

## Chapter 11 - Vehicle Operations

This chapter includes state and federal regulations that pertain to operating vehicles, including what types of operations are allowed with vehicles purchased with FTA funds, and what regulations cover the drivers.

### Titles and Licenses for Transit Vehicles

All vehicles purchased with funds administered by PTT must be titled and licensed to the designated public transit system. Obtaining titles and license plates is the responsibility of the individual transit system, although your assigned TPA will assist in the process. Application procedures for public and private non-profit systems differ.

**Titles** Iowa law provides free titles through the state for all government-owned vehicles. Vehicles owned by private non-profit transit systems must be titled through the local county (for a \$25 fee.)

**License Plates** Iowa law provides free license plates through the state for all government-owned vehicles. Vehicles owned by private non-profit transit systems must be licensed through the local county (for a \$25 fee.)

**Transit systems organized as public agencies** should submit originals of the following items to their TPA in PTT:

1. [Application for State of Iowa Transit Bus Plates](#)
2. [Applications for Certificate of Title and/or Registration](#)
3. Manufacturer's Certificate of Origin (new vehicle) or Certificate of Title from previous owner authorizing transfer (used vehicle)
4. [Odometer Disclosure Statement](#) (if the vehicle has a gross vehicle weight rating of less than 16,000 pounds and is less than 10 years old). Odometer Statement form is not needed if the Odometer Disclosure For Retail Sale section has been completed and signed on the back of the Manufacturer's Certificate of Origin.
5. [Damage Disclosure Statement](#)
6. [Add Inventory Form](#) (submit to database)
7. [Post Delivery Audit Certification](#) must be completed before the title is transferred to the transit system

\*If funded 100% with local funds, the transit system only needs to add the vehicle to its inventory through the portal. No other information is needed by the PTT.

**Transit systems organized as private non-profit corporations** should submit originals of the following items to their county treasurer:

1. [Applications for Certificate of Title and/or Registration](#)
2. Manufacturer's Certificate of Origin (new vehicle) or Certificate of Title from previous owner authorizing transfer (used vehicle)
3. [Odometer Disclosure Statement](#) (if the vehicle has a gross vehicle weight rating of less than 16,000 pounds and is less than 10 years old)
4. [Damage Disclosure Statement](#)
5. Current title fee

**Private non-profit transit systems** should then submit originals of the following to their assigned TPA in PTT:

1. [Application for State of Iowa Transit Bus Plates](#)
2. Copy of Certificate of Title
3. [Add Inventory Form](#) (submit to database)
4. [Post Delivery Audit Certification](#)

\*If funded 100% with local funds, the transit system only needs to add the vehicle to its inventory through the portal. No other information is needed by the PTT.

NOTE: Prior to placing a vehicle in operation, the transit manager should also notify the insurance carrier to add the vehicle to the system's insurance policy.

**Reuse of Transit License Plates** – Whenever a transit system transfers or sells a vehicle, the transit system must remove the transit license plates. These license plates should be retained by the transit system and used when the transit system receives another transit vehicle.

Transit plate transfers involve the same paperwork as applying for transit bus plates, with one additional item of information: the plate number from the bus being replaced should be indicated as the plate number on the application for transit bus plates.

**Stolen License Plates** – If a license plate or a set of license plates is stolen, it should be reported to the police as soon as possible. PTT should also be notified. PTT will contact vehicle registration and a new set of plates will be issued. The transit system must also write a letter to the Motor Vehicle Division identifying the vehicle and detailing the situation.

### Liens

The PTT places liens on all state and federally funded vehicles and facilities for projects where grant funding is administered by the State. The purpose of the lien is to protect state and federal interest. For purposes of this lien process, government agencies shall be defined as those operated by municipalities, counties, and 28E, 28M, and 28H organizations. Non-government transit agencies are private non-profit and private for-profit organizations. The Iowa DOT should be listed as the First Security Interest in the "Security Interest Information" section of the [Application for Certificate of Title and/or Registration](#). As a point of clarification, the PTT defines federal interest with FTA Useful Life Standards.

