

## NOTICES OF FINAL RULEMAKING

Unless exempted by A.R.S. § 41-01995, each agency shall begin the rulemaking process by 1st filing a Notice of Proposed Rulemaking, containing the preamble and the full text of the rules, with the Secretary of State's Office. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the Arizona Administrative Register. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.) an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the Register before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

### NOTICE OF FINAL RULEMAKING

#### TITLE 9. HEALTH SERVICES

#### CHAPTER 14. DEPARTMENT OF HEALTH SERVICES

#### LABORATORIES

#### PREAMBLE

1. **Sections Affected**

R9-14-403 R9-14-404 Exhibit X Exhibit Y Exhibit Z	<b><u>Rulemaking Action</u></b> Amend Amend New Exhibit New Exhibit New Exhibit
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2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statutes: A.R.S. §§ 36-136(F) and 41-1003  
Implementing statutes: A.R.S. §§ 28-691.01, 28-695, and 29-696.
3. **The effective date of the rules if different from the date the rules are filed with the Secretary of State:**

February 12, 1996
4. **List of all previous notices appearing in the Register addressing the rules:**

**Notice of Rulemaking Docket Opening:**  
1 A.A.R. 1940, October 20, 1995

**Notice of Proposed Rulemaking:**  
1 A.A.R. 2122, October 27, 1995
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

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Address: Department of Health Services  
3443 North Central Avenue, Suite 810  
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6. **An explanation of the rules, including the agency's reasons for initiating the rules:**

The RBT IV breath testing device along with the related operator procedure and quality assurance forms (Exhibit X, Y, and Z) were approved by the Director on March 9, 1994, in accordance with R9-14-403(K), which authorizes the Director to approve breath testing devices and their operational forms prior to their inclusion in the rule. The purpose of R9-14-403(K) is to allow the use of breath testing devices with new technology and financial savings to law enforcement agencies who might otherwise not be able to use a breath testing device for DUI apprehension until an amended rule was promulgated. The proposed rules add the RBT IV to the quantitative breath testing devices listed in R9-14-403(G). R9-14-404 refers to the new exhibits (X, Y, and Z) for the BRT IV and defines the specific procedures for their use. The new exhibit forms (X, Y, and Z) are included in the rule packet. The Director's approval of the RBT IV will expire March 10, 1996, unless R9-14-403(G) is amended to include the RBT IV in accordance with R9-14-403(K).
7. **A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

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**8. The summary of the economic, small business, and consumer impact:**

Law enforcement agencies in Arizona started using the RBT IV for DUI apprehension in late 1994 after the Director's approval pursuant to R9-14-403(K). Therefore, economic and consumer impact has already been incurred. Agencies have purchased the RBT IV, instruction courses for the RBT IV are operational, and officers have been trained to operate, maintain, and instruct others in the use of the RBT IV. Consumers have benefited due to the lower equipment cost and the mobility of the RBT IV which allows for immediate testing and faster DUI apprehension. DUI convictions are also enhanced when the time between apprehension and breath testing is reduced. There are no small businesses impacted by the rule.

The proposed rule will allow a program already in place to continue. The impact to each agency that does not already have a RBT IV, but which intends to purchase them in the future, can be significant, the cost being \$1000 per machine plus the expense of officer training. However, this is significantly less than the \$5000 per machine for comparable equipment. If the proposed rule is not promulgated, agencies would incur the increased cost of having to obtain a different breath testing device for their DUI program.

**9. Description of changes between the proposed rule and the final rule:**

Not applicable.

**10. Summary of the principal comments and the agency response to them:**

There were no public comments, written or oral.

**11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable.

**12. Incorporations by reference and their locations in the rules:**

None.

**13. Whether the rules were previously adopted as emergency rules and if so, whether the text has changed:**

No.

**14. The full text of the rules follows:**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 14. DEPARTMENT OF HEALTH SERVICES**

**LABORATORIES**

**ARTICLE 4. DETERMINATION OF ALCOHOL CONCENTRATION**

Section

R9-14-403. Breath Testing and Collection Devices

R9-14-404. Testing Procedures

Exhibit X. Operational Checklist - Standard Operational Procedure - Intoximeter RBT IV - Duplicate Test

Exhibit Y. Standard Quality Assurance Procedures - Intoximeter RBT IV - Standard Calibration Check Procedure

Exhibit Z. Standard Quality Assurance Procedures - Intoximeter RBT IV

**ARTICLE 4. DETERMINATION OF ALCOHOL CONCENTRATION**

**R9-14-403. Breath Testing and Collection Devices**

A. Devices used to determine alcohol concentration from breath or to collect a sample from breath for subsequent determination by an analyst may be approved for use, by the Director, after the Department successfully tests a typical model of the device for compliance with the standards in subsections (B) and (C).

B. Devices utilized to determine alcohol concentration from a sample of breath shall meet the following standards of performance:

1. Breath specimens tested shall be alveolar in composition;
2. Breath testing devices shall be capable of analysis of a solution of known alcohol concentration with an accuracy limit of a systematic error of no more than  $\pm 0.005$  grams per 210 liters of breath or  $\pm 5\%$ , whichever is greater, and a precision limit of an average standard deviation of no more than .0042 grams per 210 liters of breath. The accuracy and precision of the devices being evaluated shall be

determined on the basis of 10 consecutive measurements at 4 alcohol vapor concentrations which are between ~~0.05~~ 0.050 and ~~0.25~~ 0.250 grams per 210 liters of breath.

3. The device shall be capable of testing a breath sample which results in alcohol concentrations of less than .01 grams per 210 liters of breath when alcohol-free subjects are tested.

C. Devices utilized to collect a sample from breath for subsequent determination of alcohol concentration by an analyst shall meet the following standards of performance:

1. The device shall be capable of reproducing the known alcohol concentration of a reference sample with an accuracy limit of a systematic error of no more than  $\pm .005$  grams per 210 liters of breath or  $\pm 5\%$ , whichever is greater, and a precision limit of an average standard deviation of no more than .0042 grams per 210 liters of breath. The accuracy and precision of the devices being evaluated shall be determined on the basis of 10 consecutive measurements at 4 alcohol vapor concentrations which are between 0.050 and 0.250 grams per 210 liters of breath.
2. The device shall be capable of collecting a sample from breath which results in an alcohol concentration of less than 0.01 grams per 210 liters of breath when alcohol-free subjects are tested.

D. Collection devices approved by the Director may be used in conjunction with any compatible approved breath testing device.

E. The Department, upon specific findings that a device, method, or procedure is not accurate, is unreliable, or is not an acceptable analysis or test for determining alcohol concentration or of collecting samples or that its use has been discontinued in

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the state, shall disapprove further use of the device, method, or procedure.

F. The methods approved by the Director for use by breath testing devices to determine alcohol concentration are infrared

absorbance, spectrophotometry, gas chromatography, and specific fuel cell detectors.

G. The following quantitative breath testing and collection devices are approved by the Director:

Model

- Breathalyzer 900/900A
Smith and Wesson Co.
Alco-Sensor III
Intoxilyzer Models 4011A
Modified and 4011AS Modified
with or without Beam Attenuator
Intoxilyzer Models 4011A
Modified and 4011AS Modified
with Sample Preservation Modification with
or without Beam Attenuator
Intoxilyzer Model 5000
Intoxilyzer Model 5000
with or without Vapor Recirculation and with
or without Keyboard
Intoximeter Model 3000
Mark IV GCI
GCI Field Collection Unit
PST-10 Silica Gel Tube
(also known as SM-10 Silica Gel Tube)
RBT IV
(Alco Sensor IV with a RBT IV printer
microprocessor)
Toxtrap Silica Gel Tube

Manufacturer

- Intoximeters, Inc.
CMI, Inc. / Federal Signal
CMI, Inc. / Federal Signal
CMI, Inc. / Federal Signal
CMI, Inc.
Intoximeters, Inc.
Intoximeters, Inc.
Luckey Laboratories, Inc.
U.S. Alcohol Testing of America, Inc.
Intoximeters, Inc.
Toxtrap, Inc. / Federal Signal

H. Products included in the National Highway Traffic Safety Administration's Conforming Products List of Evidential Breath Measurement Devices set forth in 57 FR 8376, March 9, 1992, and no further amendments, incorporated by reference and on file with the Office of the Secretary of State, are approved by the Director as preliminary breath testers to determine alcohol concentration.

I. Except when a device is used as a PBT, an operator's permit and approved operational procedure is are required for the operation of quantitative breath testing devices listed in subsection (G).

J. Quantitative breath testing devices in subsection (G) may be used to administer preliminary breath tests.

K. In addition to the qualitative breath testing and collection devices approved in subsection (G), the Director shall approve, in writing, a device and the related quality assurance and operator procedure forms after the device is successfully tested for compliance with the standards in subsections (B) and (C) for use prior to and pending such device being added to subsection (G). The approval shall expire 2 years after its effective date unless subsection (G) is amended to include the approved device.

R19-14-404. Testing Procedures

A. Law enforcement agencies or individuals acting independently of such agencies who conduct alcohol concentration determination by means of breath testing devices shall implement a quality assurance program conducted by a quality assurance specialist. This quality assurance program shall include:

- 1. Criteria for insuring the proper operation of devices by testing device controls and indicators to ensure that they are functioning as required by the Department quality assurance procedure for the devices. The examinations shall be performed and recorded within 90 days of each other following the appropriate Department quality assur-

ance procedure set forth in Exhibits F, H, J, M, Q, QQ, T, and V, and Z, or as approved by the Director in accordance with R9-14-403(K).

2. Calibration checks of breath testing devices which shall be performed and recorded in accordance with the requirements of the appropriate Department quality assurance procedure set forth in Exhibits F, J, L, P, PP, S, and V, and Y, or as approved by the Director in accordance with R9-14-403(K).

3. Calibration checks of breath testing devices which shall be performed within 31 days of each other. These checks shall indicate that the device is capable of determining the value of a known alcohol reference standard with an acceptable accuracy limit of ± 0.01 grams per 210 liters of breath or ± 10%, whichever is greater. A device performing outside this accuracy limit shall be removed from service until the repair or maintenance is performed and the device operates within the accuracy limits.

4. Evaluation of collection devices used to provide preserved breath alcohol samples. Collection device samples shall be collected within 90 days of each other and analyzed within 60 days of collection to ensure they are reasonably reliable.

5. Standards for preparation of calibration solutions which shall be prepared using 1 or more of the following techniques. In addition, calibration solutions made by techniques (a) or (b) below shall be verified by titration or gas chromatography:

- a. Volumetric dilution of an absolute ethyl alcohol sample,
b. Gravimetric dilution of an absolute ethyl alcohol sample,
c. Volumetric dilution of a known ethyl alcohol sample,
d. Gravimetric dilution of a known ethyl alcohol sam-

- ple or,
- e. Commercially produced ethyl alcohol standard.
- 6. Records of quality assurance testing, calibration checks, device adjustments, and any maintenance for each device in use.
- B. Operator permit holders shall utilize the operator procedure approved by the Department for the device being operated in performing tests and collecting samples for the determination of alcohol concentration, as contained in Exhibits E, EE, G, I, II, K, KK, N, NN, O, OO, OOO, R, RR, U, UU, W, WW, ~~and~~ WWW, ~~and~~ X, or as approved by the Director in accordance with R9-14-403(K).
- C. Duplicative quantitative breath tests shall be administered at intervals of not less than 5 minutes nor more than 10 minutes. The results of both tests shall be within .020 alcohol concentration of each other. If the 2nd test is not within .020 alcohol concentration of the 1st test, additional tests shall be administered until the results of 2 consecutive tests are within .020 alcohol concentration.

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EXHIBIT X

OPERATIONAL CHECKLIST

ARIZONA DEPARTMENT OF HEALTH SERVICES

STANDARD OPERATIONAL PROCEDURE  
INTOXIMETER RBT IV

DUPLICATE TEST

AGENCY \_\_\_\_\_

NAME OF SUBJECT \_\_\_\_\_ DATE \_\_\_\_\_

RBT IV SERIAL NO. \_\_\_\_\_ ALCO-SENSOR IV SERIAL NO. \_\_\_\_\_

OPERATOR \_\_\_\_\_ LOCATION OF TEST \_\_\_\_\_

<u>TEST RESULTS</u>	<u>0.</u> _____	<u>AC</u>	<u>TIME</u> _____
	<u>0.</u> _____		_____
	<u>0.</u> _____		_____

Immediately preceding the administration of the tests the subject underwent a 15 minute deprivation period from \_\_\_\_\_ to \_\_\_\_\_ by \_\_\_\_\_.

- ( ) 1. Turn on RBT IV.
- ( ) 2. Push Start button.
- ( ) 3. Insert mouthpiece.
- ( ) 4. Device temperature registers between 10°C and 40°C.
- ( ) 5. Blank completed.
- ( ) 6. Press Set button.
- ( ) 7. Have subject blow as long as possible, sample captured.
- ( ) 8. Press Set button.
- ( ) 9. Press red eject button to remove mouthpiece.
- ( ) 10. Remove test record when printout is complete.
- ( ) 11. Repeat steps 2 through 10 until a duplicate test is complete.
- ( ) 12. Turn off RBT IV.

Note: Duplicate tests shall be between 5 and 10 minutes apart. Two consecutive tests shall agree within 0.020 alcohol concentration.

EXHIBIT Y

THIS REPORT PREPARED PURSUANT TO DUTY IMPOSED BY  
A.A.C. R9-14-404(A)

ARIZONA DEPARTMENT OF HEALTH SERVICES

STANDARD QUALITY ASSURANCE PROCEDURES  
INTOXIMETER RBT IV

STANDARD CALIBRATION CHECK PROCEDURE

Agency \_\_\_\_\_ Date \_\_\_\_\_

RBT IV SERIAL NO. \_\_\_\_\_ ALCO-SENSOR IV SERIAL NO. \_\_\_\_\_

QA Specialist \_\_\_\_\_ LOCATION \_\_\_\_\_  
(Print Name)

- ( ) 1. Have a standard alcohol source of known value ready. This may be a simulator(at 34°C+0.2°C) or a dry gas alcohol standard. Standard value: 0. \_\_\_\_\_ AC.
- ( ) 2. Turn on RBT IV. Press START. Insert mouthpiece.
- ( ) 3. Device temperature registers between 10°C and 40°C.
- ( ) 4. Blank completed. Press SET button.
- ( ) 5. When RBT IV instructs user to "PROCEED WITH TEST", push STD OPTION button until the RBT IV displays "RUN STANDARD".
- ( ) 6. Attach alcohol source to mouthpiece.
- ( ) 7. Introduce standard into the Alco-Sensor IV for at least 4 seconds, at 3 seconds and while there is still gas flowing, press MANUAL button on the Alco-Sensor IV to take the sample.
- ( ) 8. Disconnect alcohol source from mouthpiece.
- ( ) 9. Press SET button.
- ( ) 10. Test results 0. \_\_\_\_\_ AC.
- ( ) 11. Press red eject button to remove mouthpiece.
- ( ) 12. Remove test record when printout is complete.
- ( ) 13. Turn off RBT IV.

SIGNATURE \_\_\_\_\_

DHS/DSL9/Form C139

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EXHIBIT Z

THIS REPORT PREPARED PURSUANT TO DUTY IMPOSED BY  
A.A.C. R9-14-404(A)

ARIZONA DEPARTMENT OF HEALTH SERVICES

STANDARD QUALITY ASSURANCE PROCEDURES  
INTOXIMETER RBT IV

Agency \_\_\_\_\_ Date \_\_\_\_\_

RBT IV SERIAL NO. \_\_\_\_\_ ALCO-SENSOR IV SERIAL NO. \_\_\_\_\_

OA Specialist \_\_\_\_\_ LOCATION \_\_\_\_\_  
(Print Name)

- \_\_\_\_\_ Date and time correct.
- \_\_\_\_\_ Alcohol-free subject test result 0. \_\_\_\_\_ AC.
- \_\_\_\_\_ Proper sample recognition system.
- \_\_\_\_\_ "Test Refused" prints.
- \_\_\_\_\_ Controls, displays and printer worked correctly during the above quality assurance procedures.

CALIBRATION OF INTOXIMETER RBT IV

- ( ) 1. Have a standard alcohol source of known value ready. This may be a simulator(at 34°C+0.2°C) or a dry gas alcohol standard. Standard value: 0. \_\_\_\_\_ AC.
- ( ) 2. Remove the Alco-Sensor IV battery cover.
- ( ) 3. Turn on RBT IV. Press START. Insert mouthpiece.
- ( ) 4. Device temperature registers between 23°C and 27°C.
- ( ) 5. After the blank is taken and while .000 is displayed, depress button 3 until a number is displayed. SET is displayed when button 3 is released.
- ( ) 6. Press the SET button. Raise or lower the number now displayed (using buttons 1 or 2) to match the value of the standard being used. Press button 3 when correct. CAL will be displayed and the RBT IV will display PROCEED WITH TEST.
- ( ) 7. Attach the alcohol standard to the mouthpiece and introduce gas into the Alco-Sensor IV. At 5 seconds and while gas is still flowing, press the MANUAL button.
- ( ) 8. Press the SET button. Eject the mouthpiece. Remove the test record when printout is complete.
- ( ) 9. Run a calibration check on the Standard Calibration Check Procedure.

COMMENTS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE \_\_\_\_\_

DHS/DSL/ Form C140

NOTICE OF FINAL RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 9. DEPARTMENT OF ADMINISTRATION

SCHOOL BUSES

PREAMBLE

1. **Sections Affected**

Article 1	<b><u>Rulemaking Action</u></b>
R17-9-101	New Article
R17-9-102	New Section
R17-9-103	New Section
R17-9-104	New Section
R17-9-105	New Section
R17-9-106	New Section
R17-9-107	New Section
R17-9-108	New Section
  
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statutes: A.R.S. §§ 28-414.01(C) and 28-900

Implementing statutes: A.R.S. §§ 15-513, 28-414.01, 28-416.01(4), 28-853, 28-857, 28-900, 28-901, 28-930, and 28-984.
  
3. **The effective date of the rules if different from the date the rules are filed with the Secretary of State:**

February 16, 1996
  
4. **List of all previous notices appearing in the Register addressing the rules:**

**Notice of Formal Rulemaking Advisory Committee:**  
1 A.A.R. 264, March 31, 1995

**Notice of Rulemaking Docket Opening:**  
1 A.A.R. 622, June 2, 1995

**Notice of Proposed Rulemaking:**  
1 A.A.R. 672, June 9, 1995

**Notice of Public Hearing on Proposed Rulemaking:**  
1 A.A.R. 1226, July 28, 1995
  
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Jeanne Morrison

Address: Governor's Regulatory Review Council  
1400 West Washington, Suite 270  
Phoenix, Arizona 85007

Telephone: (602) 542-2058

Fax: (602) 542-1486
  
6. **An explanation of the rules, including the agency's reasons for initiating the rules:**

The rules result from a 1993 legislative action assigning to the Department of Administration, in consultation with the Department of Public Safety and the school bus advisory council, responsibility for establishing minimum standards for the certification of school bus drivers, safe operation of school buses, and safe transportation of passengers.

The Department adopted R17-9-101 to set forth definitions of words used in the Article. The definitions enhance the clarity and understandability of the rules.

R17-9-102 defines the requirements and procedures for certification as a school bus driver. The rule indicates that an applicant's suitability to be a school bus driver will be assessed by considering physical condition, including use of controlled substances and alcohol, driving record, completion of instruction in first aid and cardiopulmonary resuscitation, and score obtained on a written examination of traffic laws and school bus operation. The rule also defines the continuing education that a school bus driver must complete to remain certified.

