

Guide to School Pupil Transport Vehicles (7D)

DRAFT



How to ...

Obtain a certificate to operate a 7D vehicle

Register a 7D vehicle

Comply with 7D semi-annual inspections



REGISTRY OF MOTOR VEHICLES

Commonwealth of Massachusetts

Registry of Motor Vehicles

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CHAPTER 1: INTRODUCTION

With the passage of Chapter 683 of the Acts of 1986, the opinion that school pupil transport vehicles (7D) carry a cargo so precious that stringent measures must be applied to test drivers and regulate the vehicles that transport school pupils was formalized into law.

Purpose of this manual: The purpose of this manual is to provide information to companies and those individuals operating 7D vehicles to assist them in complying with all rules and regulations governing the operation of a 7D vehicle. This manual also serves as a valuable tool in assisting perspective 7D certificate applicants in preparing for the written exam needed to obtain a 7D operator's certificate. Applicants should familiarize themselves with the entire contents of this manual, focusing on chapter 2, "Obtaining a School Pupil Transport (7D) Certificate" and should also study from the most recent version of the Commonwealth's Driver's Manual.

There are over 7,000 school pupil transport vehicles registered in Massachusetts as well as approximately 7,000 licensed 7D operators. The Registry of Motor Vehicles is committed to working with all of you to ensure that you are in compliance with all Rules and Regulations pertaining to pupil transportation.

If you have additional questions or concerns regarding the information provided in this manual, please contact Vehicle Safety & Compliance Services at 857-368-7310.

What are School Pupil Transport Vehicles? M.G.L. c. 90, Sec 7D allows "school pupils" to be transported in vehicles other than school buses. These vehicles are called "school pupil transport vehicles". The March 8, 2018 540 CMR 7.00 Regulation updates prohibit the use of large passenger vans with passenger seating capacity greater than 10 from being registered and used as school pupil transport vehicles. A school pupil transport vehicle must have a GVWR of 10,000 pounds or less, they are restricted to having a passenger capacity of no more than 10, and the driver is NOT included in the count of the 10 passenger capacity; however, the driver IS included in the seating capacity. Therefore, the maximum size vehicle that can be used as a 7D vehicle is 10 passengers and 11 seats. The complete list of vehicle requirements can be found in Appendix A (540 CMR 7.09)

7D vehicles are frequently used to transport special needs and handicapped pupils so it is vitally important that the vehicle owner and operator are qualified to provide this transportation. The vehicle operator must have a "7D School Pupil Transport Certificate." A school system or a private contract carrier cannot transport school pupils (subject to exceptions listed in the statute) in a vehicle that does not conform to the requirements of 7D.

In 2005, the National Highway Traffic Safety Administration (NHTSA) announced new research that reinforced its existing concerns about 15-passenger vans. This resulted in NHTSA reissuing its consumer advisory for users of 15-passenger vans for the third time in four years. Their advisory states the use of 15 passenger vans to transport children to and from school or school related activities is an alarming situation with potentially disastrous consequences. There have been numerous crashes of vans with student passengers on board, and the fatalities and injuries that have resulted are particularly tragic since they could have been prevented.

Since 1974, Federal law (49 United States Code 30112) has prohibited dealers from selling/leasing a new motor vehicle with a capacity of more than 10 persons for the purpose of transporting students to and from school and school-related activities unless the vehicle complies with the applicable Federal Motor Vehicle Safety Standards (FMVSS) and is manufactured as a school bus. Fifteen passenger vans do not comply with

Federal law. **Current RMV policy prohibits the initial registration of new non-conforming 15 passenger vans for the purpose of transporting students to and from home or school related activities.**

What is a “school pupil?” Massachusetts law defines a “school pupil” as any person enrolled in any school, kindergarten through grade twelve, or enrolled for day care services, or in any program for children with special needs as defined in M.G.L. c. 71, Sec. 1, or in any organized day or summer camp program or any activity supported by said schools.

7D Vehicle Required for Fixed-Route Transportation: 7D vehicles are required to be used whenever “fixed-route transportation” is being provided for **not more than** eight “school pupils.” (Transporting more than eight (8) “school pupils” on a fixed-route requires the use of a “School Bus” as described in M.G.L. c.90, Sec. 7B). It doesn’t matter if the vehicles are publicly or privately owned and operated.

“Fixed-route transportation” is the transporting of school pupils on a predetermined daily basis to and from a set location for the length of the pupil’s school year. This includes:

- transporting from home-to-school and school-to-home
- picking up and dropping off at established bus stops
- transporting from home-to-school-to an after-school activity
- transporting to an after-school day care,
- transporting from school to school
- or a similar type of daily route.

The transportation must be provided on a regular basis for the “pupil’s school year” to require a 7D vehicle.