Vans	4 years or 100,000 miles
LD buses	5 years or 150,000 miles
MD buses	7 years or 200,000 miles
HD buses less than 35 feet	10 years or 350,000 miles
HD buses $\geq$ 35 feet	12 years or 500,000 miles

In addition to placing liens on Iowa DOT-funded vehicles, the Iowa DOT also holds the title to those vehicles owned by governmental entities until the federal useful life threshold has been met. For transit agencies run as private non-profit organizations, the county in which the transit agency is located will hold the title.

### Removing Liens and Releasing Titles

The lien on a particular vehicle can be removed when the useful life has been met. For government agencies, the agency must send a formal request to their respective TPA to remove the lien. If the request is approved, the PTT will remove the lien and release the title and send it to the transit agency. For all non-government agencies whose liens are held at the county level, the agency must submit a ["Cancellation of Security Interest"](#) form to the particular county holding the title and the title will be sent to the transit agency with the lien released.

## Driver Licensing

Iowa law requires any paid employee operating a vehicle carrying passengers (whether general public or client) to have the appropriate chauffeur's license or commercial driver license (CDL). PTT policy applies the same requirement to any volunteer driving a public transit vehicle. This provision applies to all subcontractors and must be stated in all third party contracts. Employees of other agencies who may be authorized to drive the vehicle or volunteers who are driving a vehicle funded through PTT are included. Volunteers driving their own cars are not covered by this policy.

The Federal Motor Carrier Safety Administration (FMCSA) requires a CDL with passenger endorsement for the operation of any vehicle designed to transport 16 or more passengers, including the driver. This requirement applies regardless of how the vehicle was funded and applies to volunteer drivers. It also applies whether or not the vehicle is occupied and whether or not it is in revenue service.

The license class required for operations is determined by the initial design and the Gross Vehicle Weight Rating (GVWR) of the vehicle. Transit buses initially designed to transport 16 or more passengers, including the driver, are typically over 10,000 pound GVWR. This applies to vehicles that have been retrofitted for wheelchair passengers and, therefore, no longer transport 16 passengers. If the vehicle has an initial design capacity to transport 15 or fewer passengers (including driver), the driver would need a Class D Chauffeur license. Go to the Iowa DOT Motor Vehicle Division's License type and fees [webpage](#) for a list of license types and costs.

**Basic Requirements of the [Commercial Motor Vehicle Safety Act \(CMVSA\) of 1986](#)** - The Commercial Motor Vehicle Safety Act of 1986 was passed to help reduce or prevent truck and bus accidents, fatalities and injuries by requiring drivers to have a single commercial motor vehicle driver's license. The act also disqualifies drivers who operate commercial motor vehicles in an unsafe manner.

- A job applicant for a transit job must provide the transit agency with employer information on all driving jobs held for the past 10 years. A driver requiring a CDL cannot have more than one license. The candidate must certify that they provided truthful information. The transit agency must inform the candidate that the information may be used in the employment decision and that former employer's may be contacted. This requirement also applies to an existing employee who is later assigned driving duties.
- A CDL driver must notify their employer within 30 days of a conviction for any traffic violations (except parking). This is true no matter which type of vehicle was driven or in which state it occurred.
- A CDL driver must also notify the Driver Services Bureau within 30 days if convicted in any other jurisdiction of any traffic violation (except parking). This is true no matter which type of vehicle was being driven when the conviction occurred.
- A CDL driver must notify the employer if the license is suspended, revoked, or canceled, or if disqualified from driving.
- No one can drive a commercial motor vehicle without a CDL.
- Violations by either employees or management can result in a civil penalty of up to \$2,500. Knowing and willful violations are subject to a criminal penalty of up to \$5,000.

## Commercial Driver's License (CDL)

There are several steps involved in obtaining, upgrading, or adding an endorsement to a CDL.