R17-9-103 defines the requirements and procedures for certification as a classroom or behind-the-wheel instructor of school bus drivers and applicants to be school bus drivers. The rule indicates that applicants to be an instructor must pass a written examination on traffic laws and school bus operation, complete a training course, and be recommended for the position by the applicant's employer. The rule also defines the continuing education that must be completed and the teaching that must be done by a class-

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room or behind-the-wheel instructor to remain certified.

R17-9-104 defines the minimum standards for school bus operation. The rule specifies the procedure to be followed when loading or unloading passengers in different circumstances, the number of hours a school bus driver may be on-duty, the frequency and procedure for conducting evacuation drills, and other operational standards designed to enhance safety. The rule is consistent with current standards for school bus operation.

R17-9-105 defines the standards applicable to school buses designed for transporting disabled passengers. In addition to general requirements regarding transporting disabled passengers, the rule specifies design and installation of a special-service entrance, special-service entrance doors, a wheelchair lift, wheelchair and wheelchair-passenger securement, lighting of a wheelchair lift area, and other accommodations. The rule is consistent with the Americans with Disabilities Act and current safety standards.

R17-9-106 and R17-9-107 define the minimum standards for various parts of the chassis and body of a school bus.

R17-9-108 defines the standards and procedures for inspecting, maintaining, and altering school buses. The rule indicates each school bus is to be inspected before being introduced into service in the state and every 12 months thereafter. In addition, each school bus is to receive operations checks each day the school bus is used. Needed repairs are to be made promptly. A school bus needing major repair may not be operated. The rule is consistent with current state law.

**7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

**8. The summary of the economic, small business, and consumer impact:**

**A. Objective of the rulemaking**

The school bus rules establish minimum standards for certification of school bus drivers, certification of classroom and behind-the-wheel instructors, school bus operation, special needs transportation, school bus chassis, school bus body, and inspection and maintenance of school buses.

**B. Summary of economic, small business, and consumer impact information**

The economic, small business, and consumer impact statement for the school bus rules analyzes the costs, savings, and benefits that accrue to the Department of Public Safety, Department of Administration, schools, and private companies.

To implement this rule, the Student Transportation Section of the Department of Public Safety may be required to make additional expenditures. Additional expenditures are estimated to be between \$41,500 and \$46,000 annually. The additional annual expenditures arise from adding personnel to enforce the rules and from producing training manuals for applicants and certified school bus drivers and behind-the-wheel and classroom instructors.

Estimated costs for the state's schools are between \$170,000 and \$240,000 for the 1st year. First-year costs result primarily from the 1-time installation of 2-way communication systems in approximately 500 school buses, and from additional training hours for school bus drivers, classroom instructors, and behind-the-wheel instructors. School bus drivers will receive an additional 10 hours of training. Classroom instructors will receive 8 and behind-the-wheel instructors will receive 4 additional hours of training.

After the 1st year, estimated additional costs for the state's schools are between \$1,000 and \$35,000 annually. The potential increase in costs after the 1st year is reduced by the change in frequency of physical examinations. Physical examinations are required every other year under these final rules rather than every year as was required by the previous rules. The increase in costs results from an increase in minimum school bus driver instruction hours. The exact cost per school depends on the number of school bus drivers, the school's current policy regarding bus driver instruction hours, and the school's wage policy.

For the state's private school bus companies, the estimated costs for the 1st year are between \$12,000 and \$16,000. Costs for the 1st year result from the 1-time installation of 2-way communication systems in approximately 27 school buses. As with the state's schools, the potential increase in costs after the 1st year, which result primarily from the increase in hours of first aid and CPR training, is reduced by the change in frequency of physical examinations. The estimated additional savings for private school bus companies after the 1st year are approximately \$750 annually.

The total cost resulting from the school bus minimum standards is between \$180,000 and \$260,000 for the 1st year. After the 1st year, the total cost will be between \$0 and \$30,000. This is an increase in costs per school bus, after the 1st year, of between \$0 and \$6.70 annually.

These costs and savings accrue to taxpayers by way of income and property taxes that support the Department of Public Safety and schools. The school bus rules are designed to reduce accidents through increased school bus driver education and training and improved school bus mechanical operation. These benefits will accrue to approximately 233,905<sup>1</sup> Arizona children who ride school buses and to Arizona taxpayers who pay to repair damaged school buses.

**9. Description of changes between the proposed rule and the final rule:**

To improve the clarity, conciseness, and understandability of the rules, numerous changes were made in words used, sentence structure, punctuation, and organization of paragraphs. To simplify amending the rules in the future, labels of definitions were

**1.** Arizona Department of Education statistics for fiscal year 1994-1995.

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deleted. To comply with a new policy of the Office of the Secretary of State, all numbers except those at the beginning of a sentence were converted to arabic numerals.

The definition of "accident" was expanded to include damage to personal or real property outside a school bus. Definitions of "citation" and "ignition power-deactivation switch" were added. The definition of "on-duty" was rewritten to more clearly describe the range of activities included.

The amount of time within which an applicant must submit a completed physical examination form to the Department was expanded from 30 to 90 days so the applicant can submit all materials at 1 time. To reduce duplication of effort, a provision was added that results of a physical examination may be submitted on either a form provided by the Department or a form required for compliance with federal law. To simplify the requirement that the results of controlled substances and alcohol testing be submitted to the Department, the requirement was separated into 2 parts, 1 applicable to testing that produces positive results and the other applicable to testing that produces negative results, and different time limits for submitting the different results were established.

To accommodate the federal government's response to a recent decision by the Fourth Circuit Court of Appeals, pre-employment and routine alcohol testing was deleted from the rules. The government indicated that if a state requires pre-employment and routine alcohol testing, it must do so based on state law. Arizona law does not require this testing. See A.R.S. § 23-493 *et seq.* Alcohol testing based on the employer's reasonable suspicion that a school bus driver has reported for duty or is on-duty while impaired by alcohol and following an accident involving the school bus driven by the school bus driver continues to be required by both state and federal law.

To accommodate the needs of applicants who do not read the English language, a provision was added that requires the Department to provide someone to read examination questions to these applicants and record their answers.

To protect passengers, a provision was added that all behind-the-wheel training of applicants be done with no passengers on board the school bus.

Provisions were added to clarify that the standards dealing with special needs transportation, the school bus chassis, and the school bus body are applicable only to school buses introduced into Arizona after the effective date of the rules.

Because of anticipated difficulties with compliance and the expense of compliance, the requirement that an employer ensure that the 2-way voice communication system on a school bus receive no interference from other 2-way voice communication systems was eliminated.

The size of the body fluid clean-up kit, the manner in which it must be sealed, and the items it must contain were modified to accommodate a request that the requirements be consistent with readily available pre-packaged body fluid clean-up kits. This will make employers' compliance less expensive.

A provision regarding the amount of space between seats in a school bus was added to be consistent with current standards.

To provide an opportunity for employers to make required repairs to a school bus without taking the bus out of service, several defects were reclassified as "minor" rather than "major." This change will not affect the safe operation of a school bus or endanger passengers because even a minor defect must be repaired within 15 days and because the Department may take out of service any school bus with a defect that the Department determines could cause injury or present a danger to a passenger or school bus driver.

The pre-trip operations check of a school bus was made more extensive to ensure safe operation and passenger safety and the post-trip operations check was deleted because it was redundant of the pre-trip operations check. A check of all emergency equipment, a "walk around" operations check by the school bus driver each time the school bus begins a trip after the 1st trip each day, and systematic inspection, repair, and maintenance all school buses were added. Reporting relative to operations checks and inspection, repair, and maintenance was changed to be consistent with the changes made in the requirements.

Because alterations to a school bus can affect its structural integrity and safe operation, the amount of time the Department has in which to decide whether to approve or deny a request to alter a school bus was increased from 30 to 60 days.

**10. Summary of the principal comments and the agency response to them:**

Comments were received requesting that several definitions be modified. Definitions of "accident" and "on-duty" were changed. Definitions of "citation" and "ignition power-deactivation device" were added. Additionally, wording of some definitions was modified to achieve greater clarity and understandability but the meanings were not changed.

Several individuals requested that the minimum age for school bus drivers be increased from 18 years to 21 years. This change was not made because the rule, as a minimum standard, provides flexibility that permits employers to require school bus drivers be 21 years old, because school bus drivers must have a commercial driver's license and the age for obtaining 1 is 18, and because some employers reported they would have difficulty obtaining enough school bus drivers if they could not employ individuals who are between 18 and 21 years old.

It was requested that the rules be changed to permit an individual possessing a commercial driver's license from another state to be certified in Arizona to operate a school bus in Arizona. There is no authority to make this change. A.R.S. § 28-414.01(A) requires that an individual who operates a school bus have a commercial driver's license "issued by the [Arizona] department of transportation."

It also was requested that school bus drivers, especially those more than 65 years old, be required to have physical examinations every 12 months rather than every 24 months. The requested change was not made because the rule, as a minimum standard, pro-

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vides flexibility that permits employers to require that school bus drivers have physical examinations every 12 months. The rule also contains a provision that permits the employer to require a school bus driver to have an additional physical examination if the employer determines the school bus driver may have an impairment that affects the ability to operate a school bus safely.

There were several requests that the number of hours of training required to obtain and maintain certification as a school bus driver be increased. This change was not made because the rules are minimum standards that permit employers to require that school bus drivers obtain additional hours of training.

It was requested that current classroom instructors be "grandfathered" under the new rules and veteran school bus drivers be permitted to be behind-the-wheel instructors without being certified under the new rules. This change was not made because it was believed to be contrary to the spirit of A.R.S. § 28-900, which indicates the legislature's intent for the rules to require that which is necessary to improve the safety and welfare of school bus passengers. Because the statutes and rules regulating school buses have changed substantially, it was believed that instructors, who have a key responsibility in improving the safety and welfare of school bus passengers, need to be very familiar with and certified under the new rules. There will be little, if any, delay in certifying instructors because the Department intends to begin the certification process as soon as the rules are in effect.

Another individual requested that the amount of time for repairing a minor defect to a school bus be increased because it is not always possible to obtain needed parts in the amount of time allotted. A provision for requesting an extension of time was added. If the repair is not made by expiration of the extension of time, the employer must place the school bus out of service.

Numerous suggestions were made to redesignate items of damage to a school bus as "minor" rather than "major," permitting employers to continue to use a school bus while making the needed repair. Many of the suggested changes were made. The redesignated items do not affect the safe operation of a school bus or endanger passengers. Additionally, the Department retains the power to place out of service any school bus the Department determines has a defect that endangers passengers.

In response to suggestions from several individuals, the post-trip operations check was eliminated because it duplicated the pre-trip operations check.

**11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

None.

**12. Incorporations by reference and their locations in the rules:**

U.S. Department of Transportation, Federal Highway Administration, 49 CFR 382, October 1994, incorporated at R17-9-101 ("Controlled substances and alcohol testing").

U.S. Department of Transportation, Federal Highway Administration, 49 CFR 40, October 1994, incorporated at R17-9-101 ("Controlled substances and alcohol testing").

Federal Motor Carrier Safety Regulations, 49 CFR 391.43 (October 1994), incorporated at R17-9-101("Physical examination form").

Society of Automotive Engineers Standard J1292, October 1981, incorporated at R17-9-106(10)(c)(i).

Society of Automotive Engineers Standard J377, February 1987, incorporated at R17-9-106(16).

Society of Automotive Engineers Standard J381, June 1984, incorporated at R17-9-107(5)(b).

Society of Automotive Engineers Standard J382, October 1984, incorporated at R17-9-107(5)(b).

Portable Fire Extinguishers, National Fire Protection Association, Publication 10 (1990), incorporated at R17-9-107(8)(b)(i).

Federal Motor Vehicle Safety Standards, 49 CFR 571.125, October 1994, incorporated at R17-9-107(8)(e).

School Bus Manufacturers Institute Standard No. 001, no publication date, incorporated at R17-9-107(10)(e).

Federal Motor Carrier Safety Regulations, 49 CFR 393.9 *et seq.*, October 1994, incorporated at R17-9-107(13)(a).

Federal Motor Vehicle Safety Standards, 49 CFR 571.111, October 1994, incorporated at R17-9-107(14)(b).

Federal Specification TT-C-520B, February 2, 1973, incorporated at R17-9-107 (29)(a).

**13. Whether the rules were previously adopted as emergency rules and if so, whether the text has changed:**

The final rules were not originally adopted as emergency rules.

**14. The full text of the rules follows:**

TITLE 17. TRANSPORTATION

CHAPTER 9. DEPARTMENT OF ADMINISTRATION

SCHOOL BUSES

**ARTICLE 1. SCHOOL BUS MINIMUM STANDARDS**

<u>R17-9-101</u>	<u>Definitions</u>
<u>R17-9-102</u>	<u>Certification of School Bus Drivers</u>
<u>R17-9-103</u>	<u>Certification of Classroom and Behind-The-Wheel Instructors</u>
<u>R17-9-104</u>	<u>Minimum Standards for School Bus Operation</u>
<u>R17-9-105</u>	<u>Special Needs Standards</u>
<u>R17-9-106</u>	<u>Minimum Standards for School Bus Chassis</u>
<u>R17-9-107</u>	<u>Minimum Standards for School Bus Body</u>
<u>R17-9-108</u>	<u>Inspection, Maintenance, and Alterations</u>
<u>Exhibit A</u>	<u>Physical Examination Form</u>
<u>Exhibit B</u>	<u>Proof of Completion of Behind-the-Wheel Training and Driving Test</u>

**ARTICLE 1. SCHOOL BUS MINIMUM STANDARDS**

**R17-9-101. Definitions**

In this Article, unless otherwise specified:

"Accident" means any unexpected occurrence involving a moving or non-moving school bus that results in any bodily injury or fatality to passengers or non-passengers, damage to personal or real property outside the school bus, or damage to the school bus that affects the integrity of the school bus.

"Alternately flashing signal lamps" means a system of red or red and amber lamps that are mounted horizontally to both the front and rear of the school bus body, used to inform the public that the school bus is preparing to stop or has stopped to load or unload passengers. Alternately flashing signal lamps can be either a 4-lamp system as described in A.A.C. R17-9-107(13)(c)(i) or an 8-lamp system as described in A.A.C. R17-9-107(13)(c)(ii).

"Alteration" means any addition, modification, or removal of any equipment or component after a school bus has been inspected by the Department, which may affect the operations of the school bus; compliance with the statutes or rules applicable to school buses; or affect the health, safety, or welfare of any individual.

"Applicant" means an individual who submits a completed application to the Department to obtain a certificate to operate a school bus or to teach classroom or behind-the-wheel training.

"Auxiliary fans" means devices mounted inside the school bus body used to supplement the heating, defrosting, or air-conditioning systems by circulating air in the school bus.

"Behind-the-wheel instructor" means an individual certified by the Department pursuant to A.A.C. R17-9-103 to provide behind-the-wheel training to applicants.

"Behind-the-wheel training" means the complete physical control of a school bus by an applicant to operate a school bus while accompanied by and under direct observation of a behind-the-wheel instructor.

"Belt cutter" means a hand-held instrument containing a blade used to sever a seat belt or wheelchair-securement device.

"Certificate" means the written authorization issued by the Department to operate a school bus or to act as a

classroom or behind-the-wheel instructor in Arizona.

"Chassis" means the part of a school bus that consists of all base components, including the frame, front and rear suspension, exhaust system, brakes, engine, engine hood or cover, transmission, front and rear axles, front fenders, drive train and shaft, fuel system, engine air intake and filter, clutch and accelerator pedals, steering wheel, tires, heating and cooling system, battery, and controls and instruments to operate the school bus.

"Chassis cowl" means those parts of a Type C school bus that are located in front of the cowl and attached before a school bus manufacturer adds the school bus body.

"Citation" has the same meaning as set forth at A.R.S. § 28-1606.

"Classroom instructor" means an individual certified by the Department pursuant to A.A.C. R17-9-103 to teach classroom training to:

- a. Applicants to operate a school bus,
- b. Applicants to teach classroom training,
- c. Applicants to teach techniques of behind-the-wheel training, or
- d. School bus drivers for refresher training.

"Classroom training" means the courses required by the Department of an applicant before the applicant is certified or of a school bus driver to maintain certification.

"Commercial driver's license" has the same meaning as set forth at A.R.S. § 28-402(2).

"Controlled substances and alcohol testing" means a determination of an applicant's or school bus driver's use of marijuana, cocaine, phencyclidine, opiates, amphetamines and alcohol prescribed by 49 CFR 382, published in October 1994, (no later amendments or editions), and conducted in accordance with procedures set forth at 49 CFR 40, published in October 1994, (no later amendments or editions), both incorporated by reference and on file with the Department and the Office of the Secretary of State, and a determination of an applicant's or school bus driver's use of barbiturates, benzodiazepines, methadone, and propoxyphene as required by these rules and conducted in accordance with procedures set forth at 49 CFR 40.

"Cowl" means that portion of the chassis in a Type C school bus that separates the school bus engine from the school bus driver's compartment.

"Cutaway van" means a chassis to which a completed driver's compartment is attached before a school bus manufacturer adds the school bus body.

"dB(A)" means decibels A scale, a term denoting that noise level has been adjusted to duplicate human hearing.

"Department" means the Arizona Department of Public Safety.

"Driver's compartment" means the part of the school bus body that is separated from the passenger compartment by a barrier and contains the controls and instruments for the operation of the school bus.

"Emergency-brake system" means the mechanical components used to slow or stop a school bus after a failure of

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the service-brake system.

"Emergency exit" means an opening in a school bus, including a door, push-out window or roof hatch, used to unload passengers in the event of an occurrence that requires immediate evacuation of a school bus.

"Employer" means a private business or school district that hires applicants and certified school bus drivers to operate school buses.

"Forward control chassis" means a chassis to which the school bus driver controls, including the brake, clutch and accelerator pedals, emergency brake, steering wheel, and other controls used to operate the school bus, are mounted as far forward on the chassis as possible and are attached before a school bus manufacturer adds the school bus body.

"Frame" means the structural foundation upon which the school bus chassis is constructed.

"Frontage road" means a street that parallels an interstate highway and furnishes access to streets and property that would otherwise be unreachable from the interstate highway.

"Gross vehicle weight rating" means the value specified by the manufacturer as the maximum total loaded weight of a school bus as set forth in A.A.C. R17-9-106(26).

"Health care professional" means:

- a. A physician licensed to practice medicine pursuant to A.R.S. § 32-1401 et seq., osteopathy pursuant to A.R.S. § 32-1801 et seq., or chiropractic pursuant to A.R.S. § 32-921 et seq.;
- b. A physician licensed to practice medicine, osteopathy, or chiropractic in a state contiguous to Arizona;
- c. A physician employed by the United States government and licensed by a state medical board in the United States;
- d. A physician's assistant licensed pursuant to A.R.S. § 32-2501 et seq.; or
- e. A registered nurse practitioner licensed pursuant to A.R.S. § 32-1632 et seq.

"Highway" has the same meaning as set forth at A.R.S. § 28-101 (64).

"Identification" means the signs, lettering, or numbers placed on the interior or exterior of the school bus body, including the glass areas, but does not include the lettering, numbers, or logos of a manufacturer or distributor of the manufacturer's product.