The “pupil’s school year” is the period of time the program is expected to last. The length of the pupil’s semester or summer-school program may constitute the “pupil’s school year.” The “pupil’s school year” will be six weeks long if that is the period of time a school program or camp is expected to last. If it is a week-to-week program the period of the “pupil’s school year” will be a week at a time. The infrequent use of a taxicab to transport a school pupil does not require a 7D vehicle. However, if a taxicab is used on a regularly scheduled basis to transport a school pupil, the taxicab will be required to meet the 7D vehicle standards and the driver will be required to obtain a 7D certificate.



Figure 1: Examples of 7D Vehicles

CHAPTER 2: OBTAINING A SCHOOL PUPIL TRANSPORT CERTIFICATE (7D)

7D Driver Certificates: A special certificate is required by MGL c90 s8A1/2 in order to operate a 7D vehicle and a driver must carry such a certificate on his/her person at all times while operating a 7D vehicle and must be able to provide such certificate when requested by either law enforcement or RMV personnel. A 7D certificate is valid for one (1) year from the date of issuance.

Criteria to be Eligible for a School Pupil Transport Certificate (7D): An applicant is ineligible if:

- They have been convicted of rape, unnatural acts, sodomy, or the use, sale, manufacture, possession with intent to distribute, or trafficking of any controlled substance listed under MGL c94 s31.
- They have been convicted of operating a motor vehicle while under the influence of intoxicating liquor, or of marijuana, narcotic drugs, depressants, or stimulant substances as defined in MGL c94c s1, or of the vapors of glue within the preceding **five year period**.
- They do not meet certain medical standards as described in Appendix B, including vision, diabetes, epilepsy, and cardiovascular/respiratory disease.

An applicant must wait 5 years after the conviction of a provision of Section 24 to be eligible for a 7D certificate.

7D vehicle equipment requirements adopted on 3/9/2018 can be found in Appendix A.

Note: Operators who hold an active school bus certificate may operate a 7D vehicle without a 7D certificate.



Figure 2: Sample of 7D School Pupil Transport Certificate

Initial 7D Application Procedure

1. Apply online and obtain the appropriate forms:
 - a. Apply online at **Mass.Gov/RMV** and select the online service center option.
 - b. Download a copy of the Medical Form, the CORI form, and the Training Confirmation Form.
 - c. Ask your potential employer for assistance in completing the forms and applying online. Be sure all the forms listed above are completed, signed, and dated before beginning your application so they can be uploaded during the application process.
2. Get a physical examination. The 7D School Pupil Transport medical forms must be completed. A medical evaluation is valid for 90 days only. **A new physical will be required if the examination is older than 90 days.** The medical certificate must include a doctor's signature and registration number, or the application will be rejected. **Applications signed by a nurse practitioner, physician assistant, or chiropractor will not be accepted.**

Note: M.G.L. chapter 90 section 8A1/2 requires applicants who have passed their seventieth (70th) birthday and are mentally and physically capable of operating motor vehicles transporting school children to **twice annually** be examined by a physician to determine such capability. As such, these applicants will only be issued a **six-month 7D certificate**.

Applicants who use insulin to control their diabetes or have had a serious hypoglycemic event must meet the requirements of the Diabetes Policy Statement (see Appendix B) and, as such, will only be issued a **six-month 7D certificate**.

3. If you are not a Massachusetts resident or have relocated from another state or country, you must obtain a certified criminal record as well as a certified driving record from your current or former home state or country. **These documents must be no more than 30 days old** and must be submitted with your initial application. **Only original documents will be accepted.**

Note: Applicants who reside out-of-state must provide a certified criminal record and driving record from their state of residence annually.

4. After completing all necessary paperwork, which includes a notarized CORI form, the application should be submitted electronically at Mass.Gov/RMV.
5. After all documentation has been reviewed and approved, a letter will be sent to you (the applicant) authorizing you to take the exam at the RMV Service Center. You must bring your letter and a \$15.00 fee. An additional \$15.00 fee will be assessed for processing for a total of \$30.00. After passing the exam, you will receive the School Pupil Transport Certificate (7D) within 10 business days via U.S. mail.

Note: All CORI forms require notarization.

IMPORTANT NOTE: You cannot drive a 7D vehicle until you receive the 7D certificate from Vehicle Safety and Compliance Services. You must always have the 7D certificate in your possession when you drive a 7D vehicle.

6. All 7D certificates are valid for one year from the date of issue. (This excludes applicants who are over the age of 70, are insulin-dependant diabetics, or have had a hypoglycemic episode or spell. These applicants are issued certificates for 6 months.)