1. Take the Knowledge Test pertinent to the type of Commercial Motor Vehicle the applicant wishes to operate.
2. After passing the applicable knowledge tests, the driver will be issued a Commercial Learner's Permit (CLP). The CLP must be held for a minimum of 14 days before the skills (driving) test may be administered and, if passed, a CDL can be issued.
3. Beginning February 7, 2022, drivers applying for the first time for a Class A or Class B CDL, upgrading existing CDLs (Class B to Class A), or adding a hazardous materials (H), passenger (P), or school bus (S) endorsement will need to complete the Entry Level Driver Training (ELDT) prior

to taking the applicable knowledge or skills test. Once the ELDT is completed, the training provider will upload the driver's training certification to the Training Provider Registry which the Iowa DOT will verify prior to testing.

4. After holding the CLP for a minimum of 14 days and completing the ELDT, the next step is to pass the required skills and driving test. The skills test is in three phases: Pre-trip Vehicle Inspection Test, Skills Test (completing maneuvers around cones and backing), and Driving Test (on public roads with examiner).
5. After passing the required skills and driving test, a CDL may be obtained at any driver's license issuance location.

### **Commercial Learner's Permit (CLP)**

Drivers wanting to obtain a CDL or to add certain endorsements to an existing CDL are required to first obtain and hold for 14 days a Commercial Learner's Permit (CLP). This is a requirement of the Federal Motor Carrier Safety Administration and details can be found in [49 CFR 383.25](#). A CLP is considered a valid CDL for purposes of behind-the-wheel training on public roads or highways, if the following conditions are met:

- The CLP holder is at all times accompanied by a valid CDL holder who has the proper CDL group and endorsement(s) necessary to operate the CMV. The CDL holder must be physically present in the front seat of the vehicle next to the CLP holder or, in the case of a passenger vehicle, directly behind or in the first row behind the driver and must have the CLP holder under observation and direct supervision.
- The CLP holder holds a valid driver's license issued by the same jurisdiction that issued the CLP.
- The CLP holder must have taken and passed a general knowledge test for the commercial motor vehicle (CMV) that person operates or expects to operate.
- The CLP holder must be 18 years of age or older.

### Endorsements

- A CLP holder with a passenger (P) endorsement must have taken and passed the P endorsement knowledge test. A CLP holder with a P endorsement is prohibited from operating a CMV carrying passengers, other than Federal/State auditors and inspectors, test examiners, other trainees, and the CDL holder accompanying the CLP holder as prescribed above. The P endorsement must be class specific.
- A CLP holder with a school bus (S) endorsement must have taken and passed the S endorsement knowledge test. A CLP holder with an S endorsement is prohibited from operating a school bus with passengers other than Federal/State auditors and inspectors, test examiners, other trainees, and the CDL holder accompanying the CLP holder.
- Aside from the tank vehicle (N) endorsement, all other endorsements are prohibited on a CLP.

### Other CLP Information

- The CLP must be a separate document from the CDL or non-CDL.
- The CLP is valid for one year from the date of issuance, with no renewal period.
- The issuance of a CLP is a precondition to the initial issuance of a CDL. The issuance of a CLP is also a precondition to the upgrade of a CDL if the upgrade requires a skills test.
- The CLP holder is not eligible to take the CDL skills test in the first 14 days after initial issuance of the CLP.
- Documentation is required upon renewal of a CLP.
- Drivers should not use the 60-day grace period allowed by Iowa Code when a CDL expires. The expiration date listed on the CDL is the expiration date of the driver's eligibility to legally operate a Commercial Motor Vehicle.

### **Entry Level Driver Training (ELDT)**

Enactment of the ELDT requirement by the Federal Motor Carrier Safety Administration (FMCSA) sets a baseline for training requirements for entry-level commercial motor vehicle drivers. On and after February 7, 2022, drivers seeking to obtain a Class A or B CDL and/or passenger, school bus, or hazardous materials

endorsement(s) must go through an ELDT program. Please note: Many public transit vehicles require only a Class C CDL, but because passenger commercial motor vehicles require a passenger endorsement for operation, drivers must complete the passenger endorsement portion of the ELDT prior to testing for the CDL passenger endorsement.

ELDT instructors must register with FMCSA and self-certify they meet all Federal requirements. Instructors for both the theory and behind-the-wheel portions of the ELDT must hold a CDL of the same or higher class with all endorsements necessary to operate the commercial motor vehicle for which the training is provided. To find registered trainers and to learn more about the ELDT, visit <https://tpr.fmcsa.dot.gov/>.

