

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 104

An Act to amend and reenact §§ 22.1-178 and 46.2-1091 of the Code of Virginia, relating to school bus drivers.

[S 144]

Approved March 28, 1994

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-178 and 46.2-1091 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-178. Requirements for persons employed to drive school bus.

A. No school board shall hire, employ, or enter into any agreement with any person for the purposes of operating a school bus transporting pupils unless the person proposed to so operate such school bus shall:

1. Have a physical examination of a scope prescribed by the Board of Education with the advice of the Medical Society of Virginia and furnish a form prescribed by the Board of Education showing the results of such examination.

2. Furnish a statement or copy of records from the Department of Motor Vehicles showing that the records of such Department do not disclose that the person, within the preceding five years, has been convicted upon a charge of driving under the influence of alcohol or drugs, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to § 18.2-271.1 or, within the preceding twelve months, has been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to § 46.2-497.

3. Furnish a statement signed by two reputable residents of the school division that the person is of good moral character.

4. Exhibit a license showing the person has successfully undertaken the examination prescribed by § 46.2-339.

5. Have reached the age of eighteen on the first day of the school year.

B. Any school board may require successful completion of the American National Red Cross first-aid course *or its equivalent* as a condition to employment to operate a school bus transporting pupils.

C. School boards may require persons accepting employment after July 1, 1994, as a driver of a school bus transporting pupils to agree, as a condition of employment, to submit to alcohol and controlled substance testing. Any such tests shall be conducted in compliance with Board of Education regulations.

D. The documents required pursuant to subdivisions A 1 and A 2 of this section shall be furnished annually ~~within thirty days~~ prior to the anniversary date of the employment agreement as a condition to continuing employment to operate a school bus. ~~A school board may require the statement set forth in subdivision A 3 of this section to be furnished periodically.~~

E. The documents required pursuant to this section shall be filed with, and made a part of, the records of the school board employing such person as a school bus operator.

F. The State Department of Education shall furnish to the several division superintendents the necessary forms to be used by applicants in furnishing the information required by this section. Insofar as practicable, such forms shall be designed to limit paperwork, avoid the possibility of mistake, and furnish all parties involved with a complete and accurate record of the information required.

§ 46.2-1091. Safety belts to be worn by certain bus drivers.

~~Any person driving a bus equipped with a safety lap belt assembly shall wear the safety lap belt while the bus is being used for the purpose of transporting school children.~~
operating a school bus shall wear the appropriate safety belt system when the bus is in motion.

Violation of this section shall constitute a Class 3 misdemeanor.