7. If you let your 7D certificate expire, you have up to two years to renew it from the date of expiration. **If your 7D certificate lapses more than two years, you will be required to complete all steps of the initial 7D certificate process.**

Renewing A 7D Certificate

The RMV will send a renewal notice to the address on record 90 days prior to the expiration date of the certificate. It is your responsibility to ensure that your license is active at all times while operating a 7D vehicle. You must do the following a minimum of two weeks prior to the expiration of your certificate.

1. As of August 1, 2020, the RMV will only accept new 7D applications and certificate renewals through the Online Service Center at Mass.Gov/RMV; paper applications will not be accepted. You must go online and download the medical form to be completed by your doctor, the CORI form to be completed and notarized, and the instructor form for training verification.
2. Get a physical examination. The 7D School Pupil Transport Medical Certificate must be completed and certified by a licensed physician. A medical evaluation is valid for 90 days only. **A new physical is required if the examination is older than 90 days.** The medical certificate must include the doctor's signature and registration number or your application will be returned to you. **Applications signed by a nurse practitioner, physician assistant, or chiropractor will not be accepted.**
3. If you are not a Massachusetts resident, you must obtain a certified criminal record as well as a certified driving record from your home state. **These documents must be no more than 30 days old** and must be submitted with your application. Only original documents will be accepted.
4. Apply online at Mass.Gov/RMV.
5. **All applicants are subject to a notarized criminal record check (CORI), a sex offender registry information check (SORI), and a driving record check.** After the RMV approves your 7D application for renewal, your 7D certificate will be mailed directly to you within thirty (30) business days.

7D Operator Responsibilities

All 7D drivers shall be required to perform daily pre-trip inspections of their vehicles and to report promptly in writing to their employer of any defects or deficiencies discovered that may affect the safety of the vehicle's operation or result in its mechanical breakdown. Chapter 90, Section 7B (16)

Pre-trip reports must be recorded and a copy must be present with the operator during daily operation. Operators should immediately notify company officials of any defects.

Operators must check that the following required equipment and vehicle components are present and in proper working order.

1. Tires
 - a. Minimum tread depth of 4/32 inches
2. Lighting Devices
 - a. Headlights (upper and lower beams)
 - b. Directionals (front and rear)
 - c. Stop lights
 - d. Reverse lights
 - e. Four-way flashers
 - f. License Plate Light
 - g. School Bus Lights
3. Brakes
 - a. Service
 - b. Parking
4. Mirrors
5. Exhaust
6. Fluid Leaks
7. Doors
8. Windshield wipers and fluid
9. Horn
10. Interior of Vehicle
 - a. Seatbelts (Safety Belts)
 - b. Child Seats/Booster Seats (if necessary)
 - c. Door Warning Device
 - d. Clean Interior
 - e. Heater & Defroster
 - f. All vehicles must have an interior school bus light indicator
 - g. All vehicles must have an audible back-up alarm
11. Current registration
12. Front & rear pupil plates
13. Current inspection stickers
 - a. Annual state inspection sticker
 - b. Semi-annual 7D inspection sticker
14. Safety Equipment
 - a. 2 chock blocks
 - b. First aid kit
 - c. Fire extinguisher properly charged and mounted within reach of the operator
 - d. 3 flares or safety triangles
 - e. Body fluid clean up kit
 - f. Seat belt cutter
 - g. Fire/Evacuation blanket (wheelchair vehicles only)
15. Vehicles 2018 or newer must have a child reminder system
16. Wheelchair lift if equipped

While Transporting Pupils

You must conform to the following rules regarding transport of pupils:

- The School Bus sign must be in the upright position.
- **Drivers are prohibited from: smoking, consuming alcoholic beverages, refueling, using a cellphone, or any other activity that may interfere with the safe operation of the vehicle.** Operators are required to wear a safety belt at all times during vehicle operation. Doors should be firmly closed and locked when transporting school pupils.
- Drivers should assist pupils who require assistance when entering and exiting the vehicle. The operator must wear safety belts at all times during operation and all passengers must be properly restrained as set forth in M.G.L. c. 90, Sec. 7AA (see Appendix A) and Sec. 13A.
- The driver must not leave the vehicle unattended while pupils are in the vehicle. This does not apply when a driver leaves the vehicle to assist pupils in entering and exiting the vehicle.
- Only the driver may occupy the driver's seat.

Approaching, Boarding, Seating, & Unloading Pupils

Your responsibility to a pupil starts some distance from a stop. Approach a designated pick-up area with extreme care.