"Ignition power-deactivation switch" means a device that when set causes the engine of a motor vehicle to stop operating if the transmission is placed into gear or the parking-brake system is released.

"Interstate highway" means the designation given by the Federal Government to the system of highways connecting 2 or more states of the United States.

"Lamp" means a device that is covered by a lens and used to produce artificial light.

"Major defect" means a condition that exists to the interior or exterior of a school bus that causes the Department or employer to place the school bus out of service while the defect is being corrected.

"Manufacturer" means the entity engaged in the manufacturing or assembling of a school bus chassis, school bus body, or school bus chassis and body.

"Minor defect" means a condition that exists to the inte-

rior or exterior of a school bus that is not a major defect and allows the school bus to remain in operation while the defect is being corrected.

"Off-duty" means the period of time a school bus driver is not on-duty.

"On-duty" means the period between the time a school bus driver begins to work for the employer or is required to be in readiness to work for the employer until the time the school bus driver is relieved from work and all responsibility for performing work for the employer. On-duty includes:

- a. All time at an employer's place of business, waiting to be dispatched.
- b. All time performing an operations check of a school bus in accordance with A.A.C. R17-9-108(D), or servicing or conditioning a school bus;
- c. All time driving a school bus, including loading or unloading the school bus, and remaining in readiness to drive a school bus;
- d. All time, at the direction of the employer, travelling but not driving a school bus or assuming any other responsibility to the employer. If the school bus driver is afforded at least 8 consecutive hours off-duty upon arrival at the school bus driver's destination after travelling but not driving a school bus or assuming any other responsibility to the employer, the school bus driver shall be considered off-duty for the entire period;
- e. All time repairing, obtaining assistance, or remaining in attendance upon a disabled school bus;
- f. All time preparing required reports and records;
- g. All time performing any other work for the employer; and
- h. All time performing any compensated work for any entity other than the employer.

"Out of service" means a school bus can not be used to transport passengers.

"Parking-brake system" means the mechanical components used to prevent the movement of a school bus while loading or unloading passengers or when the school bus is parked.

"Passenger" means an individual who rides in a school bus but does not participate in the operation of the school bus.

"Passenger compartment" means that part of the school bus body that is separated from the school bus driver's compartment by a barrier and holds the passengers to be transported.

"Physical examination" means an evaluation of an applicant's or school bus driver's medical status performed by a health care professional according to this Article.

"Physical examination form" means Exhibit A or the form set forth at 49 CFR 391.43, published October 1994, (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.

"Push-out window" means safety glass enclosed in a frame on a school bus that moves to the outside of the school bus when force is applied to the window from inside the school bus.

"Refresher training" means the courses required by the Department of each school bus driver to maintain certification as a school bus driver in Arizona.

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"Restraining barrier" means a structure located in front of any school bus seat that restricts the forward motion of a passenger.

"Rub rail" means a horizontal steel bar attached to the outside of the school bus body used to reinforce the sides of the school bus.

"Safety glass" has the same meaning as set forth at A.R.S. § 28-959 (B).

"School" means a school as defined by A.R.S. § 15-101(16), accommodation school as defined by A.R.S. § 15-101(1), charter school as defined by A.R.S. § 15-101(3), or private school as defined by A.R.S. § 15-101(15).

"School bus" has the same meaning as set forth at A.R.S. § 28-101(53).

"School bus body" means a structure assembled upon a chassis designed to carry a school bus driver and passengers.

"School bus driver" means an individual who has been certified by the Department to meet the requirements set forth at A.R.S. § 28-414.01 and A.A.C. R17-9-102 to operate a school bus in Arizona.

"School district" has the same meaning as set forth at A.R.S. § 15-101 (17).

"Service-brake system" means the mechanical components used to slow or stop a school bus.

"Service door" means a metal structure used to close the opening of a service entrance.

"Service entrance" means the opening in a school bus used to load or unload passengers.

"Special needs school bus" means a school bus that is designed to transport disabled passengers, some of whom may use a wheelchair, and is constructed with a service entrance and a special-service entrance.

"Special-service entrance" means an opening in a school bus that accommodates a wheelchair lift for the loading or unloading of passengers who use a wheelchair.

"Special-service entrance door" means a metal structure used to close the opening of the special-service entrance.

"Street" has the same meaning as set forth at A.R.S. § 28-101 (64).

"Traffic control signal" has the same meaning as set forth at A.R.S. § 28-602 (26).

"Training" means the instruction, courses, classes, or workshops provided by the Department or the employer that are required to obtain or maintain certification as a school bus driver, classroom instructor, or behind-the-wheel instructor in Arizona.

"Transport" or "transporting" means a school bus driver has set the school bus in motion to carry passengers or objects authorized by the school district to be carried in a school bus.

"Type A School Bus" means a van converted to a school bus body or a school bus body that is constructed upon a cutaway van, has a left side door for the school bus driver, and is designed for carrying more than 10 individuals. Part of the engine is beneath the windshield and beside the driver's seat and the service door is behind the front wheels. This definition includes 2 classifications: Type A-I, with a gross vehicle weight rating of more than 10,000 pounds and Type A-II, with a gross vehicle

weight rating of 10,000 pounds or less.

"Type B School Bus" means a school bus body that is constructed upon a cutaway van or a forward control chassis, which has a gross vehicle weight rating of more than 10,000 pounds and is designed for carrying more than 10 individuals. Part of the engine is beneath the windshield and beside the driver's seat and the service door is behind the front wheels.

"Type C School Bus" means a school bus body that is installed either upon a chassis cowl with the engine located beneath or in front of the windshield and in front of the cowl or upon a forward control chassis with part of the engine beneath the windshield and beside the driver's seat. The service door is located behind the front wheels. The school bus has a gross vehicle weight rating of more than 10,000 pounds and is designed to carry more than 10 individuals.

"Type D School Bus" means a school bus body that is installed upon a chassis with the engine mounted in front of the front axle, between the front and rear axles, or behind the rear axle. The school bus driver's seat and the service door are located in front of the front wheels. The school bus has a gross vehicle weight rating of more than 10,000 pounds and is designed to carry more than 10 individuals.

"Van" means a covered or enclosed truck as defined at A.R.S. § 28-101(67).

"Wheelchair" means a mobility aid consisting of a frame, seat, and wheels, which is used for the purpose of supporting and carrying a passenger with a disability.

"Wheelchair lift" means the electric hydraulic mechanism and platform in a school bus used to raise and lower a passenger in a wheelchair.

"Wheelchair-lift platform" means the horizontal surface upon which a wheelchair sits while being raised or lowered.

"Wheelchair-passenger restraint" means the combination of a pelvic and an upper torso restraint, including buckles and fasteners, designed to secure a passenger in a wheelchair within a school bus.

"Wheelchair-passenger restraint anchorage" means the equipment for fastening wheelchair-passenger restraints to the interior of the school bus.

"Wheelchair-securement anchorage" means the equipment for fastening wheelchair-securement devices to the school bus floor.

"Wheelchair-securement device" means a strap or webbing, including buckles and fasteners, used for fastening a wheelchair to a wheelchair-securement anchorage.

"Wheelchair-securement system" means the components used to fasten the wheelchair to the interior of the school bus, including wheelchair-securement anchorages and wheelchair-securement devices.

**R17-9-102. Certification of School Bus Drivers**

**A. Certification requirements.** An individual shall not operate a school bus in Arizona without being certified by the Department. An applicant for certification shall:

- 1. Be a minimum of 18 years of age;**
- 2. Submit all of the following to the Department through the employer:**
  - a. A completed fingerprint card;**
  - b. An application signed and dated by the applicant**

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that states the applicant's:

- i. Name, home address, and home phone number;
- ii. Date of birth;
- iii. Arizona commercial driver's license number;
- iv. Date of previous application for certification, if any;
- v. Intended employer's name;
- vi. Convictions for a felony or misdemeanor, if any, in this state or any other state; and
- vii. Total points accumulated against the applicant's driving record during the 2 years immediately preceding the date of application using the point system contained in A.A.C. R17-4-506.

c. Completed physical examination form and results of controlled substances testing.

- 3. Possess a current Arizona commercial driver's license as set forth at A.R.S. § 28-403;
- 4. Possess a current Arizona passenger endorsement as set forth at A.R.S. § 28-416.01(4);
- 5. Meet the driving record requirements as set forth in this Article; and
- 6. Complete the training requirements as set forth in this Article.

B. Physical examination

- 1. An applicant or school bus driver shall submit to a physical examination that is conducted by a health care professional in accordance with the physical examination form. An applicant or school bus driver is qualified to operate a school bus only if the health care professional concludes that the applicant or school bus driver has no condition that would interfere with the applicant's or school bus driver's ability to operate a school bus safely.
- 2. An applicant shall submit the completed physical examination form to the Department through the employer within 90 calendar days of the physical examination.
- 3. The initial physical examination of an applicant, conducted in accordance with the physical examination form, expires 24 months from the date of the physical examination or on October 31 of the second consecutive year following the initial examination, whichever comes 1st. Thereafter, each physical examination expires 24 months from the date of the physical examination. The school bus driver shall submit to a physical examination before the expiration date of the previous physical examination and send the completed physical examination form to the Department through the employer by October 31 of the year of the examination.
- 4. If a health care professional determines that further testing of an applicant or school bus driver is needed by an ophthalmologist or optometrist, the health care professional shall refer the applicant or school bus driver to:
  - a. An ophthalmologist licensed pursuant to A.R.S. § 32-1401 et seq.,
  - b. An optometrist licensed pursuant to A.R.S. § 32-1701 et seq.,
  - c. An ophthalmologist licensed to practice ophthalmology or optometrist licensed to practice optometry by a state contiguous to Arizona, or
  - d. An ophthalmologist licensed to practice ophthalmology or optometrist licensed to practice optometry by any state or territory of the United States and employed by the United States government.
- 5. In addition to the physical examinations required by this Article, the Department or the employer may require a physical examination of a school bus driver for an impair-

ment that would affect the ability to operate a school bus safely. In making this determination, the Department or employer may consider the appearance or actions of the school bus driver. Results of a physical examination conducted pursuant to this subsection shall be received by the Department within 30 days of the date of the physical examination.

C. Controlled substances and alcohol testing

I. An applicant or school bus driver shall submit to alcohol and controlled substances testing as permitted by A.R.S. § 23-493 et seq. and as prescribed by this Article and 49 CFR 382 (1994), which is conducted in accordance with the procedures set forth at 49 CFR 40 (1994), except for the changes in 49 CFR 40 and 49 CFR 382 set forth in subsections (C)(1)(a) through (C)(1)(m).

a. 49 CFR 40.3

i. "Employee," "individual," or "individual to be tested", as used in 49 CFR 40, means an applicant or a school bus driver as defined at A.A.C. R17-9-101.

ii. "Employer" has the same meaning as set forth at A.A.C. R17-9-101.

b. 49 CFR 382.107

i. "Accident" has the same meaning as set forth at A.A.C. R17-9-101.

ii. "Commercial motor vehicle" has the same meaning as set forth at A.R.S. § 28-402(4)(c).

iii. "Employer" has the same meaning as set forth at A.A.C. R17-9-101.

iv. "Performing a safety-sensitive function" means any period of time during which a school bus driver is on-duty except when the school bus driver is being compensated by an entity other than the employer.

v. "Safety-sensitive function" means any activity for which a school bus driver is on-duty except when the school bus driver is performing an activity for and being compensated by an entity other than the employer.

vi. "School bus" has the same meaning as set forth at A.R.S. § 28-101(53).

c. 49 CFR 382.204 is changed to read: No driver shall be on duty for the employer or operate a commercial motor vehicle while the driver possesses alcohol. No employer having actual knowledge that a driver possesses alcohol may permit the driver to perform a safety-sensitive function.

d. 49 CFR 382.207. In both sentences, the word "four" is changed to "eight."

e. 49 CFR 382.301(a) is changed to read: Prior to the 1st time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances. No employer shall allow a driver to perform safety-sensitive functions unless the driver has received a controlled substances test result from the medical review officer indicating a verified negative test result.

f. 49 CFR 382.301(b) and (c): Delete these subsections.

g. 49 CFR 382.305 (a)(1), (b), (c), (d) and (i): Delete these subsections.

h. 49 CFR 382.305 (e): Delete the words "alcohol and" before "controlled substances testing."

i. 49 CFR 382.305 (f): Delete the 1st sentence. In both places in the third sentence, delete "alcohol and/or;" delete "alcohol or" following DOT.

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- i. 49 CFR 382.305 (g): In both places, delete "alcohol and."
  - k. 49 CFR 382.305 (h): Delete "alcohol and/or."
  - l. 49 CFR 382.305 (i): In both places, delete "alcohol or." delete "alcohol and/or."
  - m. 49 CFR 382.305 (k): In both places, delete "alcohol or."
2. An employer shall test an applicant or school bus driver for use of barbiturates, benzodiazepines, methadone, and propoxphene using the procedure set forth at 49 CFR 40. When testing for barbiturates, benzodiazepines, methadone, and propoxphene, the employer shall use a urine sample that is separate and not split from the urine sample used to test for marijuana, cocaine, opiates, amphetamines, and phencyclidine.
  3. The employer shall ensure that each school bus driver is tested for use of controlled substances at least once every 12 months. Controlled substances testing conducted after the initial or screening test may be conducted on a random basis.
  4. The employer shall submit any and all negative results of controlled substances and alcohol testing to the Department within 90 days of the date of testing by providing the Department a copy of the report submitted to the employer by the entity that conducted the testing.
  5. The employer shall immediately notify the Department by telephone of any and all positive results of controlled substances and alcohol testing and shall submit to the Department within 5 calendar days a copy of the report submitted to the employer by the entity that conducted the testing.
- D. Driving record.** During the 24 months before the date of application or during any 24-month period while certified as a school bus driver, an applicant or school bus driver shall not have accumulated eight or more points against a driving record in this state using the point system contained in A.A.C. R17-4-506.
- E. Training requirements of a school bus driver**
1. Before being certified by the Department as a school bus driver, an applicant shall complete a minimum of 14 actual hours of classroom training in the following:
    - a. State and federal traffic laws,
    - b. Behind-the-wheel driving operations,
    - c. School bus driver's responsibilities to passengers and school,
    - d. Inspections and operations checks,
    - e. Records and reports,
    - f. Special needs transportation; and
    - g. Accidents and emergencies.
  2. Classroom training shall be taught by a classroom instructor.
  3. At least 7 calendar days before the date of the classroom training, the classroom instructor shall notify the Department in writing of the date, time, and location of classroom training. The classroom instructor shall notify the Department by any means available at least 24 hours before the date, time, or location of classroom training is changed or canceled.
  4. After completion of classroom training, the classroom instructor shall administer to the applicant a written examination standardized by the Department.
    - a. The written examination shall consist of a combination of 50 true or false, multiple choice, and fill-in-the-blank questions. The examination questions shall cover the following classroom material:
      - i. State and federal traffic laws,
      - ii. Behind-the-wheel driving operations,
      - iii. School bus driver's responsibilities to passengers and school,
      - iv. Inspections and operations checks,
      - v. Records and reports,
      - vi. Special needs transportation, and
      - vii. Accidents and emergencies.
- b. Each question shall be given a value of 2 points. An applicant shall pass the examination by receiving a score that is equal to or exceeds 80% of the total possible score.
  - c. If an applicant is unable to read the English language, the employer shall arrange to have the examination administered orally to the applicant.
  - d. If an applicant does not receive the examination score required for classroom training on the 1st attempt, the applicant is allowed to take an examination 2 more times within 12 months of the 1st attempt. A different examination shall be administered to an applicant who is taking an examination for the second or third time. The period of time between examinations shall be a minimum of 24 hours. If the applicant fails the examination on the third attempt, the applicant shall be considered further only if the applicant files a new application and the documents required by these rules.
5. The classroom instructor shall submit the following information in a written report to the Department and the employer within 7 calendar days from the date of the conclusion of a training course:
- a. Instructor's name,
  - b. Instructor's certification number,
  - c. Date of training,
  - d. Location of training,
  - e. Each applicant's name, and
  - f. Each applicant's test score.
6. After completing the classroom training and before being certified to transport passengers in a school bus, an applicant shall complete behind-the-wheel training consisting of a minimum of 20 actual hours operating a school bus.
- a. Behind-the-wheel training shall be taught by a behind-the-wheel instructor who shall be present and observing the applicant while the applicant is operating the school bus.
  - b. Only the applicant, behind-the-wheel instructor, employer, and Department shall be aboard the school bus while the applicant actually operates the school bus.
  - c. The behind-the-wheel instructor shall administer a driving test as set forth in Exhibit B. The behind-the-wheel instructor shall either pass or fail an applicant and submit the results in writing to the Department and the employer within 7 calendar days of the conclusion of the test.
- F. First aid and cardiopulmonary resuscitation**
1. Before being certified, an applicant shall complete 4 actual hours of classroom instruction in cardiopulmonary resuscitation and 4 actual hours of classroom instruction in basic first aid.
  2. The instruction shall be conducted by an individual currently certified in first aid and cardiopulmonary resuscitation from a program approved by the American Heart Association, the American Red Cross, the National Safety Council, the Arizona Bureau of Mines, or by an emergency medical technician or paramedic certified pursuant to A.R.S. § 36-2205.

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- 3. An applicant shall submit to the Department a copy of the front and back of the first-aid card and cardiopulmonary resuscitation card issued to the applicant or other written documentation as proof of completion of the first-aid and cardiopulmonary resuscitation training.
- 4. A school bus driver shall renew first-aid and cardiopulmonary resuscitation instruction before expiration of the current training. Renewal instruction shall consist of 4 actual hours in cardiopulmonary resuscitation and 4 actual hours in basic first aid provided by an individual described in subsection (F)(2). The school bus driver shall submit to the Department and the employer a copy of the front and back of the first-aid card and cardiopulmonary resuscitation card or other written documentation as proof of renewal of training.

**G. Refresher training**

- 1. No later than 24 months following the date of initial certification or by October 31 of the second consecutive year following the initial certification, whichever comes 1st, a school bus driver shall complete refresher training consisting of a minimum of 6 1/2 actual hours of classroom training in the following:
  - a. State and federal traffic laws,
  - b. School bus driver responsibilities to passengers and school,
  - c. Behind-the-wheel operations,
  - d. Records and reports,
  - e. Inspections and operations checks,
  - f. Special needs transportation, and
  - g. Accidents and emergencies.
- 2. After completing the 1st refresher training, the school bus driver shall complete a minimum of 6 1/2 actual hours of classroom training in the areas described in subsection (G)(1) every 24 months following the last refresher training.
- 3. A classroom instructor shall teach refresher training and shall submit the following information in a written report to the Department and the employer within 15 calendar days from completion of refresher training:
  - a. Instructor's name,
  - b. Instructor's certification number,
  - c. Date of training,
  - d. Location of training, and
  - e. Each school bus driver's name.

**H. Records**

- 1. The employer shall maintain qualification and training records of an applicant who is certified and of a school bus driver who terminates employment, and qualification records of an applicant who is refused certification, for 24 months from the date of certification, termination of employment, or refusal of certification.
- 2. The employer shall maintain refresher training records of a school bus driver for 24 months from the date of completion of each refresher training course.
- 3. The employer shall transfer qualification and training records of a school bus driver to a subsequent employer upon written request by the subsequent employer or school bus driver.
- 4. Qualification records include:
  - a. Application,
  - b. Driving record, and
  - c. Copy of physical examination form and controlled substance test results.
- 5. Training records include:
  - a. An applicant's initial training date and name and certification number of instructor,

- b. A school bus driver's refresher training date and name and certification number of classroom instructor,
- c. Classroom and behind-the-wheel training examination score,
- d. A copy of the first-aid card and cardiopulmonary resuscitation card or other written documentation of completion of first-aid and cardiopulmonary resuscitation training, and
- e. A copy of the school bus driver certification card issued by the Department.

