



Tip Sheet: Education Related Transportation

Understanding Federal Regulations for Passenger Carriers

Tips for Vans and Buses Used by Education Related Organizations and Contractors

Many organizations, contractors, and schools use vans and buses to transport students for a variety of reasons. There are many criteria that determine whether a van or bus used to transport students or passengers for an educational purpose is subject to commercial or safety regulations.

What Determines if a Passenger Vehicle is Regulated?

Generally, Federal safety regulations apply when you operate a “commercial motor vehicle” in interstate commerce. To determine whether your bus or van is a commercial motor vehicle, it is necessary to consider vehicle size, passenger capacity, and in some cases whether the operations are for-hire. If you are transporting passengers in any size vehicle interstate and for-hire, the operating authority registration and other commercial regulations also generally apply. There are specific exemptions, however, for certain operations.

Am I Conducting For-Hire Passenger Transportation?

If you transport passengers across a state line, even occasionally, and you accept any type of payment for the transportation, you are for-hire and operating in interstate commerce.

Private schools and universities that receive no compensation for transporting passengers are not for-hire. They are categorized as private motor carriers of passengers (business). Their transportation has a commercial purpose and is not available to the general public. The financing of passenger transportation from a general budget source, such as a university endowment, is not compensation for transportation.

Examples of Education Related For-Hire Passenger Transportation

- A non-profit organization that provides educational tours to students who pay a total package charge for various services including transportation in the organization’s vehicles;
- A school bus contractor that is paid by the school district to transport student athletes and faculty to a sports competition; and
- A private university employee who drives a university owned bus to transport students to an off-campus location and each student pays a transportation fee.

Commercial Regulations

Unless exempted, “for-hire” motor carriers transporting passengers in interstate commerce must comply with FMCSA’s commercial regulations including operating authority registration. Sometimes the for-hire nature of the transportation is not obvious, such as a total package fee that pays for various services including transportation. However, such compensation nevertheless makes the transportation “for hire.”



Safety Regulations

Unless excepted, motor carriers transporting passengers in commercial motor vehicles must comply with FMCSA's safety regulations. Again, to determine whether your bus or van is a commercial motor vehicle, it is necessary to consider vehicle size, passenger capacity and, in the case of vans and other small vehicles, whether the operations are for-hire.

Financial Responsibility

The required level of financial responsibility (insurance or other acceptable security) for for-hire, interstate passenger transportation is determined by the highest seating capacity of your vehicles. Vehicles with a seating capacity of 15 or fewer passengers (including the driver) require \$1.5 million of coverage, and \$5 million is required for vehicles with a seating capacity of 16 or more passengers (including the driver).

Education Related Exemptions and Exceptions

Some education related passenger carrier transportation is exempted or excepted from some or all of FMCSA's jurisdiction. The following are some examples:

- Transportation of students and teachers to or from school in interstate commerce, if the transportation is organized, sponsored, and paid for by the school district, is not subject to operating authority registration requirements, as well as certain safety regulations.
- School bus contractors providing transportation of preprimary, primary, and secondary students in interstate commerce for extracurricular trips organized, sponsored, and paid for by the school district are not required to comply with the Federal financial responsibility regulations.
- Schools operating as private motor carriers of passengers (business) in interstate commerce are not required to comply with certain driver qualification regulations.

- School bus operations transporting only school children and school personnel in interstate commerce from home to school and school to home are not required to comply with most of the safety regulations.
- 9-15 passenger vehicle operations that collect indirect compensation for the passenger transportation (payment of a total package charge for various services including transportation) in interstate commerce are not required to comply with most of FMCSA's safety regulations.

For More Information

FMCSA has a website with information about Federal regulations for passenger transportation. You can get additional assistance by:

- Calling the FMCSA Information Line at **1 (800) 832-5660**
- Contacting your local FMCSA field office **www.fmcsa.dot.gov/mission/field-offices**

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