- While passengers board or exit your vehicle, school bus red signal lights must flash continuously.
- Direct or assist pupils immediately to their seats.
- Before deactivating school bus red signal lights, make sure all passengers are safely seated and properly restrained. M.G.L. c. 90, Sec. 13A requires that both the driver and passengers wear safety belts in school pupil transport vehicles. For children age 12 and under, the requirements of the child passenger restraint law, M.G.L. c. 90, Sec. 7AA apply.
- You are expected to maintain order. If a pupil presents a disciplinary problem, the pupil should be reported to the appropriate authorities according to procedures established by your employer.
- When unloading pupils, you are responsible for their safety as they cross the road. Always make sure pupils cross in front of the vehicle and make certain that school bus red signal lights are flashing.
- If you must leave the vehicle to assist a pupil, first secure the emergency brake, shut off the engine, and remove the ignition key.
- **Operators must perform a post-trip inspection after every route. The child reminder system (required in all vehicles model year 2018 or newer) must be disengaged before leaving the vehicle. Look in and around every seat for sleeping children.**

CHAPTER 3: 7D VEHICLE REGISTRATION

7D Vehicle Registration: RMV Regulation 540 CMR 2.05(4)(L) states: A School Pupil Transport Vehicle shall display a PUPIL registration number plate. The requirement of 540 CMR 2.05(4)(L) is applicable to all such classified motor vehicles notwithstanding that they otherwise would be eligible to display a COMMERCIAL, LIVERY, TAXI, MUNICIPAL, STATE, AUTHORITY, or other registration number plate.

7D Registration Procedures

How you register 7D vehicles depends on whether or not you currently have other 7D vehicles registered. The first registration procedure, described in the following paragraphs, applies to companies registering 7D vehicles for the first time. The second procedure described applies to registering vehicles by a transportation company that has currently registered 7D vehicles.

Procedure 1 -- If Your Company Has No 7D Vehicles Currently Registered:

1. Complete and submit a Supplemental Registration Application for 7D School Pupil Transport Vehicle.
 - a. Download a copy from the RMV Website at Mass.Gov/RMV
 - b. Email completed form to RMVInspection@dot.state.ma.us
2. An RMV field investigator will be assigned to visit your place of business to inspect the vehicle(s) to ensure compliance with all 7D vehicle requirements and to review 7D driver licensing requirements. Once the investigator is satisfied the vehicle meets 7D requirements, they will approve and sign a 7D School Pupil Transport Registration Check Sheet.
3. Bring the approved and signed 7D School Pupil Transport Registration Check Sheet and a completed Registration and Title Application (stamped by your insurance company) to one of the following customer service centers: Braintree, Haverhill, Milford, Springfield, Wilmington
4. Once you pay your registration fees, the clerk will issue your 7D registration and pupil plates.
5. Before you may transport school pupils, the vehicle must have passed the annual state inspection and separate 7D inspection (see Chapter 4).

Procedure 2 -- If Your Company Has Currently Registered 7D Vehicles:

1. Submit a completed Registration and Title Application (stamped by your insurance company) to any RMV full service center.
2. The RMV clerk will verify that you currently have 7D vehicles registered.
3. Once you pay your registration fees, the clerk will issue your 7D registration and pupil plates.
4. Before you may transport school pupils, the vehicle must have passed the annual state inspection and separate 7D inspection (see Chapter 4).

Note: All vehicles must have a seating capacity of no more than 10 passengers. The driver is NOT included in the count of the 10 passenger capacity; however the driver is included in the seating capacity. Therefore, the maximum size vehicle being used as a 7D is 10 passengers and 11 seats. In addition, seats may not be removed in an attempt to bring the vehicle into compliance.

Renewing a 7D Registration

School pupil transport vehicle registrations expire every two years on June 30th. Six weeks prior to renewal, the RMV will send you a renewal notice.

Note: You will not receive notification if the RMV does not have your correct mailing address. If you have recently relocated, you must notify the RMV through Mass.Gov/RMV.

If you are using your 7D vehicle for livery during times that it will not be transporting students, you must register it per the table below.

School Pupil Normal	Registration Fee	Total Fee	Renew Fee
(Flat Fee)	40.00	40.00	40.00
If used as a livery when not transporting pupils, then:			
Minimum	80.00	80.00	80.00
Per Seat (7 or Less).....	6.00	varies	varies
Per Seat (8 or More).....	8.00	varies	varies



Figure 3: Sample 7D Pupil Plate

CHAPTER 4: 7D SEMI-ANNUAL INSPECTIONS

7D Semi-Annual Inspections: In addition to the annual state inspection, 7D vehicles are required to have a semi-annual safety inspection in accordance with M.G.L. c.90, s. 7A. These additional inspections take place in February-March and again in October-November. Not all state inspection facilities conduct 7D inspections, so you may need to locate a station other than your normal state inspection facility. See list at Inspections section of our website.

www.mavehiclecheck.com

GUIDE TO 7D VEHICLE INSPECTION

The following tables list the basic vehicle components and required equipment that will be inspected during a 7D inspection.