**I. Refusal or cancellation of certificate**

- 1. The Department shall refuse to issue a certificate to an applicant or shall cancel a certificate of a school bus driver for:
  - a. Failing to meet or comply with the requirements of this Article;
  - b. Being convicted of any felony or of a misdemeanor relating to the occupation of a school bus driver;
  - c. Providing false, incomplete, or misleading information to the Department;
  - d. Pursuant to A.R.S. § 28-692, driving a school bus while under the influence of intoxicating liquor or drugs; or
  - e. Pursuant to A.R.S. §§ 28-441 through 28-455, having a commercial driver's license canceled, suspended, revoked, or denied.
- 2. An applicant who has been refused a certificate or a school bus driver whose certificate has been canceled may request a hearing within 15 calendar days from the date of receipt of the notice of the refusal or cancellation. The hearing shall be conducted according to the procedures contained in A.R.S. §§ 41-1061 through 41-1066.

**R17-9-103. Certification of Classroom and Behind-The-Wheel Instructors**

- A. Before being certified to teach classroom training, an applicant shall:**
- 1. Submit to the Department an application signed and dated by the applicant that states the applicant's:
    - a. Name, home address, and home phone number;
    - b. Date of birth;
    - c. Current employer's name, address, and phone number; and
    - d. Dates of all previous applications.
  - 2. Submit a letter to the Department from the current employer recommending that the applicant be considered as a classroom instructor; and
  - 3. Pass a written examination standardized by the Department:
    - a. The written examination shall consist of a combination of 50 true or false, multiple choice, and fill-in-the-blank questions. The examination questions shall cover the following:
      - i. State and federal traffic laws,
      - ii. Behind-the-wheel driving operations,
      - iii. School bus driver's responsibilities to passengers and school,
      - iv. Records and reports,
      - v. Inspections and operations checks,
      - vi. Accidents and emergencies, and
      - vii. Special needs transportation.
    - b. Each question shall be given a value of 2 points. An applicant shall pass the examination by receiving a score that is equal to or exceeds 90% of the total possible score.
    - c. If an applicant is unable to read the English lan-

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- guage, the employer shall arrange to have the examination administered orally to the applicant.
- d. If an applicant does not receive the required examination score, the applicant may take a second examination, different from the 1st, a minimum of 24 hours from the time of the 1st examination.
  - e. If the applicant fails to receive a passing score on the second examination, the applicant shall not take another examination for a minimum of 12 months from the date of the second examination. To receive further consideration, the applicant shall submit a new application and documents required by these rules.
  - f. The classroom instructor shall submit each applicant's examination score to the Department within 7 calendar days from the date of the examination.
- B.** After passing the written examination, the applicant shall complete 8 actual hours of classroom training provided by the Department consisting of updates of state and federal statutes and rules or regulations relating to school buses, teaching techniques, and communication skills. The Department shall issue a certificate to teach classroom training to each applicant immediately after the applicant completes the classroom training.
- C.** To maintain certification by the Department, a classroom instructor shall teach a minimum of 12 actual hours of classroom training every 12 months from the date of certification. The classroom instructor shall submit the following written documentation to the Department within 15 days of completion of a training program:
- 1. Name of classroom instructor.
  - 2. Location of training.
  - 3. Subject matter of training.
  - 4. Date of training, and
  - 5. Number of actual hours of training completed.
- D.** Before being certified to teach behind-the-wheel training, an applicant shall:
- 1. Be certified continuously as a school bus driver in Arizona for the 12-month period immediately preceding the application and be employed as a certified school bus driver at the time of application;
  - 2. Submit an application to the Department signed and dated by the applicant that states the applicant's:
    - a. Name, home address, and home phone number,
    - b. Commercial driver's license number,
    - c. Current employer's name, address, and phone number, and
    - d. Dates of all previous applications.
  - 3. Submit a letter from the current employer recommending that the applicant be considered as a behind-the-wheel instructor; and
  - 4. Pass a written examination standardized by the Department.
    - a. The written examination shall consist of a combination of 50 true or false, multiple choice, and fill-in-the-blank questions. The examination questions shall cover the following:
      - i. State and federal traffic laws,
      - ii. Behind-the-wheel driving operations,
      - iii. School bus driver's responsibilities to passengers and school,
      - iv. Records and reports,
      - v. Inspection and operations checks,
      - vi. Accidents and emergencies, and
      - vii. Special needs transportation.
    - b. Each question shall be given a value of 2 points. An
- applicant shall pass the examination by receiving a score that is equal to or exceeds 80% of the total possible score.
- c. If an applicant is unable to read the English language, the employer shall arrange to have the examination administered orally to the applicant.
  - d. If an applicant does not receive the required examination score, the applicant may take a second examination, different from the 1st, a minimum of 24 hours from the time of the 1st examination.
  - e. If the applicant fails to receive a passing score on the second examination, the applicant shall not take another examination for a minimum of 12 months from the date of the second examination. To receive further consideration, the applicant shall submit a new application and documents required by these rules.
  - f. The classroom instructor shall submit each applicant's score to the Department within 7 calendar days from the date of the examination.
- E.** After passing the written examination, the applicant shall complete 4 actual hours of classroom training provided by the Department, consisting of updates of state and federal statutes and rules or regulations relating to school buses, teaching techniques, and communication skills. The Department shall issue a certificate to teach behind-the-wheel training to each applicant immediately after the applicant completes the classroom training.
- F.** To maintain certification by the Department, a behind-the-wheel instructor shall maintain certification as a school bus driver in this state and teach a minimum of 12 actual hours of behind-the-wheel training every 12 months from the date of certification. The behind-the-wheel instructor shall submit the following written documentation to the Department every 12 months from the date of certification:
- 1. Name of behind-the-wheel instructor,
  - 2. Location of training,
  - 3. Subject matter of training,
  - 4. Date of training, and
  - 5. Number of actual hours of training provided.
- G.** Records
- 1. The Department shall maintain qualification and training records for each classroom and behind-the-wheel instructor for 24 months from the date of certification.
  - 2. Qualification records include:
    - a. Application,
    - b. Driving record, and
    - c. Letters of recommendation.
  - 3. Training records include:
    - a. Examination test scores,
    - b. A copy of the certification card issued by the Department, and
    - c. All documents required by subsection (C) or (F) of this Section.
- H.** Refusal to issue or cancellation of certificate of classroom or behind-the-wheel instructor
- 1. The Department shall refuse to issue a certificate to an applicant or shall cancel a certificate of a behind-the-wheel instructor for:
    - a. Failing to meet or comply with the requirements of this Article;
    - b. Being convicted of any felony or of a misdemeanor relating to the occupation of a school bus driver;
    - c. Providing false, incomplete, or misleading information to the Department;
    - d. Pursuant to A.R.S. § 28-692, driving a school bus

- while under the influence of intoxicating liquor or drugs; or
- e. Pursuant to A.R.S. §§ 28-441 through 28-455, having a commercial driver's license canceled, suspended, revoked, or denied.
- 2. The Department shall refuse to issue a certificate to an applicant or shall cancel a certificate of a classroom instructor for:
  - a. Failing to meet or comply with the requirements of this Article; or
  - b. Providing false, incomplete, or misleading information to the Department.
- 3. An applicant who has been refused a certificate or an instructor whose certificate has been canceled may request a hearing within 15 calendar days from the date of receipt of the notice of the refusal or cancellation. The hearing shall be conducted according to the procedures contained in A.R.S. §§ 41-1061 through 41-1066.

**R17-9-104. Minimum Standards for School Bus Operation**

**A.** The school bus driver shall perform operations checks of a school bus as required by A.A.C. R17-9-108.

**B.** Loading or unloading of passengers:

- 1. As of the effective date of these rules, an 8-lamp system as described in R17-9-107(13) shall be installed on a school bus before it is introduced into Arizona. When preparing to stop the school bus, the school bus driver shall activate the alternately flashing amber lamps of an 8-lamp system or the alternately flashing red lamps of a 4-lamp system for a minimum distance of 100 feet. Whenever the school bus is stopped to load or unload passengers, the school bus driver shall deactivate the alternately flashing amber lamps and activate the alternately flashing red lamps of an 8-lamp system, and extend the stop arm and open the service door.
- 2. When a school bus driver stops the school bus to load or unload passengers, the school bus driver shall set the parking brake and place the transmission in neutral.
- 3. The distance between stops for the purpose of loading or unloading passengers shall be no less than 600 feet, unless the school determines that more frequent stops are necessary for safety. The school bus shall be stopped as near the right edge of the traveled portion of the street or highway as possible.
- 4. A school bus driver shall not stop on a street or highway in a position from which passengers are loaded or unloaded on the traffic side of the bus.
- 5. When a school bus driver loads or unloads passengers who must cross a street or highway at a location other than an intersection, the passengers shall cross at least 10 feet in front of the front bumper of the school bus. The school bus driver shall not permit passengers who must cross a street or highway to be unloaded from the school bus until all traffic to the front and rear of the school bus has stopped. The school bus driver shall not move the school bus until all passengers have crossed the street or highway.
- 6. In intersections that use lighted traffic control signals, passengers shall be loaded or unloaded no closer than 100 feet of the traffic control signal so the passengers may cross with the traffic control signal, either before or after the school bus proceeds.
- 7. In intersections without lighted traffic control signals, passengers shall be loaded or unloaded no closer than 50 feet of the intersection so the passengers may cross at the intersection, either before or after the school bus proceeds.

- 8. A school bus driver shall not stop a school bus on an interstate highway for the purpose of loading or unloading passengers, except that:
  - a. School bus stops may be established on frontage roads that parallel interstate highways if no passenger is allowed to cross a divided highway.
  - b. A school bus may stop in safety rest areas as defined by A.R.S. § 28-2101 (8) that are part of or adjacent to an interstate highway.
- 9. A school bus driver shall load or unload passengers on school grounds only in an area designated by the school and marked with a sign as a school bus loading area.
- 10. During the time of loading or unloading of passengers at a designated school bus loading area at a school, the loading area is restricted to school buses, passengers, and school employees assisting in the loading or unloading of passengers.
- 11. A school shall allow passengers in a designated school bus loading area only when the passengers are being loaded on or unloaded from the school bus.
- 12. A school shall designate all school bus loading areas at locations that prevent backing of the school bus.
- 13. In areas at a school not designated as a school bus loading area, a school bus driver shall not back upon or adjacent to the school grounds unless an individual authorized by the school bus driver directs the backing procedure while standing at the rear of the school bus in a position visible to the school bus driver. This provision does not apply to a school bus garage or school bus storage area where passengers are not allowed.
- 14. Immediately before a school bus driver engages in backing the school bus, the school bus driver shall sound the horn to warn motorists and pedestrians of the backing procedure. This provision does not apply if the school bus is equipped with an alarm that operates automatically when the school bus is backing.
- 15. In addition to the requirements for railroad grade crossings contained in A.R.S. § 28-853, the following apply:
  - a. Hazard warning lights as described in A.R.S. § 28-947 (D) shall be used within a minimum of 100 feet of all railroad grade crossings to warn motorists of an intended stop.
  - b. All school buses, with or without passengers aboard, shall stop at railroad grade crossings when traffic at the railroad grade crossing is not directed by a police officer or traffic-control signal.
  - c. While stopped at a railroad grade crossing at which traffic is not directed by a police officer or traffic-control signal, the school bus driver shall completely open the service door and the window to the left of the driver and, by hearing and sight, determine that it is safe to cross. Before proceeding, the school bus driver shall close the service door.
  - d. A school bus driver shall not stop to load or unload passengers within 200 feet of a railroad grade crossing. This provision shall not prohibit stops at a railroad station or on a highway that parallels the railroad tracks.
- C. An employer shall not allow or require a school bus driver to drive a school bus nor shall a school bus driver drive a school bus:
  - 1. For more than 10 hours after having been off-duty for a minimum of 8 consecutive hours;
  - 2. For any period after having been on-duty for 15 hours after having been off-duty for a minimum of 8 consecutive hours;

3. After having been on-duty 60 hours in any 7 consecutive days if the employer does not operate school buses for 7 consecutive days; or
4. After having been on-duty 70 hours in any 8 consecutive days if the employer operates school buses every day of the week.

**D. Other requirements:**

1. A school bus driver shall wear a seat belt whenever the school bus is in motion.
2. Passengers shall comply with all instructions given to them by a school bus driver. A passenger or a non-passenger who has boarded the school bus and refuses to comply with the school bus driver's instructions may be surrendered into the custody of a person who is authorized by the school to assume responsibility for the passenger or non-passenger.
3. All passengers shall sit with their backs against the seat backs, their legs facing towards the front of the school bus and all parts of their bodies clear of all aisles.
4. A school bus driver shall not transport in a school bus more passengers than the rated capacity stated by the school bus manufacturer.
5. A school bus driver shall close the doors of a school bus before operating the school bus. The service doors shall remain closed whenever the school bus is in motion.
6. A school bus driver shall not place the transmission in neutral or coast with the clutch disengaged on a downhill grade.
7. The driver of a school bus equipped with a 2-speed axle shall not shift the axle while descending any hill posted with grade warning signs.
8. A school bus shall not be fueled in a closed building, while the school bus engine is running, or while passengers are on board.
9. A school bus driver or passenger shall not use tobacco in any form on a school bus.
10. A school bus driver shall not carry on a school bus or consume any beverage containing any alcohol while on duty with the employer or within 8 hours before going on duty with the employer.
11. A school bus driver shall not at any time carry on a school bus or use a controlled substance.
12. A passenger shall not carry on a school bus, or consume while being transported in a school bus, any controlled substance or any beverage containing any alcohol.
13. A school bus driver shall not transport animals, insects, or reptiles in a school bus with the exception of service dogs, as defined at A.R.S. § 11-1024(G)(3), which assist passengers with disabilities.
14. Except for eyeglasses, a passenger or school bus driver shall not carry or transport glass objects on a school bus.
15. A school bus driver or passenger shall not carry on or transport in a school bus an explosive device, gun, or knife.
16. A passenger shall not place any part of the passenger's body out of a school bus window or door except when exiting the school bus.
17. When instruments or equipment related to musical or athletic events are transported on a school bus, the school bus driver shall transport them as follows:
  - a. Instruments or equipment shall not occupy seating space if needed for a passenger.
  - b. Instruments or equipment shall not be placed in the school bus driver's compartment or step-well of the school bus.
  - c. Instruments or equipment shall be under the passen-

ger's control at all times or secured in the school bus, and

- d. Instruments or equipment shall not block an aisle or emergency exit of a school bus at any time.

18. A passenger who carries onto a school bus an object other than an instrument or equipment related to musical or athletic events shall control the object at all times or secure the object in the school bus.
19. A school bus driver shall secure all objects inside the school bus driver's compartment and service entrance.
20. A school bus driver shall not drive a school bus with a trailer or other vehicle attached to the school bus.
21. A school bus driver shall stop the school bus and check the wheels and tires for wear, damage, and inflation after every 2 continuous hours of driving.
22. All school buses shall have and school bus drivers shall use a 2-way voice communication system.
23. A school bus driver shall not wear an audio headset or earphones or use a cellular telephone whenever the school bus is in motion.
24. When a school bus driver leaves the driver's compartment, the school bus driver shall set the parking-brake system, place a standard transmission in either 1st or reverse gear, place an automatic transmission in park or neutral, and turn off the ignition and remove the ignition key from an ignition that uses a key, or set the ignition power-deactivation switch of an ignition that does not use a key.
25. At the conclusion of each route, a school bus driver shall inspect the interior of the school bus for passengers remaining and objects left on the school bus.
26. At least once every 6 months, a school shall conduct an evacuation drill of a school bus at the school that includes every passenger who rides a school bus. At least 14 days before an evacuation drill, a school shall submit to the Department a written notice stating the date, time, and location of the evacuation drill. Each school bus driver shall conduct or participate in a minimum of 1 evacuation drill every 6 months. Evacuation drills shall include:
  - a. Practice and instruction in the location, use, and operation of the emergency exits, fire extinguishers, first-aid equipment, windows as a means of escape, and communication systems;
  - b. Practice and instruction in when and how to approach, load, unload, and move away from the school bus a minimum of 100 feet;
  - c. Instructions on how weather-related hazards affect emergency procedures; and
  - d. Instructions on the importance of orderly conduct.
27. A white, flashing, strobe lamp as described in A.A.C. R17-9-107(13)(f) may be used only during conditions that produce low visibility or that are hazardous.

**E. Reports and record keeping:**

1. Immediately following any accident involving a school bus, a school bus driver shall report the accident to the employer.
2. Immediately upon receiving notification of any accident involving a school bus, the employer shall notify the Department of the accident by telephone. The employer shall submit written verification of the accident to the Department within 72 hours of the telephone notification.
3. Within 14 days of an evacuation drill, a school district shall submit to the Department a written report of the evacuation drill identifying the school district, participating school, date, and number of participants.
4. From the date on which a record is created, the employer

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shall maintain for 3 years the following written records for each school bus driver:

- a. On a daily basis, the period of time each school bus driver is on-duty for the employer including the date, each start and quit time, and the total number of hours on-duty for the employer.
  - b. On a daily basis, the total number of hours on-duty for an entity other than the employer during the previous 7 days.
5. A school bus driver who receives a citation shall immediately inform the employer by telephone about the citation and shall submit a copy of the citation to the employer within 5 calendar days.

**R17-9-105. Special Needs Standards**

**A. General requirements:**

1. As of the effective date of these rules, before being introduced into Arizona, school buses designed for transporting disabled passengers shall comply with the minimum standards applicable to school buses and the specifications contained in this Section. School buses designed for transporting disabled passengers that were introduced into Arizona before the effective date of these rules shall comply with the minimum standards set forth in these rules, including this Section or those set forth at A.A.C. R17-4-608.
2. Any school bus that is used for transporting a passenger who uses a wheelchair shall be equipped with a wheelchair lift.
3. The wheelchair lift shall be located on the side of the bus body opposite the school bus driver. The wheelchair lift shall not be attached to the exterior sides of the school bus and shall be confined within the school bus body when not extended.
4. Any school bus that is used for transporting disabled passengers shall be equipped with a belt cutter that is accessible only to the school bus driver.

**B. Special-service entrance:**

1. A school bus designed for transporting disabled passengers shall have a special-service entrance that accommodates a wheelchair lift used for the loading or unloading of disabled passengers.
2. The special-service entrance shall be located at any point on the side of the bus opposite the school bus driver and far enough to the rear of the school bus to prevent the special-service entrance door from obstructing the service door when the special-service entrance door is open.
3. The special-service entrance shall be of a width and depth to accommodate a wheelchair lift. The wheelchair lift shall have a minimum clear opening of 30 inches to allow for the passage of a wheelchair.
4. A drip molding shall be installed above the special-service entrance to divert water from the special-service entrance.
5. The frame surrounding the special-service entrance shall be constructed to provide support and strength at least equal to the school bus body standards as set forth in A.A.C. R17-9-107.

