

manufacturers have recently begun to test new designs specifically for transporting pre-school children. Therefore, going beyond the recommendations of Guideline 17, we are requiring the use of child restraint systems on all Head Start vehicles and that they meet the performance standards in the FMVSS, 49 CFR 571.213.

Paragraph (k) contains the requirements for safety inspection and routine maintenance of vehicles. They require the establishment of procedures for routine preventive maintenance, daily pre-trip inspections by the driver, and third party inspections at least once a year. These requirements are adapted from the recommendations in the National Standards for School Buses and School Bus Operations.

Section 1310.12—Driver Qualifications

Paragraph (a) of this section prescribes the minimum qualifications for drivers of Head Start vehicles, which include a minimum age of 21, a Commercial Driver's License (CDL), and all other screening requirements (e.g. physical, mental, moral, drug and alcohol abuse, etc.) established by their respective State. All drivers who operate a vehicle designed to carry 16 or more passengers were required by the Federal Highway Administration's (FHWA) Commercial Driver License Standards to have a valid commercial driver license by April 1962, and most Head Start drivers fall into this category. However, it is possible that some Head Start programs may operate vehicles that carry less than 16 passengers, since the definition of a bus includes smaller vehicles that carry 10 or more passengers. We believe that the screening procedures and the knowledge and skills tests required for obtaining a CDL are an important step in assuring that only the most qualified people are employed as Head Start drivers. Therefore, we are including the CDL as a requirement here in order to extend the requirement to all Head Start drivers, regardless of the size of the vehicle.

Paragraph (b) requires programs to establish their own applicant screening procedures. Paragraph (c) (1)–(4) provides a list of the elements which should be included in each agency's screening process, such as an application with educational background, employment history and personal references, an interview procedure, a check of the applicant's driving record through the National Driver Registry and the State Department of Motor Vehicles, a

physical examination, and a test of visual acuity.

Under the CDL program, drivers of vehicles involved in purely intrastate commerce (as is the case for almost all Head Start drivers): (1) Are only required to pass the knowledge and skills test for the particular vehicle they will be operating; and (2) are exempt from the age and physical qualifications requirements contained in 49 CFR part 391, "Qualifications of Drivers." This means that drivers of Head Start vehicles need only comply with their respective State standards in these two areas, which vary considerably from State to State. In some States the minimum age to drive a school bus is 16. We have chosen to adopt the minimum age requirement (21) contained in 49 CFR part 391 as the minimum age for drivers of Head Start vehicles. Some States have minimal or no physical qualifications standards for school bus drivers. Therefore, we are proposing to require that a physical examination, performed by a licensed doctor of medicine or osteopathy, be included in the screening procedures. We believe this is necessary to assure that Head Start vehicles are operated by mature and physically able individuals.

Section 1310.13—Driver Training

This section contains the pre-service and in-service training requirements for Head Start drivers.

The number of hours of training are the same as those recommended in the National Standards for School Buses and School Bus Operations. It specifies that Head Start drivers must have a minimum of 40 hours of skills training (a combination of classroom and behind-the-wheel instruction) prior to transporting children. The content areas include safe operation of the vehicle, how to run a fixed route, first aid, handling emergencies, operating special equipment, conducting routine maintenance and keeping accurate records. In addition to the skills training requirements, drivers must receive an orientation to the goals and objectives of Head Start, instruction on the role of the Head Start driver as part of the Head Start team, and specific instruction on the Head Start Performance Standards for Children with Disabilities as they relate to the provision of transportation services.

The proposed rule also requires a minimum of 8 hours of in-service training annually to maintain driver skills, enhance the driver's ability to perform daily tasks, and assist the transportation staff in staying abreast of information and/or developments in transportation technology.

The proposed rule requires Head Start agencies to be knowledgeable of driver training requirements in their respective State and to take whatever steps are necessary for their drivers to qualify to operate Head Start vehicles as school buses. The requirement in this section, along with § 1310.11 (b) and (c), reflect our belief that the ability to operate Head Start vehicles as school buses, from the standpoint of the driver as well as the vehicle, adds significantly to the level of safety.

As with the driver qualifications requirements discussed in the previous section, we know that there is significant variation among the States in their driver training requirements. Some States, in fact, have no training requirements, while other States have comprehensive training programs which reflect the recommendations in Guideline 17 and the National Standards for School Bus Operations. Paragraph (e) of this section, therefore, requires Head Start agencies, in the absence of an appropriate State or local training program, to obtain the necessary training from other sources or develop their own training programs using the National Standards for School Bus Operations and/or the NHSTA driver training curriculum as a guide. We are aware of the difficulties this may present for some programs in the short term and believe the phase in period will be helpful. We are also aware of the need to assist Head Start programs in this area, and will be providing technical assistance, as needed, and further guidance in the future.

The remaining paragraphs of this section require current drivers of Head Start vehicles to meet the same training requirements as new drivers within three months of the effective date of this rule, require drivers to be evaluated annually by the Transportation Supervisor, and require bus monitors to receive the same classroom training as drivers.

Subpart C—Special Requirements

Section 1310.20—Trip Routing

This section prescribes the minimum requirements for determining and traveling the fixed routes to be used on a daily basis to transport children to and from the classroom. In its Special Report 222, "Improving School Bus Safety," the Transportation Research Board, National Research Council stated: "The principles of school bus routing are well known. They should be consciously applied and should not be sacrificed for operational efficiency, student convenience, or political expediency." Paragraph (a) of this proposed section