inspections by a qualified mechanic (per R.C. 4511.76).
- Language regarding OSHP notification of accidents within 48 hours **is moved to rule 3301-83-14**.

**Rule 3301-83-23 “Employment of school bus and van drivers with certain criminal convictions” - No revisions**

- Authority for this rule (which sets for driver disqualifying offenses) was transferred to the State Board of Education effective October 3, 2023. The SBOE filed revisions to the rule with JCARR in June 2025 and it will be renumbered as **3302-83-23**. The rule will continue to apply in terms of establishing disqualifying offenses for school bus and van drivers.

**Rule 3301-83-24 “School transportation fees”**

**Topic:** Provides for circumstances when fees may and may not be charged.

**Changes:** Updated to include student transportation vehicles other than school buses.

**Rule 3301-83-25 “Transportation collaboration grant”**

**Topic:** Provides grant administration provisions that will apply should the general assembly reauthorize the appropriation of funds for transportation collaboration grants in future fiscal years.

**Changes:** (C)(1), obsolete language is deleted.