**C. Special-service entrance doors:**

1. A school bus designed for transporting passengers in wheelchairs shall provide a special-service entrance door not to exceed 45 inches in width.
2. Two doors shall not be used for a special-service entrance on a school bus.
3. The special-service entrance door shall be constructed to open toward the exterior of the school bus.
4. The special-service entrance door shall have a fastening

device attached to the school bus body to hold the special-service entrance door in an open position.

5. The special-service entrance door shall be weather-sealed by a rubber cushion affixed to the door or door frame.
6. Door materials, panels, and structural strength of a special-service entrance door shall be equivalent to the standards contained in A.A.C. R17-9-107 for a service door and an emergency door. Color, rub rail extensions, lettering, and all exterior features shall match adjacent sections of the school bus body.
7. The window in the special-service entrance door shall be made of safety glass, mounted in rubber that is equal to the mounting of the other windows, and aligned with the side windows of the school bus.
8. A pressure switch shall be installed in the special-service entrance door frame that will actuate a green flashing lamp located in the school bus driver's compartment when the ignition is in the "on" position to warn the school bus driver when the special-service entrance door is not closed.
9. A pressure switch shall be installed in the special-service entrance door frame so the wheelchair-lift mechanism will not operate when the special-service entrance door is closed.

**D. Wheelchair lift:**

1. The wheelchair-lift mechanism shall be capable of lifting a minimum load of 800 pounds.
2. When the wheelchair-lift platform is raised to the maximum position, it shall be held in position by the wheelchair-lift mechanism.
3. Controls shall be provided that enable an individual authorized by the school bus driver to activate the wheelchair lift from either inside or outside the school bus.
4. A wheelchair lift shall be equipped so it may be manually raised or lowered in the event of a power failure to the wheelchair lift.
5. A wheelchair lift shall contain a safety device to prevent the lift platform from falling.
6. A wheelchair lift shall be constructed so it allows the wheelchair-lift platform to rest completely on the ground.
7. All edges of the wheelchair-lift platform shall be designed to restrain the wheelchair and prevent the feet of an individual in the wheelchair lift from becoming caught during the raising or lowering process.
8. A barrier shall be attached along the outer non-loading edges of the wheelchair-lift platform that will prevent the wheelchair from rolling off the wheelchair-lift platform when the wheelchair-lift platform is placed in any position other than completely extended on ground level.
9. A self-adjusting, skid-resistant plate shall be installed on the loading edge of the wheelchair-lift platform to reduce the incline from the wheelchair-lift platform to ground level. This plate shall be used as a restraining barrier on the loading edge of the wheelchair-lift platform. The wheelchair-lift platform shall be skid-resistant.
10. A school bus shall be provided with a battery to be used exclusively for the operation of the wheelchair lift. The electrical-charging system of the school bus shall charge the battery of the wheelchair lift. The wheelchair-lift battery shall not supply power to any other electrical system in the school bus body.
11. A circuit breaker or fuse shall be installed between the battery and wheelchair-lift motor.
12. The wheelchair-lift mechanism shall be equipped with an adjustable switch that limits the electrical power to the wheelchair-lift motor and a bypass valve to prevent pres-

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sure from building in the hydraulic system when the wheelchair-lift platform reaches the maximum up or down position.

13. A ramp may be carried on the school bus for use during an occurrence that requires an evacuation of a school bus. The ramp shall not be stored within the passenger compartment of the school bus.

**E. Wheelchair and wheelchair-passenger securement:**

1. Each wheelchair in a school bus shall be secured in a forward-facing position. Medical equipment and supplies required to accommodate a disabled passenger shall be secured in a school bus by means of alterations approved by the Department in accordance with A.A.C. R17-9-108(G).
2. Each space designated for a wheelchair in a school bus shall be a minimum of 30 inches in width from the interior school bus wall to the aisle and a minimum of 48 inches in length. A wheelchair shall not be placed in a position that it prevents passage through the special-service entrance.
3. The wheelchair-securement system shall provide a minimum of 4 wheelchair-securement anchorages attached to the school bus floor with a minimum of 2 anchorages located at the rear of the space designated for a wheelchair and a minimum of 2 anchorages located at the front of the space.
4. A wheelchair-securement system shall provide a minimum of 1 wheelchair-securement device located in each of the rear anchorages and a minimum of 1 wheelchair-securement device located in each of the front anchorages.
5. A wheelchair space shall have a minimum of 1 wheelchair-passenger restraint anchorage attached to the interior wall of the school bus and a minimum of 2 wheelchair-passenger restraint anchorages located at the rear of the space.
6. Each wheelchair space shall have 1 wheelchair-passenger restraint.

**F. Dome light:** A dome light shall be placed in the interior ceiling of the school bus to illuminate the wheelchair lift area. The dome light shall be activated by a pressure switch located in the special-service entrance door or by a manually operated switch located in the interior of the school bus no more than 1 foot from the special-service entrance door. These switches shall be used exclusively for the dome light.

**G. Aisles:** All aisles leading to an emergency door used for emergency evacuation shall be a minimum of 30 inches in width. The emergency door opening shall be a minimum of 30 inches in width.

**H. Seating arrangements:** All fixed seats in a special-needs school bus shall be forward facing.

**I. Emblem:** A school bus used for transporting disabled passengers shall display a wheelchair emblem below the upper window on the emergency door or below the center window on the engine cover of a rear engine school bus, and on the portion of the school bus body that is in front of the centerline and below the windshield on the side of the bus opposite the school bus driver. The emblem shall be made of blue, reflective material

and be a minimum of 6 inches in width and height and a maximum of 12 inches in width and height and shall contain a reflective white wheelchair impression with a minimum of 1/8 inch reflective white border around the outer edges of the emblem.

**J. Types A and B school buses used for transportation of disabled passengers shall comply with the specifications contained in this Section except:**

1. A ramp may be installed in place of a wheelchair lift;
2. If a ramp is used, it shall be of a strength and rigidity to support a wheelchair, passenger, and individual attending the wheelchair passenger. The ramp shall be equipped with a barrier on each longitudinal side to prevent the wheelchair from leaving the ramp;
3. The floor of the ramp shall be covered with nonskid material; and
4. A ramp shall not be carried in the passenger compartment of a school bus.

**R17-9-106. Minimum Standards for School Bus Chassis**

As of the effective date of these rules, the chassis of a school bus shall meet the requirements of this Section when the school bus is introduced into Arizona. The chassis of a school bus introduced into Arizona before the effective date of these rules shall meet the requirements of this Section or those set forth at A.A.C. R17-4-609.

1. Air cleaner: An engine intake air cleaner shall be installed in the school bus that meets engine specifications defined by the school bus manufacturer.
2. Axles: The front and rear axles and suspension assemblies shall have a gross axle weight rating consistent with that stated by the chassis manufacturer on a notice located in the school bus driver's compartment.
3. Back-up alarm: If installed, an alarm that emits a warning sound when the school bus is backing shall conform to the following:
  - a. The alarm-signaling device shall be of electronic, solid state design and shall emit an audible sound of a minimum of 97 dB(A) measured at 4 feet, zero degrees access from the source of the sound.
  - b. The alarm-signaling device shall be wired into the backup light circuits and shall emit sound automatically when the gear shift lever is in "reverse" position.
  - c. The alarm-signaling device shall be attached to the chassis behind the rear axle.
4. Brakes:
  - a. A school bus with a passenger capacity of 60 or less shall be equipped with a service-brake system that uses compressed air, vacuum assist, or hydraulic assist.
  - b. A school bus with a passenger capacity greater than 60 shall be equipped with a service-brake system that uses compressed air.
  - c. In addition to the service-brake system, a school bus shall be equipped with a parking-brake system to keep the school bus from moving when parked.
  - d. The service brakes in a compressed-air system shall be adjusted using the following criteria:

<u>Diameter of Rubber Seal Separating the Air Chamber in Brake Chamber</u>	<u>Outside Diameter of Air Chamber</u>	<u>Maximum Distance for Readjustment of Pushrod</u>
<u>6 square inches</u>	<u>4 1/2 inches</u>	<u>1 1/4 inches</u>
<u>9 square inches</u>	<u>5 1/4 inches</u>	<u>1 3/8 inches</u>

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<u>12 square inches</u>	<u>5 11/16 inches</u>	<u>1 3/8 inches</u>
<u>16 square inches</u>	<u>6 3/8 inches</u>	<u>1 3/4 inches</u>
<u>20 square inches</u>	<u>6 25/32 inches</u>	<u>1 3/4 inches</u>
<u>24 square inches</u>	<u>7 7/32 inches</u>	<u>1 3/4 inches</u>
<u>30 square inches</u>	<u>8 3/32 inches</u>	<u>2 inches</u>
<u>36 square inches</u>	<u>9 inches</u>	<u>2 1/4 inches</u>

- e. The service-brake system in a compressed-air system shall contain an emergency-brake system that will activate when the air loss in the service-brake system reaches 20 to 45 pounds per square inch.
- f. A school bus using a compressed-air, vacuum-assist, or hydraulic-assist service-brake system shall be equipped with a signal located in the school bus driver's compartment that emits a continuous audible or visible warning to the school bus driver when:
  - i. The air pressure available in a compressed-air braking system is 60 pounds per square inch or less;
  - ii. The vacuum available for braking in a vacuum-assist system is 8 inches of mercury or less; or
  - iii. There is a loss of fluid flow from the main hydraulic pump or loss of electric source powering the back-up system in a hydraulic-assist system.
- g. A school bus using a compressed-air or vacuum-assist service-brake system shall be equipped with 1 or 2 illuminated gauges located in the school bus driver's compartment that show the pounds per square inch of compressed air or the inches of mercury vacuum available for the operation of the brake.
- h. A vacuum-assist brake system shall have a vacuum storage reservoir used exclusively for the brakes to ensure that the loss in vacuum is not more than 30% when the brake pedal is completely depressed while the engine is not running.
- i. A compressed-air or vacuum-assist brake system with a dry reservoir shall have a 1-way valve that will prevent the loss of compressed air or vacuum between the dry reservoir and the source of vacuum or compressed air.
- j. A brake system with a wet reservoir shall have a valve located at the bottom of the wet reservoir that operates automatically or can be operated remotely or manually to eject the moisture from the reservoir.
- k. Compressed-air, vacuum-assist, or hydraulic-assist brake lines and booster-assist lines shall be installed in a manner that prevents heat, vibration, and chafing damage.
- l. The brake systems of Type C and Type D school buses shall be installed so the chassis components can be visually inspected to detect brake lining wear without removal of any of the chassis components.
- 5. Front bumper: The front bumper shall be positioned at the forward-most part of the school bus and shall extend to the outer edges of the school bus.
- 6. Clutch: The clutch torque capacity shall be equal to or greater than the engine torque output.
- 7. Color: The chassis, including wheels and front bumper, shall be painted black. The hood and fenders shall be painted National School Bus Yellow as set forth in A.A.C. R17-9-107(4).
- 8. Cooling system: A school bus shall be equipped with a cooling system that maintains the engine temperature operating range required to prevent damage to the school bus engine.
- 9. Drive shaft: Each section of the drive shaft to the rear driving axle shall be protected by a metal guard around its circumference to reduce the possibility of the drive shaft penetrating through the school bus floor or dropping to the ground.
- 10. Electrical system:
  - a. Battery: The battery shall have a minimum cold-cranking capacity rating equal to the cranking current required by the engine for 30 seconds at 0° F. or -17.8° C. and a minimum reserve capacity rating of 120 minutes at 25 amperes.
  - b. Alternator:
    - i. A Type A bus shall have an alternator with a minimum charging rate of 90 amperes per hour. If equipped with a wheelchair lift, the alternator shall have a minimum charging rate of 100 amperes per hour.
    - ii. A Type B bus shall have an alternator with a minimum charging rate of 100 amperes per hour.
    - iii. Types C and D buses shall have an alternator with a minimum charging rate of 120 amperes per hour and a minimum charging rate of 30 amperes at engine idle speed.
    - iv. The alternator on a school bus shall contain a regulator to control the voltage to the battery.
  - c. Wiring:
    - i. All wiring shall conform to the current, recommended practices of the Society of Automotive Engineers Standard J1292, published October, 1981 (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
    - ii. All wiring shall use a standard color or number coding and each chassis shall contain a wiring diagram that details the wiring of the chassis.
    - iii. The chassis shall be equipped with a connection to provide electrical power to the school bus. The connection shall be located on the chassis cowl or on the engine compartment of a school bus designed without a chassis cowl. The connection shall contain terminals for the main 100 ampere body circuit, tail lamps, right-turn signal, left-turn signal, stop lamps, backup lamps, and instrument panel lights. The instrument panel lights shall have a rheostat control.
- 11. Engine horsepower: The gross vehicle weight rating of the school bus shall not exceed 185 pounds for each engine horsepower as published by the manufacturer on a notice located on the school bus engine.
- 12. Exhaust system:
  - a. The exhaust pipe, muffler, and tailpipe shall be located under the school bus body and shall be

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- attached to the chassis.
- b. The tailpipe shall be constructed of a corrosion-resistant tubing material at least equal in strength and durability to 16-gauge steel tubing.
- c. The exhaust system on a gasoline-powered chassis shall be insulated from the fuel tank and fuel tank connections by a shield at any point where the exhaust system is 12 inches or less from the fuel tank or fuel tank connections.
13. Frame:
- a. The school bus frame shall be of a design and strength capable of supporting the gross vehicle weight of the school bus.
- b. A school bus frame shall not be altered for any purpose.
- c. Holes in top or bottom flanges of frame rails are not permitted except as provided by the manufacturer. There shall be no welding to the frame rails except by the chassis or body manufacturer or the manufacturer's certified agent.
14. Front fenders of Type C buses: The outer edges of the front fenders shall be wider than the outer edges of the front tires when the front wheels are in the straight-ahead position.
15. Fuel system:
- a. A school bus shall contain a fuel tank with a minimum 30-gallon capacity, with a minimum dispersion of 25 gallons of fuel to the engine. The fuel tank shall be vented to the outside of the school bus body so fuel spillage will not contact any part of the exhaust system.
- b. No portion of the fuel system that is located outside of the engine compartment, except the filler tube, shall extend above the top of the chassis frame.
- c. A fuel filter with replaceable element shall be installed between the fuel tank and engine.
- d. The fuel line that supplies fuel to the engine shall be located at the top of the fuel tank.
16. Horn: A school bus shall be equipped with at least 1 horn capable of producing a sound level between 82 and 102 dB(A) when tested according to the Society of Automotive Engineers Standard J377, published February 1987 (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
17. Instruments and instrument panel:
- a. The chassis shall be equipped with the following
- | <u>Steering wheel diameter</u> | <u>Manual steering</u> | <u>Power steering</u> |
|--------------------------------|------------------------|-----------------------|
| <u>16 inches or less</u>       | <u>2 inches</u>        | <u>4 1/2 inches</u>   |
| <u>18 inches</u>               | <u>2 1/4 inches</u>    | <u>4 3/4 inches</u>   |
| <u>20 inches</u>               | <u>2 1/2 inches</u>    | <u>5 1/4 inches</u>   |
| <u>22 inches</u>               | <u>2 3/4 inches</u>    | <u>5 3/4 inches</u>   |
- d. There shall be clearance of at least 2 inches between the steering wheel and any object in the driver's compartment.
- e. A non-adjustable steering column shall be fastened in a fixed position. An adjustable steering column shall be equipped with a locking mechanism.
- f. The steering gear housing shall not have loose or missing mounting bolts or cracks in the gear housing or mounting brackets.
- g. The connecting arm on the steering gear power
- instruments:
- i. Speedometer.
- ii. Odometer that will give accrued mileage including tenths of miles.
- iii. Voltmeter or ammeter.
- iv. Oil pressure gauge.
- v. Water temperature gauge.
- vi. Fuel gauge.
- vii. Upper beam head lamp indicator.
- viii. Brake system signal as required by A.A.C. R17-9-106(4)(f).
- ix. Turn signal indicator, and
- x. Air pressure or hydraulic gauge.
- b. The instruments shall be mounted on the instrument panel in the school bus driver's compartment and shall be visible to the school bus driver while seated in the driver's seat.
- c. The instrument panel shall be equipped with a rheostat switch that controls the illumination to the instrument panel and the gear shift selector indicator.
18. Oil filter: A replaceable element or cartridge-type oil filter shall be provided with a minimum capacity that meets or exceeds the capacity recommended by the manufacturer of the school bus engine.
19. Openings: All openings in the floorboard and in the fire wall between the chassis and passenger compartment shall be sealed.
20. Splash guards:
- a. A school bus shall be equipped with rear fender splash guards that shall be constructed of flexible rubberized material.
- b. The splash guards shall be wide enough to cover the tire tread width and shall be installed close enough to the tire tread surface as to control side-throw of road surface material and shall extend to within 8 inches of ground level.
21. Steering system:
- a. Power steering is required on all school buses manufactured after January 1, 1984.
- b. Bracing extending from the center of the steering wheel to the steering wheel ring shall not be cracked or missing.
- c. The distance of movement of the steering wheel between 2 points of resistance shall not be greater than the following when measured with the engine running:
- source shall not be loose.
- h. The steering wheel shall turn freely in both directions.
- i. The steering system shall be provided with a means for lubrication of all wear-points.
22. Suspension:
- a. Shock absorbers:
- i. The bus shall be equipped with front and rear double-acting shock absorbers. Replacements to shock absorbers shall be made according to

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- the specifications of the manufacturer's part number as stamped on the shock absorber.
- ii. If a school bus is manufactured with tandem rear axles, rear-shock absorbers are not required.
- b. Suspension springs:
  - i. Rear springs, if used, shall be of progressive type which adapt to variable weights.
  - ii. Axles shall be mounted to suspension springs with U-bolts.
- 23. Tires and wheels:
  - a. Tires and wheels shall have an accumulated load rating at least equal to the gross vehicle weight rating.
  - b. Dual rear tires shall be provided on all school buses that have a gross vehicle weight rating of more than 10,000 pounds.
  - c. Each tire on a particular axle shall be of the same size.
  - d. All tires on a school bus shall be bias or all tires on a school bus shall be radial and shall not differ more than 1 size between front and rear axles.
  - e. On a Type C or D bus, a spare tire, if present, shall be in a carrier mounted outside the passenger compartment.
- 24. Transmission: The school bus transmission shall provide for not less than 3 forward and 1 reverse speeds.
- 25. Turning radius:
  - a. A chassis with a wheel base of 264 inches or less shall have a right and left turning radius of not more than 42 1/2 feet, as measured to the edge of the front tire at the outside of a circle as the school bus moves within the circle.
  - b. A chassis with a wheelbase of more than 264 inches shall have a right and left turning radius of not more than 44 1/2 feet, as measured to the edge of the front tire at the outside of a circle as the school bus moves within the circle.
- 26. Weight:
  - a. The gross vehicle weight of the school bus shall not exceed the chassis manufacturer's gross vehicle weight rating for the chassis as recorded on a notice located in the school bus driver's compartment.
  - b. The gross vehicle weight is the sum of the chassis weight, the school bus body weight, the school bus driver's weight, and the total seated passenger weight.
    - i. For the purpose of calculation, the school bus driver's weight is 150 pounds.
    - ii. For the purpose of calculation, the passenger weight is 120 pounds per passenger.

- c. The weight distribution of a school bus on a level surface that is fully loaded according to the gross vehicle weight rating shall not exceed the front axle gross weight rating or rear axle gross weight rating as recorded on a notice located in the school bus driver's compartment.

