

# ADDITIONAL INFORMATION

Educational and technical assistance can be obtained from the FMCSA website at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

An interactive informational guide called “The Motor Carrier Safety Planner” is available on this website. Any person seeking additional assistance should contact the closest FMCSA field office.



U.S. Department of Transportation  
**Federal Motor Carrier Safety Administration**

## Federal Motor Carrier Safety Administration

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

This brochure is only intended to provide general regulatory information for passenger transportation operations. It is not intended to be a substitute for the Federal Motor Carrier Safety Regulations.

FMCSA-E-06-006

July 2020



## Information for School Bus Operators

## Overview of Federal Safety Regulations



U.S. Department of Transportation  
**Federal Motor Carrier Safety Administration**

## OVERVIEW

The applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) varies depending on the type of transportation provided in a school bus. This document is designed to clarify what Federal regulations are applicable to school bus transportation. The FMCSRs only apply to a school bus operation when the school bus is a commercial motor vehicle (CMV).

## DEFINITIONS

A school bus is a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary of Transportation determines is likely to be significantly used for the purpose of transporting pre-primary, primary, or secondary school students from home to school or school to home.

School bus operation is the use of a school bus to transport only school children and/or school personnel from home to school and from school to home.

### A Commercial Motor Vehicle (CMV) is:

- A vehicle designed or used to transport more than 8 passengers (including the driver) for compensation;
- A vehicle designed or used to transport more than 15 passengers (including the driver), and is not used to transport passengers for compensation; or
- A vehicle having a gross vehicle weight rating or gross weight of more than 10,000 pounds.

Refer to 49 CFR Section 390.5 for a complete CMV definition.

A for-hire motor carrier is a person engaged in the transportation of passengers for compensation.

## WHEN IS SCHOOL BUS TRANSPORTATION EXCEPTED FROM THE FMCSRs?

- When conducting a school bus operation as defined in the previous section. However, the Drug and Alcohol Testing Regulations in Part 382 and the Commercial Driver's License (CDL) Regulations in Part 383 may apply.
- When transportation is performed by the Federal Government, a State, or any political subdivision of a State (e.g., a public school district).

## WHEN IS SCHOOL BUS TRANSPORTATION SUBJECT TO FMCSRs?

The FMCSRs are applicable when a school bus provides for-hire interstate transportation other than home to school and school to home, and is not operated by a State or local government.

The following chart explains the applicability of the FMCSRs except Parts 382 and 383 in the context of student/school-related transportation in interstate commerce.

	School to Home OR Home to School	Extracurricular School Activities
Public School Transportation provided by Governmental Entities	Not Subject	Not Subject
Private School Transportation of Pre-primary, Primary, and Secondary Students	Not Subject	Subject as Business Private Motor Carrier of Passengers (PMCP) Transportation*
Contract Transportation of Pre-primary, Primary, and Secondary Students	Not Subject	Subject as For-hire Transportation

\*Refer to the PMCP educational pamphlet for more information about these motor carriers.

When a private school, college, or university transports its students and/or personnel in CMVs, it is subject to the FMCSRs as a business PMCP. When a private college or university contracts with a company to transport students and/or personnel in CMVs, that company is subject to the FMCSRs as a for-hire motor carrier.

## FINANCIAL RESPONSIBILITY REQUIREMENTS

Part 387 requires for-hire motor carriers operating in interstate commerce to have minimum levels of public liability insurance in the amounts below:

- Any vehicle with a seating capacity of **16 passengers or more** (including driver): **\$5,000,000**
- Any vehicle with a seating capacity of **15 passengers or fewer** (including driver): **\$1,500,000**

## EXCEPTIONS

- The financial responsibility requirements do not apply to a motor vehicle transporting only school children and teachers to or from school.
- The financial responsibility requirements do not apply to a motor vehicle operated by a motor carrier under contract to provide transportation of pre-primary, primary, and secondary students for extracurricular trips organized, sponsored, and paid for by a school district.