The theory portion of the training must include an electronic or written test with a minimum overall score of 80% required. For the behind-the-wheel training, the vehicle used in training must be the same type the driver-applicant intends to test for their CDL on.

### **CDL Skills Testing**

Anyone driving a passenger CMV that meets the requirements of a CDL must have a passenger endorsement, including mechanics required to road test a vehicle. This requires passing knowledge and skills tests. A public transit driver who operates vehicles with air brakes must pass the air brake knowledge and skills tests, using a vehicle equipped with air brakes for the test, to prevent having a restriction 'L', vehicles without air brakes, on their CLP/CDL.

An examiner will administer skills (drive) tests at several locations by appointment on specified days. An appointment may be made by contacting any Iowa DOT Service Center after passing the necessary CDL knowledge tests and being issued a CLP. The pre-trip vehicle inspection of the skills test must be passed before going on to the backing and driving portions of the test. To find the current locations offering appointments for the skills test, applicants should visit the Iowa DOT Service Center webpage. [webpage](#). Some County Treasurer offices also administer the CDL Skills Test; applicants should contact them directly to determine if they administer the skills tests.

The Iowa CDL skills test includes three segments: a pre-trip vehicle inspection, backing maneuvers, and a road (drive) test. The backing maneuvers may include:

1. Straight line backing
2. Offset left or right
3. Parallel left or right, or 90-degree alley dock (one of these two – depends on location)

In July 2015, an option for an 'E' restriction on a CDL was added. The E restriction indicates no manual transmission. If an applicant performs the skills test in a vehicle equipped with an automatic transmission, the State must indicate on the CDL, if issued, that the person is restricted from operating a CMV with a manual transmission. For purposes of the skills test and the restriction, an automatic transmission includes any transmission not operating fully on the gear shift and clutch principle.

More information on preparing for the CDL knowledge and skills tests are available on the Iowa DOT website: <https://iowadot.gov/mvd/cdl/>.

### **CDL Medical Qualifications**

49 CFR Parts 383.71 and 383.73 links medical qualifications to the issuance of a CDL. These rules apply to every person who is issued a new CDL, renews a CDL, upgrades a CDL or transfers a CDL from one state to another. The driver must self-certify to what type of driving they do or expect to do. The self-certification categories are as follows:

- Non-expected Interstate
- Excepted Interstate
- Non-expected Intrastate
- Excepted Intrastate

Drivers self-certifying to non-excepted interstate must provide the Iowa DOT a valid copy of their medical certificate and should have a copy of their medical certificate with them when they are driving. Non-excepted Intrastate drivers must carry a copy of their valid Medical Examiner Certificate with them when driving. Drivers self-certifying to an excepted use (interstate or intrastate) are not required to have a FMCSA medical certificate for their CDL but may have non-license medical requirements from their employer.

Public transit drivers employed by a public agency (city, county, or 28E organization) may self-certify to an excepted use, provided they are only using their CDL for operations with a public agency. Drivers employed by non-profit or for-profit agencies and not by a public agency are in a non-excepted status and need to have a valid medical certificate, with Interstate drivers required to provide a copy to the Iowa DOT.

The Driver Services Bureau has activated a new webpage that provides additional information on this requirement: <http://www.iowadot.gov/mvd/ods/MCRforCDL.html>. This webpage provides a link where the self-certification form may be downloaded. Questions may be directed to the Driver Services Bureau at [CDLMedCert@iowadot.us](mailto:CDLMedCert@iowadot.us).

### **Chauffeur's License**

Iowa law requires drivers of vehicles designed to transport 15 or fewer persons (including the driver) to hold a chauffeur's license when the operation is for hire or the driver is compensated in any way. If the vehicle is redesigned or modified to transport 15 or fewer disabled passengers and the GVWR is 10,001 or more pounds, a CDL is required instead of a chauffeur's license.

The holder of a CDL may operate vehicles which requiring a chauffeur's license; however, a chauffeur's license is NOT valid as a commercial driver's license.