**R17-9-107. Minimum Standards for School Bus Body**

As of the effective date of these rules, the body of a school bus shall meet the requirements of this Section when the school bus is introduced into Arizona. The body of a school bus introduced into Arizona before the effective date of these rules shall meet the requirements of this Section or those set forth at A.A.C. R17-4-610.

- 1. Aisle:
  - a. The center aisle of a school bus shall have a clearance of not less than 12 inches at the bottom of the seat cushion, increasing to 15 inches at the top of the seat backs.
  - b. Aisles to side emergency doors shall have a minimum clearance of 12 inches which may be achieved by using flip-up type seats.
- 2. Auxiliary fans:
  - a. Auxiliary fans, if installed, shall be placed in locations that do not obstruct the school bus driver's view of any mirror located on the school bus.
  - b. Auxiliary fans, if installed, shall be a maximum of 6 inches in diameter with the fan blades covered by a protective cage.
  - c. Each installed auxiliary fan shall be controlled by a switch that is independent of any other electrical system.
- 3. Battery:
  - a. Batteries shall be secured to a slide-out or swing-out tray in a vented compartment in the school bus body, so the battery is accessible to the outside for servicing. The battery-compartment door shall be secured by a fastening device when the door is in an open or closed position.
  - b. The battery compartment shall be identified by unshaded black letters that are no less than 1 inch and no more than 2 inches in height located on the compartment door or immediately above the compartment door.
  - c. Buses with a battery located under the engine hood are exempt from these provisions.
- 4. Color:
  - a. The school bus body shall be painted National School Bus Yellow according to the following specifications and tolerances:

<u>Description</u>	<u>Reflectance</u>	<u>Chromaticity</u>	
		<u>X</u>	<u>Y</u>
<u>Centroid</u>	<u>41.5%</u>	<u>.5139</u>	<u>.4434</u>
<u>V+ Light Limit</u>	<u>42.9%</u>	<u>.5139</u>	<u>.4427</u>
<u>V- Dark Limit</u>	<u>39.8%</u>	<u>.5133</u>	<u>.4422</u>
<u>H+ Green Limit</u>	<u>41.6%</u>	<u>.5123</u>	<u>.4368</u>
<u>H- Red Limit</u>	<u>41.7%</u>	<u>.5168</u>	<u>.4489</u>
<u>C+ Vivid Limit</u>	<u>41.5%</u>	<u>.5188</u>	<u>.4457</u>
<u>C- Weak Limit</u>	<u>41.5%</u>	<u>.5095</u>	<u>.4405</u>

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- b. The bumpers, lamp hoods, lettering, and rub rails on the school bus body shall be painted black.
5. Defrosters:
- a. Defrosting and defogging equipment shall direct a flow of heated air onto the windshield, the window to the left of the driver, and the glass in the viewing area directly to the right of the driver to eliminate frost, fog, and snow.
- b. The defrosting system shall conform to the Society of Automotive Engineers Standards J381, published June 1984 (and no future amendments or editions), and J382, published October 1984 (and no future amendments or editions), both incorporated by reference and on file with the Department and the Office of the Secretary of State.
- c. Auxiliary fans shall not be used in place of a defrosting and defogging system.
- d. Portable heaters shall not be used in place of a defrosting or defogging system.
6. Electrical wiring:
- a. All electrical wiring on a school bus shall conform to the standards contained in the Society of Automotive Engineers Standard J1292 published October 1981 (and no future amendments or editions) incorporated by reference and on file with the Department and the Office of the Secretary of State.
- b. Electrical wiring that is coded by color shall be coded as follows:
- |   |                   |
|---|-------------------|
| i. <u>Left Rear Directional Light</u>   | <u>Yellow</u>     |
| ii. <u>Right Rear Directional Light</u> | <u>Dark Green</u> |
| iii. <u>Stoptlights</u>                 | <u>Red</u>        |
| iv. <u>Back-up Lights</u>               | <u>Blue</u>       |
| v. <u>Taillights</u>                    | <u>Brown</u>      |
| vi. <u>Ground</u>                       | <u>White</u>      |
| vii. <u>Ignition Feed, Primary Feed</u> | <u>Black</u>      |
- c. Circuits: Electrical wiring circuits shall be protected by a fuse or circuit breaker and shall be coded by number or color on an electrical wiring diagram located in the driver's compartment or the electrical access panel door. There shall be at least 7 circuits as follows:
- i. Head, tail, stop, and instrument panel lamps;
- ii. Clearance and step-well lamps;
- iii. Dome lamps;
- iv. Ignition and emergency door signal;
- v. Turn signal lamps;
- vi. Alternately flashing signal lamps; and
- vii. Heaters and defrosters.
- d. All electrical wires passing through metal openings shall be protected by a non-metal grommet.
- e. Electrical wires not enclosed within the school bus body shall be fastened at intervals of not more than 18 inches.
7. Emergency exits: A door, push-out window, or roof hatch used as an emergency exit shall conform to the following:
- a. On the inside and outside of a school bus, the words "EMERGENCY EXIT" shall be printed in black, unshaded letters at least 2 inches high above an emergency door or push-out window and at least 1 inch high on the roof hatch.
- b. Each emergency exit shall open toward the exterior of the school bus and shall be labeled within 6 inches of the interior release mechanism with black lettering at least 3/8 of an inch high instructing how the exit is to be opened.
- c. On a Type A school bus with double rear doors used as emergency exits, the rear doors shall be secured with upper, center, and lower latches to the door frame.
- d. The upper portion of each door used as an emergency exit shall be equipped with a window made of safety glass with an area not less than 400 square inches. A door located in the rear end of the school bus used as an emergency exit shall also contain a lower window panel of safety glass of not less than 350 square inches. A Type A school bus that contains double rear doors used as emergency exits is exempt from this provision.
- e. There shall be no steps on the outside of the school bus leading to an emergency exit.
- f. A header pad filled with a material to protect against injury shall be attached to the top edge of the frame of the door used as an emergency exit. The header pad shall be a minimum of 3 inches wide and 1 inch thick and extend the full width of the door opening.
- g. Each emergency exit shall be equipped with a latch that opens from the inside of the school bus and is connected to an electrical buzzer audible in the driver's compartment that actuates when the latch is being released.
- h. If a lock is installed on an emergency exit, the lock shall be secured only by using a key and shall deactivate the ignition system of the school bus when locked.
8. Emergency equipment:
- a. All emergency equipment shall be mounted in the driver's compartment or adjacent to either side of the service entrance and shall be readily accessible. If the emergency equipment is mounted within a closed compartment, the compartment shall be clearly labeled as containing the emergency equipment.
- b. Fire extinguisher:
- i. A school bus shall be equipped with a minimum of 1 pressurized, dry, chemical fire extinguisher of a type rated not less than 2A-10-BC by the Underwriter's Laboratories, Inc., as described by the National Fire Protection Association, Publication 10, published in 1990 (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
- ii. A pressure gauge shall be mounted on the fire extinguisher to be readable in its mounted position.
- iii. The operating mechanism of the fire extinguisher shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher.
- c. First-aid kit: A school bus shall be equipped with a removable first-aid kit that has a weatherproofing seal around the lid to prevent moisture or dust from entering the first-aid kit, is clearly labeled as a first-aid kit, and contains the following:
- i. 2 - 1" x 2 1/2 yards adhesive tape rolls;
- ii. 24 - Sterile gauze pads 3" x 3";
- iii. 8 - 2" bandage compresses;
- iv. 10 - 3" bandage compresses;
- v. 2 - 2" x 6" sterile gauze roller bandages;
- vi. 4 - Sterile triangular bandages approximately 40" x 36" x 54" with 2 safety pins;

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- vii. 3 - Sterile gauze pads 36" x 36";
  - viii. 3 - Sterile eye pads;
  - ix. 1 - Rounded-end scissors;
  - x. 1 - Pair latex gloves; and
  - xi. 1 - Mouth-to-mouth airway.
  - d. Body fluid clean-up kit: A school bus shall be equipped with a removable body fluid clean-up kit that is sealed, clearly labeled as a body fluid clean-up kit, and contains the following:
    - i. 1 - Pouch of solidifier with chlorine;
    - ii. 1 - Pick-up scoop with scraper;
    - iii. 1 - Pair of latex gloves;
    - iv. 2 - Disinfectant hand wipes (antimicrobial);
    - v. 2 - Plastic disposal bags with ties (biohazard);
    - vi. 2 - Germicidal towelettes effective against human immunodeficiency virus and tuberculosis;
    - vii. 2 - Paper crepe towels; and
    - viii. 1 - Easy to follow instructions.
  - e. Warning devices: A school bus shall have a minimum of 3 reflective triangle road warning devices that comply with the standards set forth at 49 CFR 571.125, published in October 1994 (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
9. Floor:
- a. The floor beneath the seats, including the tops of the wheel housings and the floor in the driver's compartment, shall be covered with fire-resistant rubber floor covering having a minimum overall thickness of .125 inches.
  - b. The aisle floor shall be covered with a fire-resistant ribbed rubber floor covering with a minimum thickness of .187 inches measured from the tops of the ribs.
  - c. The rubber floor covering shall be bonded to the floor with an adhesive and shall not crack when subjected to changes in air temperature. The adhesive material shall be waterproof.
10. Heating system:
- a. Heaters shall be of the hot-water type.
  - b. A minimum of 1 heater shall be a fresh-air or combination fresh-air and recirculating type.
  - c. If more than 1 heater is used, additional heaters may be of recirculating air type.
  - d. The heating system shall be capable of maintaining a temperature throughout the bus of not less than 40° F. or 5° C.
  - e. Each heater shall bear a name plate that shows the heater rating in accordance with School Bus Manufacturers Institute Standard No. 001, no publication date (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State. The name plate with the heater rating shall constitute certification that the heater performance is as shown on the plate.
  - f. All heater hoses shall be secured in all areas of the school bus body and chassis to prevent wear due to vibration. Heater lines in the interior of the bus shall be covered by a protective shield to prevent scalding of the driver or passengers.
  - g. Except on Type A buses, the heater system shall include shutoff valves installed at the engine in the water pressure lines and return lines.
11. Identification:
- a. Only signs, lettering, and objects approved by state law or these rules and necessary for identification of the school bus shall appear on the interior or exterior of a school bus, including all glass areas.
  - b. Each school bus owned by a school or a private company shall display the name of the school and school number, if any, on each exterior side of the school bus between the rub rails at the center line and seat cushion levels in black unshaded letters that are 5 inches in height. Additionally, a school bus owned by a private company may display the company's name on each exterior side of the school bus below the floor line in black unshaded letters that are a maximum of 2 inches in height.
  - c. An identification number assigned to a school bus by an employer shall be placed on the front and rear bumpers of the school bus and on each exterior side of the school bus below the floor line rub rail and forward of the centerline of the school bus. The identification number on each bumper shall be painted National School Bus Yellow. The identification number on each exterior side shall be painted black. Each identification number shall be a minimum of 5 inches in height.
12. Interior: If the ceiling is constructed with overlapping panels, the 1st panel placed in the ceiling shall be overlapped by the following panel and each panel shall consecutively overlap to the rear end of the school bus. Exposed edges in the interior of the school bus shall be beaded, hemmed, flanged, or rounded to eliminate sharp edges.
13. Lamps and signals:
- a. All lamps on the exterior of the school bus shall conform to the provisions contained in 49 CFR 393.9 *et seq.* of the Federal Motor Carrier Safety Regulations, published October 1994, (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
  - b. Interior lamps shall be provided that illuminate the center aisle and step well.
  - c. Alternately flashing signal lamps:
    - i. When a school bus is equipped with a 4-lamp system, the system shall consist of 2 red alternately flashing signal lamps located 1 on the left and 1 on the right above the rear windows of the school bus and 2 red alternately flashing signal lamps located 1 on the left and 1 on the right above the windshield.
    - ii. When a school bus is equipped with an 8-lamp system, the 4 red alternately flashing signal lamps shall be installed as described in subsection (13)(c)(i) and the 4 amber alternately flashing signal lamps shall be installed as follows: 1 amber alternately flashing signal lamp shall be located adjacent to each red alternately flashing signal lamp, at the same level, but closer to the vertical centerline of the school bus. The system of red and amber alternately flashing signal lamps shall be wired so the amber alternately flashing signal lamps are activated manually and the red alternately flashing signal lamps are activated automatically or manually.
    - iii. The area around the lens of each alternately flashing signal lamp, and extending outward

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- for 3 inches, shall be painted black.
- d. Turn signal and stop lamps:
- i. Except on Type A school buses, a school bus body shall be equipped with rear turn signal lamps that are at least 7 inches in diameter. The lens area of the rear turn signal lamps on Type A school buses shall be at least 21 square inches. The rear turn signal lamps shall be connected to the hazard warning switch located in the driver's compartment to allow the school bus driver to activate simultaneous flashing of turn signal lamps when needed as a traffic hazard warning. The rear turn signal lamps shall be located to the far left and right sides of the flat surface of the rear of the school bus body and below the rear window.
- ii. A Type C school bus shall have a double-faced turn signal lamp that is visible from the front and rear of the school bus and mounted on the tops or sides of the front fenders and may have a turn signal lamp mounted on the left and right sides of the grill.
- iii. A Type D school bus shall have a turn signal lamp mounted at the front of the school bus body above each head lamp and may have a turn signal lamp mounted on each side of the school bus body between the window line and second rub rails and forward of the vertical centerline of the school bus.
- iv. A 7-inch diameter stop lamp shall be located toward the centerline and adjacent to each of the rear turn signal lamps.
- e. Backup lamps: A school bus shall be equipped with 2 backup lamps with clear lenses, located 1 on the right and 1 on the left rear panels below the rear windows.
- f. White flashing strobe lamp: If used on a school bus, a strobe lamp shall have a single clear lens that emits light 360 degrees around its vertical axis and shall be located on the longitudinal centerline of the school bus roof 1/3 to 1/2 of the distance forward from the rear of the school bus body unless this placement restricts the view of the strobe lamp.
- i. If the view of the strobe lamp is restricted when the strobe lamp is located 1/3 to 1/2 of the distance forward from the rear of the school bus body, the strobe lamp may be mounted immediately to the rear of the roof hatch.
- ii. The strobe lamp shall be controlled by a manual switch located in the driver's compartment.
- iii. A pilot lamp shall be located in the driver's compartment to show the school bus driver that the strobe lamp has been activated.
14. Mirrors:
- a. Interior mirror: The interior mirror shall be made of either laminated glass or glass bonded to a backing that will retain the glass in the event of breakage. The interior mirror in Types B, C, and D school buses shall be a minimum of 6 inches in height and 30 inches in length surrounded by a frame with rounded corners. The interior mirror in Type A buses shall be a minimum of 6 inches in height and 16 inches in length.
- b. Exterior mirrors: A school bus shall comply with the requirements contained in 49 CFR 571.111, as amended October 1994, (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
15. Overall length: The overall length of a school bus shall not exceed 40 feet excluding mirrors.
16. Overall width: The overall width of a school bus shall not exceed 102 inches excluding mirrors.
17. Rear bumper:
- a. The rear bumper shall be made of a minimum of 3/16 inch thick pressed steel that is a minimum of 8 inches in total height.
- b. The bumper shall be wrapped around the back corners of the bus and shall extend toward the front of the school bus for at least 12 inches as measured from the rear-most point of the school bus body at the floor line.
- c. The bumper shall be attached to the chassis frame and braced to support the rear corners of the bumper.
- d. The bumper shall extend at least 1 inch beyond the rear-most part of the school bus body as measured at the floor line.
- e. The bumper shall not be equipped with footholds or handles.
- f. A Type A bus equipped with the chassis manufacturer's rear bumper is exempt from subsections (17)(a) through (17)(c).
18. Restraining barrier:
- a. The restraining barrier shall be a minimum of 38 inches high as measured from the interior floor of the school bus to the top of the restraining barrier.
- b. The restraining barrier shall be the same width as the seat directly behind the restraining barrier.
19. Rub rails:
- a. There shall be no less than 2 rub rails located on the school bus as follows:
- i. One rub rail shall be located on each side of the school bus approximately at seat cushion level and shall extend from the rear post of the service door frame completely around the school bus body, excluding the emergency door, to the front post of the school bus driver's window.
- ii. One rub rail shall be located on each side of the school bus approximately at the floor line and shall extend from the rear post of the service door frame to the rear corner post of the school bus body and from the front post of the school bus driver's window to the rear corner post on the driver's side.
- b. Rub rails are not required on emergency doors, special-service entrance door, access panels and compartment doors, and wheel well openings.
- c. Each rub rail shall be attached on the outside of the school bus body at each structural post in the school bus body.
- d. Each rub rail shall be a minimum of 4 inches in width and shall be constructed of corrugated or ribbed 16-gauge steel.
20. Seat belt for school bus driver: A seat belt for the school bus driver shall be installed in the driver's compartment. The seat belt shall be equipped with a retractor on each side of the school bus driver's seat to keep the seat belt retracted and off the floor when not in use.
21. Seats:
- a. Each seat shall have a minimum depth of 15 inches measured from the front of the seat cushion to the seat back.