I. Inside the Vehicle		
	Item to Check	Requirements
1	Floors, including trunk	No holes that may allow toxic fumes into the passenger compartment may be present
2	Brakes	Brakes are checked for any throw, grinding or pressure drop, lateral pull of vehicle. The parking brake is also checked for proper operation
3	Seat belts	Must be present and in proper working order
4	Rearview mirror/sunvisor	
5	Windshield	
6	Two operable windshield wipers	
7	Defroster/heater	
8	Horn	
9	Seats and inside panels	
10	Ignition lock	
11	Speedometer	
12	Instruments, lamps, gauges	
13	Sharp or protruding objects	No such defects must be present
II. Engine Compartment		
	Item to Check	Requirements
1	Battery	Must be in good working order
2	Belts	
3	Hood latch	
4	Steering box	
III. Front of Vehicle		
	Item to Check	Requirements
1	Head lights – Low and high beam	Must be in good working order
2	Four way flashers and directionals	
3	Bumper	Must be present and in good condition
4	Registration plate - School pupil	Must have school-pupil plate, operational plate light, and current registration decal

IV. Sides of Vehicle

	Item to Check	Requirements
1	Windows	Operable
2	Mirrors	Equipped with a minimum of a driver's side mirror
3	Marker lights	Must be present and working
4	Tires	Properly inflated without any fabric showing. Tire grooves (minimum 4/32"). No Missing or broken studs/nuts. No Mixing of types of tires. No space saver tires are allowed.
5	Fenders	Tires may not extend beyond fenders. No sharp edges or protrusions
6	Doors	Must open and close properly and be capable of being firmly latched. All doors must have a buzzer or warning light to warn driver of an open door.

V. Rear of Vehicle

	Item to Check	Requirements
1	Door or trunk	Must open and close properly and be capable of being firmly latched.
2	Four way hazards/directionals/stop and reverse lights	Must be present and working
3	Bumper	Must be present and in good condition
4	Registration plate	Must have School Pupil plate, operational plate light, and current registration decal

VI. Underneath Vehicle

	Item to Check	Requirements
1	Fluid leaks	Must not have any visible fluid leaks
2	Front end/suspension system	Must be working and in good condition
3	Shocks	
4	Muffler/exhaust	
5	Springs	Must be present and in good condition
6	Fuel tank	

VII. Additional Markings, Signage, Lights, And Other Equipment Related To 7D Vehicle		
	Item to Check	Requirements
1	School bus sign (8" black lettering on school bus yellow background) on front and rear of vehicle	Must be present and operate as designed
2	Front and rear alternating flashing "School Bus" red signal lamps	
3	Emergency buzzer or warning light to alert the driver of any open door	
4	Safety belts for each permanent seat (including operator's seat)	Designed and installed per U.S. Federal Motor Vehicle (FMV) Safety Standards
5	Fire extinguisher (2A10BC) with a hose	Charged and mounted accessible to the driver. (Extinguishers shall be a type approved by the Underwriters Laboratories, Inc.)
6	First aid kit	Sufficiently stocked for expected vehicle occupancy
7	Three (3) reflective triangles or three (3) flares meeting U.S. DOT FMV Safety Standard # 125	Must be present
8	Chock blocks (2 required)	
9	Seat belt cutter	
10	Body fluid clean-up kit	
11	Fire evacuation blanket	For wheelchair vehicles only
12	Markings	All vehicles shall conspicuously display on both sides of the vehicle the company name, city, and state in lettering at least 2 inches high with a 3/4 inch brush stroke in contrasting color lettering
13	Vehicle Inspection Sticker (required after registration and inspection)	Must be current and affixed to the vehicle
14	7D Semi-Annual Inspection Sticker	Must be current and affixed to the vehicle
15	Back up warning alarm	All vehicles must be equipped with an audible back up alarm. This alarm must be installed behind the rear axle.
16	School bus light indicator	Indicator must be equipped with a continuous warning light readily visible to the driver to indicate school bus lights are activated.
17	Child Reminder System	Effective 10/01/2020, all vehicles 2018 or newer must have a child reminder system.

APPENDIX A: SIGNIFICANT STATUTES & REGULATIONS

Chapter 90 Sec. 7D. Motor Vehicle Used For Transportation Of School Children; Application Of Section 7B.