Chauffeur's licenses are not required for operation which is "occasional and incidental". This provision is applicable for someone who, in an emergency driving situation, must transport passengers. Anyone hired who might be required to transport clients as part of his/her job must have a chauffeur's license or CDL.

### **Procedures for Checking Driver's License Records**

Each of Iowa's public transit agencies may establish an account for accessing Iowa driver records on-line at <https://driverrecords.iowa.gov/Home/Index>. Use of this service for official business is free to all of Iowa's designated transit systems, and to other government users. (Others pay a fee per record check.)

### **Fuel Taxes**

There are federal and state regulations that apply to the purchase of fuel and environmental issues related to the use and storage of fuel. This section covers fuel tax, purchase of fuel from Iowa DOT, underground storage tanks, and diesel emission standards.

#### **State Fuel Taxes**

[Chapter 452A of the Iowa Code](#) details the Iowa fuel tax requirements. Public transit systems are exempt from paying Iowa tax on fuel used for general public transportation. When the fuel is pumped into the vehicle at a service station, the taxes (state and federal) must be paid and a refund requested later. When fuel is pumped into bulk tanks owned by the system, a tax is not imposed if the fuel is used for public transportation. Any fuel used from this tank for non-public transportation use must be reported on the quarterly fuel tax report and the tax due must be submitted to the Iowa DOT, Motor Carrier Services Bureau, P.O. Box 10382, Des Moines, IA 50306-0382.

The law granting transit systems an exemption from tax on fuel used for public transportation requires quarterly reporting of fuel used, even if no tax or refund is due. Fuel used for "incidental" or charter service is taxable and must be reported on the quarterly fuel tax report. Penalties for false reporting

range up to a \$2,000 fine and two years in prison on top of the penalties for nonpayment of taxes due. The quarterly fuel tax report is discussed in [Chapter 6](#) - Reporting Requirements.

Quarterly fuel tax reports are due 30 calendar days after the end of the reporting quarter. The tax code allows a 7.5 percent penalty to be added to fuel taxes if not paid by the due date. The transit system must also pay interest on the additional tax at the rate in effect under [Section 421.7 of the Code of Iowa](#). Refer to your [Quarterly Fuel Tax Form and Instructions](#) to compute the additional tax and interest due.

The following fuels are subject to the Iowa Motor Fuel Tax:

1. Gasoline
2. Gasohol
3. Diesel
4. Compressed natural gas (CNG)
5. Liquidified petroleum gas (LPG)
6. Propane
7. 100% ethanol
8. 100% methanol

Iowa Administrative Rules outlining exemptions and procedures for fuel tax refunds can be found [here](#).

### **Federal Fuel Taxes**

Iowa transit systems operated by units of state or local government are exempt from federal fuel taxes. This applies to both gasoline and diesel fuel, but the process for the exemption varies.

Gasoline is purchased, including a governmental unit purchasing the fuel in bulk, with the fuel taxes added at time of purchase. An agency must file for a refund on the number of gallons used.

Governmental entities purchasing diesel fuel in bulk may purchase the fuel tax-free. Governmental entities purchasing diesel fuel in bulk, but not for their exclusive use, or purchasing diesel fuel at the pump must pay the federal fuel taxes at the time of purchase and then file for a refund.

Public transit systems operated by private non-profit corporations may also be eligible for exemptions from federal fuel taxes on any vehicles that are:

1. operated for compensation,
2. operated open to the general public, and
3. either
  - a. operated in fixed-route service (any size vehicle), or
  - b. operated in demand-responsive mode (vehicles must have capacity for 20 or more passengers.)

The Internal Revenue Service (IRS) discusses fuel tax credits for buses and other exempt uses in [Publication 510](#). For answers to tax questions, contact the IRS at 1-800-829-1040.