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- b. Each seat shall be a minimum of 38 inches in height as measured from the interior floor of the school bus to the top of the back seat cushion.
  - c. The distance between seats for the legs of passengers shall be 9" to 14" as measured from the center back at seat cushion level of the 1st seat to the center front of the seat cushion of the seat immediately behind the 1st seat.
  - d. The school bus driver's seat shall be adjustable, without the use of tools, both vertically and horizontally for a minimum of 4 inches. Seats with vertical adjustments are not required on Types A and B buses.
22. Service door:
- a. The service door shall be located on the right side of the school bus opposite the school bus driver and within direct view of the school bus driver when seated in the school bus driver's seat.
  - b. The service door shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches. Type A school buses shall have a service door with a minimum opening of 1200 square inches.
  - c. Windows in the upper and lower panels of the service door shall be made of safety glass. The bottom of each lower window panel shall be no more than 10 inches from the top surface of the lower step of the service entrance. The top of each upper window panel shall be no more than 6 inches below the top of the service door. Type A buses are exempt from this provision.
  - d. To protect passengers' fingers, a flexible rubber material shall be attached by number 10 3/4 inch metal screws to the opening and closing edges of the service door. Type A buses are exempt from this provision.
  - e. A door shall not be placed on the school bus driver's side of the school bus. Types A and B buses are exempt from this provision.
  - f. A header pad, filled with a material to protect against injury, shall be attached to the top edge of the frame of the service door. The header pad shall be at least 3 inches wide and 1 inch thick and extend the full width of the service door opening.
23. Steps:
- a. The risers of the steps in the service door entrance shall be equal. When plywood is laid over the steel floor of the school bus, the height of the top step may be increased by the thickness of the plywood.
  - b. The 1st step at the service door shall be no less than 10 inches and no more than 16 inches from the ground.
  - c. Steps shall be enclosed in the school bus body.
  - d. Steps shall not extend beyond the side of the school bus body.
  - e. A grab handle not less than 10 inches in length shall be provided inside the doorway.
  - f. A Type A school bus with the chassis manufacturer's standard entrance door is exempt from subsections (23)(a) through (d).
24. Step treads:
- a. All steps, including the floor line platform area, shall be covered with 3/16 inch ribbed rubber floor covering that is mounted on a metal plate.
  - b. The metal back of the tread shall be a minimum 24-gauge cold rolled steel and shall be permanently bonded to the ribbed rubber. The ribbed design shall run from the risers toward the service entrance door opening.
  - c. The 3/16 inch ribbed tread shall have a 1 1/2 inch white nosing.
25. Stirrup steps: There shall be a handle and at least 1 folding stirrup step or recessed foothold located on each side of the front of the school bus for accessibility for cleaning the windshield and lamps. Type A school buses are exempt from this provision.
26. Stop signal arm:
- a. A stop signal arm that extends 90 degrees from the school bus body when opened shall be installed on the left side of the school bus body.
  - b. The stop signal arm shall be an 18-inch octagon, constructed of a red material that reflects light, with the word "STOP" printed on both sides in white letters not less than 5 inches high.
27. Sun shield: An interior adjustable transparent sun shield not less than 6" x 30" with a finished edge shall be installed over the windshield in the driver's compartment. School buses with a gross vehicle weight rating of 10,000 pounds or less are exempt from this provision.
28. Tailpipe: If a rear exhaust is installed, the tailpipe shall extend to, but not more than 2 inches beyond, the outer edge of the rear bumper. If a side exhaust is installed, the tailpipe shall terminate flush with the outside edge of the school bus body in the rear half of the school bus.
29. Undercoating:
- a. The entire underside of the school bus body, including floor sections, cross members, and side panels, shall be coated according to the specifications contained in Federal Specification TT-C-520B, published February 2, 1973 (and no future amendments or editions), incorporated by reference and on file with the Department and the Office of the Secretary of State.
  - b. Undercoating is not required on the underside of fiberglass fenders.
30. Ventilation: An immovable, non-closing exhaust ventilator shall be installed in the school bus roof.
31. Wheel housing:
- a. The wheel-housing opening shall be large enough to allow for the removal of the tire and wheel.
  - b. The wheel housing shall be constructed of 16-gauge steel or fiberglass of equal strength and sealed to the school bus floor.
  - c. The wheel housing shall not extend more than 12 inches above the floor inside the school bus body and shall not extend into the emergency door opening.
  - d. The wheel housing shall provide clearance for tire chains installed on the tires of the driving wheels.
32. Windows: Each side window in the passenger compartment of the school bus body shall provide an unobstructed opening of at least 190 square inches when the window is open.
33. Windshield: The windshield shall have a tinted horizontal gradient band starting above the line of driver's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield. Type D school buses are exempt from this provision.
34. Windshield washers: A windshield washer system that provides an application of cleaning solution to the windshield shall be installed.
35. Windshield wipers:

- a. A windshield wiping system with a minimum of 2 speeds shall be provided.
- b. The windshield wipers shall be operated by 1 or more air or electric motors.

**R17-9-108. Inspection, Maintenance, and Alterations**

**A.** A school bus shall be inspected by the Department before the school bus is introduced into Arizona to transport passengers:

- 1. After inspecting a school bus, the Department shall place a decal that contains a number used by the Department to identify the school bus above the school bus driver's side window in the driver's compartment. This decal shall not be removed from the school bus while it is operated in Arizona.
- 2. If the Department finds that no defect exists or that a minor but no major defect exists on the school bus, the Department shall place a safety inspection decal, which contains the month and year of inspection, on the lower corner of the windshield opposite the school bus driver's side of the school bus or on the window nearest that location on the school bus.
- 3. If the Department finds a major defect on the school bus, the Department shall place the school bus out of service. Before the school bus may be placed back into service, the Department shall reinspect the school bus to determine that the major defect has been corrected. If the major defect has been corrected, the Department shall place a safety inspection decal on the school bus in accordance with subsection (A)(2).
- 4. If the Department finds a minor defect on a school bus, the school bus may be operated to transport passengers while the minor defect is being corrected. A copy of the inspection order issued by the Department shall be returned to the Department within 15 working days from the date of inspection and shall show that the minor defect has been corrected unless, in accordance with the provisions of subsection (A)(5), the employer has obtained an extension of time to correct the minor defect.
- 5. Upon receipt of a written request from the employer, the Department shall grant 1 or more extensions of time to correct a minor defect if:
  - a. The employer submits to the Department written

documentation that the:

- i. Employer's action or inaction did not cause or contribute to the delay in completing the repair;
  - ii. Employer has secured a written estimated expedited delivery or completion date from the provider of the materials or services required to complete the repair; and
  - iii. Employer made reasonable attempts to secure the materials or services, or materials or services of equivalent quality, at a substantially similar price from alternate sources; and
- b. The Department determines that an extension of time to correct the minor defect will not increase the probability of an accident involving the school bus or passengers or the risk of injury to the school bus driver or passengers.
- 6. Each extension of time shall be for 60 calendar days or less. The Department shall determine the length of each extension of time after giving consideration to the information provided pursuant to subsection (A)(5)(a). When the minor defect has been corrected, the employer shall return a copy of the inspection order issued by the Department.
  - 7. If a minor defect on a school bus is not corrected within 15 working days or at the end of an extension period, if applicable, the Department shall remove the safety inspection decal and the school bus shall be placed out of service until further inspection by the Department shows that the minor defect has been corrected.
- B.** The Department shall use the following criteria to determine whether a major or minor defect is present on a school bus introduced into Arizona on or after the effective date of these rules. For a school bus introduced into Arizona before the effective date of these rules, the Department shall determine whether the school bus is in an unsafe condition by using the following criteria or those set forth at A.A.C. R17-4-612(F)(3). The defect that causes a school bus introduced into Arizona before the effective date of these rules to be in an unsafe condition shall be deemed a major defect as defined in this Article.

<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Auxiliary fan, if installed	Obstructs school bus driver's view of any mirror  Used in place of defrosting or defogging system  Not covered by protective cage	Incorrect size  Not controlled by independent switch
Battery (Types C and D buses only)	Not mounted according to the manufacturer's instructions	Incorrect or no identification
Body fluid clean-up kit	Absence of body fluid clean-up kit  Three or more items missing from body fluid clean-up kit	One or 2 items missing from body fluid clean-up kit
Brakes, service, compressed air	Inoperative visual or audible low air signal  Grease or oil leakage into brake system  Exposed or damaged ply on any air hose  Air capacity less than 90 pounds per square inch at idle speed  Leaking, cracked, or broken hose or connection  Audible air leak  Pushrod needs adjustment	

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Brakes, vacuum-assisted	Vacuum gauge missing  Inoperative visual or audible low vacuum signal  Vacuum reservoir missing  Vacuum system leak  Grease or oil leakage into brake system  Leaking, cracked, or broken hose or connection	
Brakes, hydraulic-assisted	Inoperative visual or audible signal	
Brakes, emergency-brake system	Does not activate when service brake system reaches 20 to 45 pounds per square inch	
Bumpers	Break or rip  Loose bumper  Foothold or handle present on rear bumper	Not painted black
Cooling system		Leak in system  Fluid level in radiator not full
Defroster	Inoperative  Ventilation opening blocked	
Drive shaft	Absence of protective metal guard around the drive shaft to the rear driving axle	

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Dust boots	Missing, torn, split, or loose around floor-mounted gear shift, parking brake handle, or steering column.	
Emergency reflectors	Missing more than 1	Missing 1
Emergency door	Inoperative latch  Broken or missing portion of seal around door  Window not of safety glass  Inoperative warning device  No ignition shut-off lock	No header pad
Emergency exit	Inoperative warning device or latch  Broken seal around window	
Engine compartment	Inoperative hood latch	Deterioration of hose, belt, or wiring  Deterioration of battery hold-down clamp, corrosive acid buildup on terminal
Exhaust	Tailpipe terminates beneath the passenger compartment  Exhaust leak	Exhaust tailpipe extends more than 2 inches beyond the outer edge of the rear bumper or fails to terminate flush with the outside edge of the school bus body in the rear half of the school bus  Exhaust pipe bracket not attached to the chassis and the tailpipe  End of tailpipe pinched or bent

<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Exterior paint		Exposed metal or base primer Incorrect color
Fire extinguisher	Absence of fire extinguisher Not at full charge	Not mounted in required position
First-aid kit	Absence of first-aid kit Three or more items missing from first-aid kit	One or 2 items missing from first-aid kit
Frame	Crack in frame Welded repair not performed by body or chassis manufacturer or manufacturer's certified agent	
Fuel system	Fuel tank not mounted to the chassis frame or not vented to outside of engine compartment Fuel system extends above chassis frame (does not apply to filler tube) Fuel tank bracket cracked or broken Leaking tank or fuel line Fuel line attached to bottom of fuel tank	
Heating system	Heater line in interior of school bus not covered by protective shield No shutoff valve	Unsecured heater hose

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Instrument panel	Missing or inoperative ignition power-deactivation switch if the ignition does not use a key.	Inoperative gauge or switch
Interior, aisles	Incorrect clearance	
Interior, Seats	Broken, cracked, or loose seat frame  Screw or mounting bolt missing	Seat padding missing
		Cut or hole in seat
Interior, floor covering	Hole	Not ribbed
Lamps, clearance		Incorrect thickness
		Inoperative
		Incorrect color
		Cracked, broken, or missing lens
Lamps, head	Low beam inoperative  Not mounted as required by 49 CFR 393.24	Dust behind lens
		High beam inoperative
		Inoperative dimmer switch on a bus not operated when head lamps are required
Lamps, back-up		Inoperative
		Incorrect color
		Cracked, broken, or missing lens
		Dust behind lens

<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Lamps, interior Over aisle		Inoperative  Missing lens
Over step-well	Inoperative	Missing lens
Lamps, turn signal	Inoperative	Cracked, broken, or missing lens  Dust behind lens  Incorrect size  Incorrect location
Lamps, strobe, if installed		Inoperative  Incorrect color  Incorrect location
Lamps, identification		Inoperative  Incorrect color  Cracked, broken, or missing lens  Dust behind lens
Lamps, hazard	Inoperative	
Lamps, stop	Both inoperative	One inoperative  Cracked, broken, or missing lens  Dust behind lens

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Lamps, tail	Both inoperative	One inoperative Cracked, broken, or missing lens Dust behind lens
Lamps, side marker		Inoperative Incorrect color Cracked, broken, or missing lens Dust behind lens
Lamps, alternately flashing	One or more inoperative lamps	Incorrect color Cracked, broken, or missing lens Dust behind lens
Lettering and numbering		Missing any lettering or numbering Incorrect size, color, or location Unauthorized sign, letter, or object
Mirrors, cross-view	Missing Broken or loose mounting Broken or clouded glass	

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Mirrors	Interior or exterior mirror missing	Incorrect size
	Loose or broken mounting bracket	
	Crack, break, or flaking of reflective material affixed to back of mirror glass	
	Crack or break of mirror glass	
	Loose or missing mounting bracket bolt or screw	
Miscellaneous	Object not secured inside the school bus	Any item noted by the Department that needs to be repaired because it could interfere with the safe operation of the school bus but that is not a major defect
	Any item noted by the Department that could cause injury or present a danger to a passenger or school bus driver	
Parking brake	Inoperative, missing part, or not in proper adjustment	
Rub rails	Missing more than 1	Missing 1
		Incorrect location
		Incorrect color
		Incorrect width
School bus body	Damage resulting in cut or rip to the exterior of school bus body	Absence of undercoating
	Hole that would allow exhaust gases or dust to enter the passenger compartment	Loose or missing rivet, screw, or bolt

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
	Bolt attaching body to chassis loose, broken, or missing	
Seat belt	Absence of driver seat belt or inoperative driver seat-belt buckle or retraction system	Frayed seat belt material
Service door	Incomplete closing of door assembly	Absence of flexible material on outer edge of service door
	Does not contain safeguards to prevent accidental opening	Absence of header pad
	Window not made of safety glass	
	Broken or cracked window panel	
	Inoperative door control	

<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Special needs	Incorrect location or size of special-service entrance Incorrect size of special-service entrance door Inoperative pressure switch No safety device in wheelchair lift No restraining barrier on wheelchair-lift platform Fails to provide wheelchair-securement anchorage Fails to provide wheelchair-securement device Dome light missing or inoperative	Drip molding not installed above the special-service entrance Special-service entrance door not weather-sealed Incorrect color of door material or panel Lacks wheelchair emblem
Splash guards		Bottom edge of guard is more than 8 inches above the ground Does not cover entire width of single or dual tire Missing splash guard

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Steering	Distance of movement not within parameters of R17-9-106(21)(c)	Leakage of lubricant
	Steering wheel does not move freely when turning the wheel	Power-steering belt cracked, frayed, or slipping
	Steering column not in a fixed position or locking mechanism missing or inoperative on adjustable steering column	Fluid does not fill power steering reservoir to the full level on the dipstick
	Steering column mounting bracket cracked or missing	
	Loose or missing mounting bolt in steering gear housing	
	Loose connecting arm on steering gear power source	
Steps	Loose or missing grab handle in step-well	Incorrect distance between steps
Stop signal arm	Inoperative	Incorrect floor covering
	Missing stop arm .	Incorrect lettering on stop arm
Sun shield		Incorrect size of stop arm
		Broken, cracked, or missing above the windshield
Suspension	Broken or damaged suspension part	Leaking shock absorber
	U-bolt loose or missing	Crack or break in shock absorber mounting bracket

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Tires	Tires on same axle not of the same size  Combination of bias and radial tires  Tires vary more than 1 size between axles  Regrooved, recapped, or retreaded tire mounted on a front wheel  Tread groove depth less than 4/32 of an inch, measured in a tread groove on a tire on a front wheel  Tread groove depth less than 2/32 of an inch, measured in a tread groove on a tire on a rear wheel  Bump, knot, or bulge present on any tire  Separation of tread from tire casing  Exposed ply or belting on any tire  Flat tire on any wheel	
Wheel housing	Incorrect size of wheel housing or opening	
Wheels	Loose or missing lug nut  Broken lug bolt  Crack or welded repair in wheel assembly	

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<u>INSPECTION ITEM</u>	<u>MAJOR DEFECT</u>	<u>MINOR DEFECT</u>
Windshield	Placement of non-transparent material	No gradient windshield band (Not required on Type D buses)
Windows	Crack, chip, or pitting that interferes with the school bus driver's vision	
	Not of safety glass	Inoperative latch
Windshield wipers	Cracked or broken	
	Placement of non-transparent material	
Wiring	Inoperative wiper on school bus driver's side	Inoperative wiper on side opposite the school bus driver
		Inoperative speed control
		Split or hardened wiper blade
	Incorrect color or number coding	
	Wiring circuit not protected by fuse or circuit breaker	

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- C. A school bus shall be inspected every 12 months from the month and year stated on the safety inspection decal pursuant to a schedule established by the Department and according to the standards contained in subsections (A) and (B) and this subsection.
1. If the Department finds a major defect, the Department shall remove the current safety inspection decal and replace with a new safety inspection decal only after the major defect has been repaired.
  2. If the Department finds a minor defect, the Department shall remove the current safety inspection decal and replace with a new safety inspection decal and allow the employer to make repairs in accordance with the provisions set forth at A.A.C. R17-9-108 (A)(4) through R17-9-108(A)(7).
- D. A school bus driver shall conduct the following operations checks of a school bus:
1. Before a school bus is operated for the 1st time each day, the school bus driver operating the school bus shall conduct a pre-trip operations check of the school bus to determine that the following are operational and are not damaged:
    - a. All lamps, including alternately flashing, back-up, clearance, hazard, head, identification, interior, side marker, stop, tail, turn signal, and strobe lamps, if any, and reflectors;
    - b. Tires, wheels, and wheel fasteners;
    - c. Service door;
    - d. Steps and step wells;
    - e. Emergency exits and signals;
    - f. Emergency doors and signals;
    - g. Wheelchair lift and wheelchair lift dome lamp;
    - h. Wheelchair-securement devices;
    - i. Wheelchair-securement anchorages;
    - j. Special-service entrance door;
    - k. Special-service entrance door signal;
    - l. Windows;
    - m. Windshield;
    - n. Windshield wipers;
    - o. Instrument panel and gauges;
    - p. Service brakes;
    - q. Service brake warning devices;
    - r. Parking brake;
    - s. Bumpers;
    - t. Seats and seat frames;
    - u. Floor coverings;
    - v. School bus body;
    - w. Engine fluid levels;
    - x. Engine compartment steering components, and
    - y. Engine fluid gauges.
  2. Each time a pre-trip operations check of a school bus is conducted, the school bus driver shall check all emergency equipment to determine that the emergency equipment complies with the standards set forth in A.A.C. R17-9-107(8).
  3. Each time a school bus is operated subsequent to the 1st time the school bus is operated each day, the school bus driver operating the school bus shall conduct a walk-around operations check to determine whether the following are operational and are not damaged:
    - a. All lamps listed in subsection (D)(1)(a);
    - b. Tires, wheels, and wheel fasteners;
    - c. Bumpers;
    - d. School bus body;
    - e. Windows;
    - f. Windshield; and
    - g. Engine fluid leaks.
4. After a school bus makes its final trip on each day, the school bus driver shall sweep and clean the interior of the school bus.
5. After completing each operations check, the school bus driver shall complete the portions of a written monthly operations check report that provide the following information for the operations check:
- a. Date and time of the operations check.
  - b. Name of the school bus driver conducting the operations check.
  - c. Name of the employer.
  - d. Number assigned to the school bus by the employer and painted on the outside of the school bus body, and
  - e. Indication of whether an item is operational, inoperative, or damaged.
6. A school bus driver who performs an operations check and finds any item listed in subsections (D)(1) through (D)(3) is inoperative or damaged shall immediately complete and submit a written repair order to the employer.
- a. The employer shall use the standards contained in subsection (B) to determine whether an item reported by the school bus driver on a repair order as inoperative or damaged is a major or minor defect.
  - b. If the employer finds that a major defect exists, the employer shall place the school bus out of service until the major defect is repaired.
  - c. If the employer finds that a minor defect exists, the school bus may be used to transport passengers, but the employer shall repair the defect in accordance with the provisions set forth at A.A.C. R17-9-108(A)(4) through R17-9-108(A)(7). Time in which to make the minor repair shall be calculated from the date of the written repair order.
7. After a school bus makes its final trip on the last day the school bus is driven in a particular month the school bus driver operating the school bus shall submit the written monthly operations check report to the employer.
- E. In addition to the operations checks described in subsection (D), an employer shall systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all parts of a school bus chassis and body described in Sections R17-9-106 and R17-9-107 and any other parts and accessories that may effect safe operation of the school bus.
- F. Records
1. An employer shall maintain the following records in a separate file for each school bus for as long as the school bus is in operation in Arizona:
    - a. Number assigned to the school bus by the employer;
    - b. Name of the school bus body manufacturer;
    - c. Name of the school bus chassis manufacturer;
    - d. Identification number of the school bus located in the driver's compartment;
    - e. Year the school bus body was assembled upon the school bus chassis;
    - f. Size of the tires placed on the school bus; and
    - g. Name of the owner of the school bus, if other than the employer.
  2. An employer shall maintain all records of initial inspection, subsequent inspections, and repairs and maintenance procedures performed on the school bus for 3 years from the date of inspection, repair, or maintenance.
  3. If a school bus is sold, the owner shall transfer the records required by subsections (F)(1) and (F)(2) to the pur-

chaser.

4. An employer shall maintain monthly operations check reports for 3 years from the date of the report.

**G. Alterations**

1. Before an employer alters a school bus, the employer shall submit a request in writing to the Department describing the proposed alteration and the reason for the proposal.