The requirements of clauses (1), (2), (3), (5), (7), (8), (9), (10), (13), (16), and (17) of section seven B shall apply to any motor vehicle carrying not more than eight passengers in addition to the operator, used in the business of transporting school pupils for hire under terms of contract or otherwise, while so used, but not including any motor vehicle used for not more than five days in case of emergency; provided, however, the eight lamp system, so-called, required on certain motor vehicles in clause (7) of said section seven B shall not apply to vehicles specified in this section. In addition, each such vehicle shall be required to be equipped with one pair of adequate chock blocks, a fire extinguisher, three flares in compliance with United States Motor Vehicle D.O.T. Safety Standard No. 125, which shall be placed upon the roadway in conformance with section fourteen B of chapter eighty-five when such vehicle becomes disabled upon the traveled portion of any way, and seat belts for each permanent seating accommodation designed and installed in compliance with applicable United States Motor Vehicle Safety Standards. No person shall operate a motor vehicle referred to in this section, nor knowingly allow any passenger to ride in such vehicle unless the operator and all passengers are wearing a safety belt which is properly adjusted and fastened. All such motor vehicles used to transport school pupils under the provisions of this section shall display the distinctive number plate as authorized by section two.

The provisions of this section, excluding the seatbelt requirement, shall not apply to the transportation of school pupils in vehicles not exceeding fourteen passengers in addition to the operator which is provided (a) by an operator who is uncompensated for his or her service and is either a parent and one adult (monitor) of one of the passengers or is a person chosen by the parents of all the passengers; or (b) for activities related to a private school, day care center, camp, school-age child care program, or a special needs program as defined by section one of chapter seventy-one B, who would not be picked up or discharged on a fixed route, provided, that for the purpose of this section, the term fixed route shall be defined as the transportation of a school pupil on a pre-determined daily basis to and from a set location, for the length of the pupils* school year, provided the operator is a person whose primary relationship to the passenger is that of teacher, coach, director, or caregiver, and not as an operator. Such vehicles shall not be considered school buses, school pupil transport vehicles or livery vehicles and shall be registered as private passenger motor vehicles. (Repealed and added by L.1996, chap. 151(235), eff. 7/1/96.)

*So in original. Probably should be "pupil's".

Chapter 90 Sec. 7D¹/₂. Motor Vehicle Used For Transportation Of Vocational School Students; Application Of Section 7B

The requirements of clauses (1), (3), (5), (8), (9), (10), (13), (15), and (16) of section seven B shall apply to any motor vehicle used to transport vocational school students participating in a work project to and from the work site and having permanent seating accommodations for not more than fourteen persons in addition to the operator. In addition, each such vehicle shall be required:

- (1) To provide adequate space for the secured and affixed storage of all tools, equipment and materials to be transported;
- (2) To be operated by a person eighteen years of age or over who has had at least three years of licensed driving experience and who is duly licensed by his state of residence for operation of the class of vehicle being operated and has said license in his possession;
(Chgd. by L.1989, chap. 221(2), eff. 10/9/89.)

NOTE: OPERATORS OF A 7D 1/2 VEHICLE DO NOT NEED A SCHOOL PUPIL TRANSPORT CERTIFICATE (7D).

- (3) To be equipped with one pair of adequate chock blocks and three flares in compliance with United States motor vehicle D.O.T. Safety Standards No. 125 which shall be placed upon the roadway in compliance with section fourteen B of chapter eighty-five when such vehicle becomes disabled upon the traveled portion of any street or highway; and
- (4) To be equipped with a seat belt for each permanent seating accommodation designed and installed in compliance with United States motor vehicle D.O.T. safety standards, which seat belt shall be fastened about each passenger at all times during vehicle operation.

Chap 90 §7B. Equipment of school buses. Clauses (1), (2), (3), (5), (7), (8), (9), (10), (13), (16)

No person shall operate any school bus, and the owner or custodian of a school bus shall not permit the same to be operated upon or to remain upon any way, unless the following requirements are complied with:

- (1) The words "SCHOOL BUS" shall be painted or otherwise displayed on the front and rear of each such vehicle in black letters of eight inches in height and conform to series "B" of the standard alphabets for highway signs on a National School Bus Yellow background, or shall be so painted upon signs attached to the front and rear of each vehicle. School buses being operated on a public highway and transporting primarily passengers other than school pupils shall have the words "SCHOOL BUS" covered, removed, or otherwise concealed, and stop arms and equipment required by clauses (7) and (11) shall not be activated during the transportation of such passengers;
- (2) The operator of a school bus shall not allow the number of school pupils riding in the bus at any one time to exceed the number of adequate thirteen inch seats therein nor shall the operator drive said bus until each pupil is seated; provided however, that any such bus, in which adequate straps, handles or other supports are available for standing passengers, may carry not more than three standees in any case of an emergency for a period not to exceed five consecutive school days;
- (3) All doors shall be kept closed while the bus is in motion;
- (5) No fueling shall take place while any school bus is occupied by passengers;
- (7) Each school bus shall be equipped with Type I Class A turn signal lamps, which shall have a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps which may be activated when a bus is approaching a stop to load or discharge school pupils and when needed as a vehicular traffic hazard warning. Each school bus shall also be equipped with front and rear alternating flashing school bus red signal lamps, which shall remain flashing when school pupils are entering or leaving the bus. School buses manufactured with a chassis of nineteen hundred and eighty-four model year and thereafter shall be equipped with the eight-lamp system, so-called, which, in addition to the aforementioned lamps, shall include alternating flashing amber signal lamps of the same size as, and placed adjacent to, said red signal lamps, and which shall be activated when said bus is approaching a stop to load or discharge school pupils. On buses equipped with the eight-lamp system, so-called, the use of the four-way hazard warning lamps for the purpose of warning motorists of the vehicle's impending stop to load or discharge school pupils shall be discontinued. Use of alternating flashing school bus red signal lamps for any other purpose, and at any time other than when the school bus is stopped to load or discharge school pupils, shall be prohibited. All aforementioned lamps shall comply with applicable Federal Motor Vehicle Safety Standards and any applicable rules and regulations promulgated by the registrar. The operator of a school bus shall cause its headlamps to be illuminated while such bus is in operation. Any person who operates such a bus shall not permit the boarding or discharging of school pupils therefrom unless the school bus is stopped as close as is practicable to the right-hand side or edge of the ways and shall announce when discharging passengers therefrom that all persons who wish to cross to the other side of the way shall do so by passing in front of the bus immediately upon alighting therefrom. No person shall operate a school bus on a way after discharging passengers therefrom unless all persons who wish to cross to the other side have done so;

- (8) Every school bus shall be equipped with a safety belt for the operator thereof, and said operator shall securely fasten said seat belt while transporting school pupils;
- (9) Every school bus shall be equipped with two operable front windshield wipers;
- (10) No person shall smoke or consume alcoholic beverages on a school bus while such bus is being used to transport school pupils;
- (13) Every school bus shall be equipped with a first-aid kit;
- (16) School bus drivers shall be required to perform daily pretrip inspections of their buses and to report promptly in writing to their employer any defects or deficiencies discovered that may affect the safety of the vehicle's operation or result in its mechanical breakdown. Pretrip inspection and condition reports for school buses shall be performed in accordance with regulations established by the Registry of Motor Vehicles and the Department of Public Utilities.
- (17) School bus drivers shall perform daily post-trip inspections of the interior of their vehicles, including behind and underneath each seat. Any school bus driver who fails to perform such inspection shall be punished by a fine of not less than \$50 nor more than \$100.

Chapter 90 Sec. 8A½. Licenses; Applications

Every operator transporting school pupils under the provisions of section seven D shall make application to the registrar within ninety days of their next birth date for a license to operate such motor vehicles. Application for such license may be made by any person who shall have attained the age of twenty-one years, but has not passed his seventieth birthday, except as otherwise provided herein and who shall have been a duly licensed motor vehicle operator for a period of three continuous years immediately prior to his application, except a person who has been duly licensed and whose license is not in force because of revocation or suspension or whose right to operate is suspended by the registrar, but before such a person shall be so licensed the registrar shall be satisfied that he is of good moral character and has successfully completed a written test, a visual test, and a physical examination in conformity with such minimum physical qualifications as shall be determined by the registrar; provided, however, that a person who has passed his seventieth birthday and is mentally and physically capable of operating motor vehicles transporting school children shall be eligible for a license under this section. Such person shall twice annually, at his own expense, be examined by a physician to determine such capability. No license shall be issued to a person who has been convicted of the crime of rape, unnatural act, sodomy, or the use, sale, manufacture, distribution, possession with intent to distribute, or trafficking of any of the controlled substances which are unlawful under the provisions of section thirty-one of chapter ninety-four C, or to any person who has been convicted of operating a motor vehicle while under the influence of intoxicating liquor, or of marijuana, narcotic drugs, depressants or stimulant substances, as defined in section one of said chapter ninety-four C or the vapors of glue within the preceding five year period under the provisions of section twenty-four. Any person who consents to have any such case disposed of under the provisions of section twenty-four D shall for the purpose of this section be deemed to be convicted. (Chgd. by L.1988, chap. 257(2), eff. 9/12/88.)

On or after January first, nineteen hundred and eighty-eight, every person transporting school pupils as specified in this section shall be duly licensed in accordance with the provisions of this section; provided, however, that in case of any emergency such vehicle may, for a period not to exceed three consecutive school days, be operated by any person, twenty-one years of age or over, who is duly licensed by the registrar and has in his possession a valid Massachusetts operator's license; and provided further a person who is duly licensed by the registrar in accordance with the provisions of section eight A or the department of telecommunications and energy may operate such vehicles without obtaining a license under this section. (Chgd. by L.1997, chap. 164(91), eff. 11/25/97.)