### **Gasohol Usage Required**

Since 1991, vehicles purchased or used by any city or county in Iowa must use gasoline blended with ethanol. Each of the vehicles required to use ethanol-blended gasoline must display a "brightly visible sticker" notifying the traveling public that the motor vehicle is being operated on gasoline blended with ethanol. All "gasoline" transit vehicles, whether revenue vehicles, maintenance vehicles, or supervisory/staff vehicles, owned by a city or a 28E organization created by cities and/or counties are affected by this law, even if the vehicles are operated by a subcontractor who is not a public entity. Vehicles owned by private non-profit transit systems are covered as well, if they are operated by a subcontractor who is a public entity. Diesel vehicles are not affected.

Arrangements for the purchase of ethanol-blended gasoline is a local responsibility. The required bumper stickers may be obtained from a variety of vendors. One source of the stickers is [Iowa Prison Industries](#), which offers stickers specifically designed to meet the law's requirement for public agencies (including all public transit systems). The stickers can be ordered by calling Prison Industries' toll-free number at 1-800-332-7922.

### **Regulations on Fuel Tanks**

The Iowa Department of Natural Resources issued regulations on fuel storage tanks that conform with federal regulations. These rules can be found in the Iowa Administrative Code, 567, [Chapters 134 and 135](#).

### **Bus Emission Standards**

[The Clean Air Act](#) includes diesel bus emission standards that apply to heavy duty urban transit buses. Transit systems purchasing heavy-duty urban buses should know the current regulations and state in bus specifications that vehicles meet the current emission standards. The [Code of Federal Regulations Title 40 Part 86](#) sets forth bus emission standards.

### **Persons with Disabilities Parking Permits**

The State of Iowa has a program requiring reserved parking spaces for persons with disabilities. Transit systems carrying passengers with disabilities are eligible to use these spaces. Transit systems may receive one parking permit for each vehicle used to transport persons with disabilities. The permit will allow the vehicle to use restricted parking spaces when loading and unloading passengers with disabilities. Click [here](#) for an Application for Persons with Disabilities Parking Permit.

The application form should be taken to the local driver license examiner station or mailed to:

Vehicle Services Bureau  
P.O. Box 9278  
Des Moines, IA 50306-9278

### **Insurance**

Iowa public transit systems, as motor carriers serving primarily "elderly, disabled, and other transportation disadvantaged persons", are exempted from in-state liability insurance requirements found in [Chapter 325A of the Iowa Code](#). Public transit systems must meet the requirements found in the Iowa Administrative Code chapter on Coordination of Public Transit Services. Subsection 910.5(1) states: "All vehicles used for the public transit services it provides or contracts for (must be) insured for \$1 million per accident for all hazards or the provider (must maintain) a self-insurance fund adequate to provide equivalent protection."

Any public transit system whose service crosses state boundaries is covered under federal insurance requirements. Special provisions included in the Interstate Commerce Commission Termination Act of 1995 require public transit systems to meet the highest state public transit insurance requirement of the states they operate in. Iowa transit systems operating across state boundaries are encouraged to contact each state in which they operate.

There is no requirement to carry any specified level of coverage for collision or comprehensive losses; however, transit systems should recognize that they are required to maintain equipment in functional and presentable condition. Vehicle damage must be repaired. Each transit system must decide whether to insure or self-insure against such losses or whether to cover the repair costs from the operation's budget.

Transit systems that purchase services from subproviders are responsible for assuring that the required level of protection is provided for all services operated as part of the public transit program. Some systems choose to do this by passing along the insurance requirements via the purchase of service contract (also specifying that the transit system be named as an 'additional insured' on the subprovider's

policy.) Others choose to provide the vehicle coverage in a single policy covering all subproviders' fleets. This is done through a policy with 'hired and non-owned vehicle coverage.'

### **Incidental Use of Transit Vehicles**

Federal law allows vehicles bought with FTA assistance to be used for incidental purposes, such as charter service, meal and parcel delivery services, etc. under the following conditions:

- the fully allocated cost of the incidental usages is paid from funds other than public transit funds,
- the total incidental usage of any vehicle does not exceed 20 percent of total vehicle usage, and
- the incidental usage does not interfere with the use of the equipment for public transit service.

Systems may not justify additional vehicles based on incidental services. The use of any vehicle for incidental purposes does not count toward attainment of the minimum useful life that FTA requires for each vehicle.