2. Within 60 days of receiving a request for alteration, the Department shall inform the employer in writing whether the request has been approved or denied. The Department shall base its decision to approve or deny on an assessment of whether the proposed alteration affects the operations of a school bus, complies with the statutes and rules applicable to school buses, or affects the health, safety, or welfare of any individual.



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**INSTRUCTION FOR PERFORMING AND RECORDING PHYSICAL EXAMINATIONS**

The examining health care professional shall review these instructions before performing the physical examination and provide the required information.

The examining health care professional should be aware of the rigorous physical demands and mental and emotional responsibilities placed on a school bus driver. In the interest of public safety, the examining health care professional is required to certify that the examinee does not have any physical, mental, or organic condition of such a nature as to affect the ability to operate a school bus safely.

**General Information.** The purpose of this history and physical examination is to detect the presence of physical, mental or organic conditions of such a character and extent as to affect the examinee's ability to operate a school bus safely. The examination should be made carefully and at least as completely as indicated on the physical examination form. History of certain conditions may be cause for rejection or indicate the need to make certain laboratory tests or a further, and more stringent, examination. Conditions may be recorded which do not, because of their character or degree, indicate the certification of physical fitness should be denied. However, these conditions should be discussed with the examinee, and the examinee should be advised to take the necessary steps to ensure correction, particularly of those conditions which, if neglected, might lead to a condition likely to affect the ability to drive safely.

**HISTORY -- IDENTIFY WHETHER AN EXAMINEE:**

(1) Has loss of a foot, a leg, a hand, or an arm, which is likely to interfere with the ability to control and operate a school bus safely.

(2) Has impairment of:

(i) A hand or finger that interferes with prehension or power grasping; or

(ii) An arm, foot, or leg that interferes with the ability to perform normal tasks associated with controlling and operating a school bus; or any other significant limb condition or limitation that interferes with the ability to perform normal tasks associated with controlling and operating a school bus;

(3) Has an established medical history or clinical diagnosis of diabetes mellitus, currently requiring insulin for control, likely to interfere with the ability to control and operate a school bus safely.

(4) Has a current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular condition of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure;

(5) Has an established medical history or clinical diagnosis of a respiratory condition likely to interfere with the ability to control and operate a school bus safely;

(6) Has a current clinical diagnosis of high blood pressure likely to interfere with the ability to control and operate a school bus safely;

(7) Has an established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular condition likely to interfere with the ability to control and operate a school bus safely;

(8) Has an established medical history or clinical diagnosis of epilepsy or any other condition that is likely to cause loss of consciousness or any loss of ability to control and operate a school bus safely; and

(9) Has a mental, nervous, organic or functional condition or psychiatric condition likely to interfere with the ability to control and operate a school bus safely.

**General appearance and development.** Note marked overweight. Note posture conditions, limps, tremors, or other conditions that might be caused by alcoholism, thyroid intoxication, or other illnesses.

**Head-eyes.** When other than the Snellen chart is used, the results of such test must be expressed in values comparable to the standard Snellen test. If the examinee wears corrective lenses, these should be worn while the examinee's visual acuity is being tested. In recording distance vision, use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos, or strabismus, uncorrected by corrective lenses.

Distant visual acuity must be at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses; distant binocular acuity must be at least 20/40 (Snellen) in both eyes with or without corrective lenses; field of vision must be at least 70° in the horizontal meridian in each eye; and examinee must have the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.

If the examinee habitually wears contact lenses, or intends to do so while driving, there should be sufficient evidence to indicate that the examinee has good tolerance and is well adapted to their use. The use of contact lenses should be noted on the record.

**Ears.** Note evidence of mastoid or middle ear disease, discharge, symptoms of aura vertigo, or Meniere's Syndrome. When recording hearing, record distance from examinee at which a forced whispered voice can first be heard. If audiometer is used to test hearing, record decibel loss at 500 Hz, 1,000 Hz, and 2,000 Hz.

A forced whispered voice must first be perceived in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, average hearing loss in the better ear must not be greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.51 (1951).

**Throat.** Note evidence of disease, irremediable deformities of the throat likely to interfere with eating or breathing, or any laryngeal condition likely to interfere with the ability to control and operate a school bus safely.

**Thorax-heart.** Stethoscopic examination is required. Note murmurs and arrhythmias, and any past or present history of cardiovascular disease, of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failure. Electrocardiogram is required when the examining health care professional, in the exercise of professional judgment, determines one is needed.

**Blood pressure.** Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg., further tests may be necessary to determine whether the examinee is qualified to operate a school bus.

**Lungs.** If any lung disease is detected, state whether active or arrested; if arrested, state how long it has been quiescent.

**Abdomen.** Note wounds, injuries, scars, or weakness of muscles of abdominal walls that interfere with normal function. Note any hernia

present. State how long and if adequately contained by truss.

**Abnormal masses.** If present, note location, if tender, and whether examinee knows how long they have been present. If the diagnosis suggests that the condition is likely to interfere with the ability to control and operate a school bus safely, conduct more stringent tests.

**Tenderness.** When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition is likely to interfere with the ability to control and operate a school bus safely, conduct more stringent tests.

**Gastrointestinal system.** Note any diseases of the gastrointestinal system.

**Genito-urinary.** Urinalysis is required. Acute infections of the genito-urinary tract (as defined by local and State public health laws), indications from urinalysis of uncontrolled diabetes, symptomatic albumin-urea or other findings indicative of health conditions likely to interfere with the ability to control and operate a school bus safely, will disqualify an examinee from operating a school bus.

**Neurological.** If positive Romberg is reported, indicate degrees of impairment. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella, sensory, vibratory and positional abnormalities should be noted.

**Extremities.** Carefully examine upper and lower extremities. Record the loss or impairment of leg, foot, toe, arm, hand, or finger. Note any and all deformities, the presence of atrophy, semi-paralysis or paralysis or varicose veins. If a hand or finger deformity exists, determine whether sufficient grasp is present to enable the examinee to secure and maintain a grip on the steering wheel. If a leg, foot, or toe deformity exists, determine whether mobility and strength exist to enable the examinee to operate pedals properly. Particular attention should be given to and a record should be made of, any impairment or structural condition that is likely to interfere with the examinee's ability to control and operate a school bus safely.

**Spine.** Note deformities, limitation of motion, or any history of pain, injury, or disease, past or presently experienced in the cervical or lumbar spine region. If findings so dictate, radiologic and other examinations should be used to diagnose congenital or acquired conditions; or spondylolisthesis or scoliosis.

**Recto-genital studies.** Diseases or conditions causing discomfort should be evaluated carefully to determine the extent to which the condition might be handicapping while lifting, pulling, or during periods of prolonged driving that might be necessary as part of the school bus driver's duties.

**Laboratory and other special findings.** Urinalysis is required, as well as other tests that the examining health care professional, through the exercise of professional judgment, determines are necessary. A serological test is required if the examinee has a history of luetic infection or present physical findings indicate the possibility of latent syphilis. Other studies may be ordered by the examining health care professional.

**Diabetes.** If the examinee has diabetes mellitus that is currently controlled by insulin, a hypoglycemic drug, or diet and that does not interfere with the ability to control and operate a school bus safely, the examinee shall be advised to obtain adequate medical supervision.

EXHIBIT B. Proof of Completion of Behind-the-wheel  
Training and Driving Test

ARIZONA DEPARTMENT OF PUBLIC SAFETY

**PROOF OF COMPLETION OF BEHIND-THE-WHEEL TRAINING  
AND DRIVING TEST**

A.R.S. 28-414.01(B)(2) requires an applicant to "complete...behind the wheel training," before being certified as a school bus driver.

The behind-the-wheel instructor shall complete this form to show that the applicant has completed a minimum of 20 hours of behind-the-wheel training as required by A.A.C. R17-9-102(E)(6).

Applicant's Name \_\_\_\_\_

Date of Completion  
of Training \_\_\_\_\_

Employer/School Dist. \_\_\_\_\_

Employer No./Dist.No. \_\_\_\_\_

**Hours of training on each type of school bus:**

Type A \_\_\_\_\_

Type B \_\_\_\_\_

Type C \_\_\_\_\_

Type D \_\_\_\_\_

Special Needs (Type A, B, C, or D) \_\_\_\_\_

**ROAD TEST**

After completing a minimum of 20 hours of behind-the-wheel training, an applicant shall demonstrate the ability to operate a school bus and transport passengers safely by passing an operations test. The behind-the-wheel instructor shall accompany the applicant and rate the applicant's performance.

**INSTRUCTION**

This test shall be conducted on streets or highways. Simulated stops (passenger loading and unloading and railroad grade crossings) shall be in areas where traffic will not be disrupted.

**DRIVING TEST SCORE SHEET**

A behind-the-wheel instructor shall place an X on a dot if the applicant demonstrates competence in the following areas:

**PRE-TRIP OPERATIONS CHECK**

- Checks all items listed in R17-9-108(D)(1) and (D)(2)
- Fastens seat belt before moving the school bus

**GEAR SELECTION & CLUTCH**

- Selects proper gear
- Coordinates use of clutch & accelerator
- Performs downshifting/double-clutching procedures
- Is able to start motion of school bus on a grade

**BRAKES**

- Applies brakes smoothly
- Observes air pressure, vacuum, or hydraulic gauge

**MIRRORS**

- Checks for proper adjustment of outside and inside mirrors

**STOPS FOR RAILROADS**

- Stops within 50 ft., but not less than 15 ft. of nearest rail
- Activates hazard lamps a minimum of 100 ft. from railroad crossing
- Stops, opens service door and driver's side window, looks and listens for trains in accordance with R17-9-104(B)
- Closes service door before moving across the railroad tracks
- Crosses railroad crossing without changing gears in the school bus

**DRIVING TECHNIQUES**

- Uses turn signals when changing lanes
- Uses turn signals when making turns
- Uses proper lanes when turning
- Activates turn signal no less than 100 ft. before turn
- Maintains distance between school bus and other vehicles appropriate for speed and traffic and weather conditions
- Drives at speed that is legal and appropriate for conditions

**PASSENGER LOADING/UNLOADING**

- Uses 4 or 8-light system
- Extends stop arm when stopping
- Positions school bus in compliance with standards in R17-9-104 (B) when loading and unloading passengers

**BACKING**

- Complies with R17-9-104 (B) (13) and (14)
- Uses assistance when backing adjacent to a school
- Sounds horn if there is no alarm that works automatically with backup lamps
- Observes backing procedure in all situations

**PARKING**

- Uses proper parking procedures
- Uses parking brake system properly
- Uses proper gear placement when parking

The following require that an applicant be rejected:

1. A chargeable accident during training.
2. Instructor having to take controls of school bus because of unsafe driving performance.
3. Violations of A.R.S. Title 28 that could cause an accident or injury to passengers.

Based on the driving test given, I conclude that \_\_\_\_\_  
Applicant's Name

is • is not • qualified to operate a school bus and transport passengers safely.

\_\_\_\_\_  
Behind-the-Wheel Instructor  
Signature

\_\_\_\_\_  
Cert. No.

\_\_\_\_\_  
Date

NOTICE OF FINAL RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

PREAMBLE

1. Sections Affected  
R19-3-309
- Rulemaking Action  
New Section
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):  
Authorizing statute: A.R.S. § 5-504(B)  
Implementing statute: A.R.S. § 5-504(B)
3. The effective date of the rules if different from the date the rules are filed with the Secretary of State:  
January 30, 1996
4. List of all previous notices appearing in the Register addressing the rules:  
Notice of Rulemaking Docket Opening:  
1 A.A.R. 1604, September 15, 1995  
Notice of Proposed Rulemaking:  
1 A.A.R. 1706, September 29, 1995
5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:  
Name: Sam Wakasugi, Acting Executive Director  
Address: Arizona State Lottery Commission  
4740 East University Drive  
Phoenix, Arizona 85034  
Telephone: (602) 921-4400
6. An explanation of the rules, including the agency's reasons for initiating the rules:  
R19-3-309 sets forth provisions unique to the conduct of the Arizona Lottery's instant games. The provisions of this rule are necessary to implement the requirements of A.R.S. § 5-504(B) which have not been specified generically in R19-3-301. The unique provisions described in this rule are the nature and location of play symbols, the ticket number, the validation code, the prize denominations, and the method of selecting a winning ticket.
7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:  
Not applicable.
8. The summary of the economic, small business, and consumer impact:  
These games will provide our players with a larger variety of instant games with a potential increase in sales. The only impact these rules have upon Lottery retailers is to specify how they determine if a ticket is a winning ticket and, if so, the prize amount.
9. Description of changes between the proposed rule and the final rule:
  - B. The following play symbol and caption were added:

<u>Play Symbol</u>	<u>Caption</u>
0	ZRO
  - E. "Entry" was deleted from the BONUS BOX prize symbols.
  - H. The following sentence was deleted: "If the ticket reveals "ENTRY" in the BONUS BOX, he or she may submit that ticket to the Lottery for entry into a 2nd-chance drawing to attend a Fantasy Baseball Camp."  
  
The following was added: "If the player wins a total of \$600 or more on any 1 ticket, the player shall redeem the winning ticket at any Lottery office. Each "DIAMOND BUCKS" winning lottery ticket of a total of \$600 or more automatically enters the winner into a drawing to attend a Fantasy Baseball Camp. Entry forms will be available at the time of redemption. There will be a maximum of 20 Fantasy Baseball Camp winners. The drawing date or dates will be held in mid-August 1996 or later and the Fantasy Camp will take place sometime between September 1, 1996, and December 31, 1996. Players may contact the Lottery office or participating retailers after July 1, 1996, for specific information regarding the drawing date or dates and Fantasy Baseball Camp date or dates."  
  
The prize "ENTRY" = drawing entry" was deleted from the list of prizes.  
  
The prize "TRY AGAIN" = no prize" was added to the list of prizes.

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10. Summary of the principal comments and the agency response to them:  
 No comments were received by the agency.
11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:  
 Not applicable.
12. Incorporations by reference and their locations in the rules:  
 None.
13. Whether the rules were previously adopted as emergency rules and if so, whether the text has changed:  
 No.
14. The full text of the rules follows:

**TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING**

**CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION**

**ARTICLE 3. INSTANT LOTTERY GAMES**

Section  
R19-3-309. "Diamond Bucks"

**ARTICLE 3. INSTANT LOTTERY GAMES**

R19-3-309. "Diamond Bucks"

A. In the latex play area located on the right side of the ticket, 3 play symbols appear in a vertical row with YOUR SCORE printed above, and are 1 of the following: "1", "2", "3", "4", "5", "6", "7", "8", "9", and "10" with confirming captions. Three play symbols appear in a vertical row with THEIR SCORE printed above, and are 1 of the following: "0", "1", "2", "3", "4", "5", "6", "7", "8", or "9" with confirming captions.

B. The play symbol captions correspond with and verify the play symbols as follows:

<u>Play Symbol</u>	<u>Caption</u>
0	<u>ZRO</u>
1	<u>ONE</u>
2	<u>TWO</u>
3	<u>THR</u>
4	<u>FOR</u>
5	<u>FIV</u>
6	<u>SIX</u>
7	<u>SVN</u>
8	<u>EGT</u>
9	<u>NIN</u>
10	<u>TEN</u>

C. Three prize symbols appear in a vertical row with PRIZE printed above and are 1 of the following: "\$1", "\$2", "\$3", "\$9", "\$18", "\$27", "\$300", "\$600", or "\$900" with confirming captions.

D. Prize symbol captions correspond with and verify each of the prize symbols as follows:

<u>Prize Symbol</u>	<u>Caption</u>
<u>\$1</u>	<u>ONEDOL</u>
<u>\$2</u>	<u>TWODOL</u>
<u>\$3</u>	<u>THRDOL</u>
<u>\$9</u>	<u>NINDOL</u>
<u>\$18</u>	<u>EGNDOL</u>
<u>\$27</u>	<u>TYSDOL</u>
<u>\$300</u>	<u>THRHUND</u>
<u>\$600</u>	<u>SIXHUND</u>
<u>\$900</u>	<u>NINHUND</u>

E. One prize symbol appears directly under the play area with BONUS BOX printed above and is 1 of the following: "JERSEY", "BAT", "BASEBALL", or "TRY AGAIN".

F. A pack-ticket number beginning with 600001 is located in the lower-left portion on the back of the ticket.

G. The retailer-validation code verifies instant winners of "\$1", "\$2", "\$3", "\$9", "\$18", "\$27", or "\$300":

<u>\$1</u>	=	<u>ONE</u>
<u>\$2</u>	=	<u>TWO</u>
<u>\$3</u>	=	<u>THR</u>
<u>\$9</u>	=	<u>NIN</u>
<u>\$18</u>	=	<u>EGN</u>
<u>\$27</u>	=	<u>TYS</u>
<u>\$300</u>	=	<u>TRN</u>

H. A prize winner in the "DIAMOND BUCKS" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 2 play symbols and prize symbol identified as Game One, the 2 play symbols and prize symbol identified as Game Three, and 1 play symbol identified as BONUS BOX. Neither the retailer-validation code (or any portion thereof), the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof), are play symbols and are not usable or playable as such. If the ticket holder's YOUR SCORE beats THEIR SCORE in either Game One, Game Two, or Game Three, he or she wins the prize shown for that game. There may be 3 winning games on a ticket. If the ticket reveals "JERSEY", "BAT", or "BASEBALL" as a play symbol in the BONUS BOX, he or she wins that prize. If the player wins \$600 or more on any 1 ticket, the player shall redeem the winning ticket at any Lottery office. Each "DIAMOND BUCKS" winning lottery ticket of \$600 or more automatically enters the winner into a drawing to attend a Fantasy Baseball Camp. There will be a maximum of 20 Fantasy Baseball Camp winners. The drawing date or dates will be held during mid-August 1996 and December 31, 1996. Players may contact the Lottery offices or participating retailers after July 1, 1996, for specific information regarding the drawing date or dates and Fantasy Baseball Camp date or dates. The prizes are as follows:

<u>\$1</u>	=	<u>\$1 (one dollar) or</u>
<u>\$2</u>	=	<u>\$2 (two dollars) or</u>
<u>\$1 + \$1</u>	=	<u>\$2 (two dollars) or</u>
<u>\$3</u>	=	<u>\$3 (three dollars) or</u>
<u>\$1 + \$2</u>	=	<u>\$3 (three dollars) or</u>
<u>\$1 + \$1 + \$1</u>	=	<u>\$3 (three dollars) or</u>
<u>\$9</u>	=	<u>\$9 (nine dollars) or</u>
<u>\$3 + \$3 + \$3</u>	=	<u>\$9 (nine dollars) or</u>
<u>\$18</u>	=	<u>\$18 (eighteen dollars) or</u>
<u>\$9 + \$9</u>	=	<u>\$18 (eighteen dollars) or</u>
<u>\$27</u>	=	<u>\$27 (twenty-seven dollars) or</u>
<u>\$9 + \$9 + \$9</u>	=	<u>\$27 (twenty-seven dollars) or</u>
<u>\$300</u>	=	<u>\$300 (three hundred dollars) or</u>
<u>\$600</u>	=	<u>\$600 (six hundred dollars) or</u>
<u>\$300 + \$300</u>	=	<u>\$600 (six hundred dollars) or</u>
<u>\$900</u>	=	<u>\$900 (nine hundred dollars) or</u>

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\$300+\$300+\$300=  
JERSEY        =  
BAT            =

\$900 (nine hundred dollars) or  
baseball jersey or  
baseball bat or

BASEBALL    =  
TRY AGAIN   =

baseball or  
no prize