

## Business

### Staff Transporting Students in Private Automobiles

It is highly recommended that students and/or parents/guardians be transported by commercial carrier because of the concern for liability and car seat laws. It is realized, however, that in some cases, this is not practical. In the case that a staff member does transport students in the course of employment in a private vehicle, the staff member must:

1. get written permission from parent/guardian, the building principal or other supervisor;
2. have personal liability insurance with minimum limits that comply with Wisconsin Statute 121.555(2)(a);
3. require students to wear seat belts or be placed in car/booster seats. All rules of the road must be stringently obeyed.
4. meet all requirements as stated in Wisconsin Statute 121.555, including but not limited to:
  - a. Vehicle Requirements
    1. May transport nine or less passengers in addition to the operator. Transporting students in vans is prohibited unless such conforms to state law.
    2. Vehicles shall be inspected annually for compliance with the requirements of Wisconsin Statute 110.075, Ch. 347, and the rules of the Wisconsin Department of Transportation. The owner of the vehicle is responsible for the annual inspection. Certification must be on file.
    3. All passengers must be seated in compliance with federal and state transportation laws. They must not interfere with the operator of the vehicle.
  - b. Operator Requirements
    1. Shall possess a valid Wisconsin operator's license and be at least 18 years of age.

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2. Shall have sufficient use of both hands and the foot normally employed to operate the foot brake and foot accelerator.
3. Shall submit to the school at least once every 3 years a medical opinion, in such form as the school may prescribe, stating that the operator is not afflicted with or suffering from any mental or physical disability or disease, such as to prevent the operator from exercising reasonable control over a motor vehicle. The examination report prescribed in Wisconsin Statute 118.25 (2) and (4) may be used to satisfy this requirement.
4. May not have been convicted of reckless driving under Wisconsin Statute 346.62, operating a motor vehicle while under the influence of an intoxicant or of a controlled substance under Wisconsin Statute 346.63(1) or any of the offenses enumerated under Wisconsin Statute 343.31(1) within a 10-year period. A driver's abstract, certified by the Motor Vehicle Department, must be on file each year prior to the school year or before transporting any student.
5. Shall report within 10 days the occurrence of any accident in which the individual was involved, even if the individual was not transporting pupils or issued a citation.
6. Shall report within 10 days the occurrence of any conviction or operating privilege revocation that makes the individual ineligible to transport students under this Administrative Regulation.

The School Board authorized the transporting of students in private vehicles based upon compliance with above requirements. Necessary medical reports, vehicle certification and administrator signed approvals are to be on file.

Legal Reference: Wisconsin Statutes § 110.075; § 118.25 (2)-(4); § 121.55; § 343.31 (1); § 346.62, § 346.63(1); Chapter 347

Administrative Regulation adopted: April 11, 1977  
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