Note: There are specific rules on what qualifies as an eligible charter service and what procedures must be followed for charter service, even though it is considered an allowable incidental use. Further discussion of FTA's charter regulations is found in Chapter 15.

### **On-board Safety Equipment**

Iowa DOT requires the following safety equipment to be on-board public transit vehicles when in operation:

- fire extinguisher
- bio-hazard kit
- first aid kit
- reflective triangles
- seatbelt webcutter
- flashlight
- reflective vest

The Iowa DOT does not require a specific reflectivity level of the vests, only that they be reflective. Also, individual transit systems are responsible for determining when drivers would be required to wear the reflective vest (i.e. all times a bus is moving, whenever driver exits the vehicle, only when the vehicle is having maintenance issues, etc.).

### **Staff Car Prohibition**

Capital funds administered by PTT may not be used for the purchase of vehicles for staff transportation. Vehicles which have exceeded FTA's minimum useful life standards or vehicles purchased with other funds may be used for this purpose. Vehicles purchased as staff cars may use official transit plates.

### **Student Transportation**

FTA funded vehicles may not be used for exclusive school services. FTA allows transportation of students in open-to-the-public service. Fixed-route systems can provide 'tripper service.' Tripper service is "regularly scheduled mass transportation service which is open to the public, and which is designed or modified to accommodate the needs of school students and personnel, using various fare collections or subsidy systems." (See 49 CFR 605.3(b).)

The modifications to accommodate students and school personnel are not open-ended; they are limited to using different fare collections and subsidy systems and minor modifications in route or frequency of scheduling to accommodate the extra passengers that may be expected to use particular routes at particular times of day. (See 73 Fed. Reg. at 53385.) Examples of modification: add more buses along routes in morning when school begins, offer fare cards to students at subsidized rates, make short route deviations up to several blocks in length to drop off and pickup students in front of a school.

In contrast to tripper service, FTA interprets the definition of "school bus operations" to include service that a reasonable person would conclude was primarily designed to accommodate students and school personnel and only incidentally to serve the nonstudent general public. (See 73 Fed. Reg. at 53385.)

Students may also be served as part of a demand-responsive general public service. Qualified students with disabilities can be served as part of ADA paratransit service. As long as the students pay their own fares, they are treated the same as any other rider.

Iowa law allows regional transit systems to contract with schools, day care centers, and other institutions for non-exclusive subscription transportation of students. Specific standards are established for vehicles to be used for such services, as well as for drivers, and for operating practices.

Regional transit vehicles used for non-exclusive student transportation contracts must meet specific federal motor vehicle safety standards, over and above those established for commercial buses, and must be inspected each semester by the Iowa Department of Education. The drivers driving vehicles used in student transportation must meet specific standards, including passing criminal records reviews, and must receive school bus driver training or equivalent. Students must be picked up or dropped off on the same side of the street as their ultimate origin or destination. Students may not be released except to parents, guardians, school personnel, or social service or law enforcement personnel.

The full scope of the requirements for contracted student transportation by public transit systems can be found [here](#).

### **Seatbelt Usage**

Seat belt use is required by Iowa law for drivers and front seat passengers in transit vehicles other than buses. Drivers of buses are also required to wear seatbelts. No passengers on a bus are required by law to wear seatbelts, except that regional transit systems transporting students aboard vehicles without school bus type compartmentalized seating must require students to wear seatbelts. Transit systems may require all passengers to wear seat belts. Persons with disabilities may only be required to use personal restraints if all other passengers are required to wear seat belts. More information is found in [Chapter 321 of the Iowa Code](#).

### **Child Restraint Usage**

Under Iowa law, passengers aboard buses are exempt from the general law requiring use of child safety seats. Students transported under contract aboard regional transit vehicles not equipped with school bus style compartmentalized seating must be in child restraints if they meet the criteria in the law. Head Start students meeting the age and weight criteria of the law are always required to be transported in child safety seats, whether or not school bus style seating is used. Transit systems may provide child safety seats for use by other passengers meeting the criteria of the law. More information can be found in [Chapter 321 of the Iowa Code](#).