Any such license issued under the provisions of this section shall be valid for a period of twelve months from the date of issue. Upon application for renewal of such license the registrar shall require evidence of continuing good character and physical condition.

The registrar may suspend or revoke any license granted under authority of this section for a violation of any of the provisions of this chapter, or on other reasonable grounds or where, in his opinion, the licensee is either physically or mentally unfit to retain the same.

The registrar may make such rules and regulations as he may deem necessary to carry out the provisions of this section. Each original application shall be accompanied by an application fee which in no event shall be refunded. The application fee and an annual fee to maintain said license shall be determined by the commissioner of administration under the provision of section three B of chapter seven. (Added by L.1986, chap. 683, eff. 1/7/87.)

Chapter 90 Sec. 13A. Use Of Safety Belts; Provisions And Exceptions

No person shall operate a private passenger motor vehicle or ride in a private passenger motor vehicle, a vanpool vehicle or truck under eighteen thousand pounds on any way unless such person is wearing a safety belt which is properly adjusted and fastened; provided, however, that this provision shall not apply to:

- (a) any child less than twelve years of age who is subject to the provisions of section seven AA;
- (b) any person riding in a motor vehicle manufactured before July first, nineteen hundred and sixty-six;
- (c) any person who is physically unable to use safety belts; provided, however, that such condition is duly certified by a physician who shall state the nature of the handicap, as well as the reasons such restraint is inappropriate; provided, further, that no such physician shall be subject to liability in any civil action for the issuance or for the failure to issue such certificate;
- (d) any rural carrier of the United States Postal Service operating a motor vehicle while in the performance of his duties; provided, however, that such rural mail carrier shall be subject to department regulations regarding the use of safety belts or occupant crash protection devices;
- (e) anyone involved in the operation of taxis, liveries, tractors, trucks with gross weight of eighteen thousand pounds or over, buses, and passengers of authorized emergency vehicles.

Any person who operates a motor vehicle without a safety belt, and any person sixteen years of age or over who rides as a passenger in a motor vehicle without wearing a safety belt in violation of this section, shall be subject to a fine of twenty-five dollars. Any operator of a motor vehicle shall be subject to an additional fine of twenty-five dollars for each person under the age of sixteen and no younger than twelve who is a passenger in said motor vehicle and not wearing a safety belt. The provisions of this section shall be enforced by law enforcement agencies only when an operator of a motor vehicle has been stopped for a violation of the motor vehicle laws or some other offense.

Any person who receives a citation for violating this section may contest such citation pursuant to section three of chapter ninety C. A violation of this section shall not be considered as a conviction of a moving violation of the motor vehicle laws for the purpose of determining surcharges on motor vehicle premiums pursuant to section one hundred and thirteen B of chapter one hundred and seventy-five.

(Added by L.1993, chap. 387(1), eff. 2/1/94.)

Chapter 90 Sec. 7AA. Child passenger restraints; fine; violation as evidence in civil action

[First and second paragraphs effective until July 10, 2008. For text effective July 10, 2008, see below.]

Section 7AA. No child under age five and no child weighing forty pounds or less shall ride as a passenger in a motor vehicle on any way unless such child is properly fastened and secured, according to the manufacturer's instructions, by a child passenger restraint as defined in section one.

No child who is five years of age or older, but not older than twelve years of age, shall ride as a passenger in a motor vehicle on any way unless such child is wearing a safety belt which is properly adjusted and fastened according to the manufacturer's instructions.

[First and second paragraphs as amended by 2008, 79, Sec. 2 effective July 10, 2008. For text effective until July 10, 2008, see above.]

A passenger in a motor vehicle on any way who is under the age of 8 shall be fastened and secured by a child passenger restraint, unless such passenger measures more than 57 inches in height. The child passenger restraint shall be properly fastened and secured according to the manufacturer's instructions.

Unless required to be properly fastened and secured by a child passenger restraint under the preceding paragraph, a passenger in a motor vehicle on any way that is under the age of 13 shall wear a safety belt which is properly adjusted and fastened according to the manufacturer's instructions.

The provisions of this section shall not apply to any such child who is: (1) riding as a passenger in a school bus; (2) riding as a passenger in a motor vehicle made before July first, nineteen hundred and sixty-six, that is not equipped with safety belts; (3) physically unable to use either a conventional child passenger restraint or a child restraint specifically designed for children with special needs; provided, however, that such condition is duly certified in writing by a physician who shall state the nature of the disability as well as the reasons such restraints are inappropriate; provided, further, that no such certifying physician shall be subject to liability in a civil action for the issuance of or for the failure to issue such certificate. An operator of a motor vehicle who violates the provisions of this section shall be subject to a fine of not more than twenty-five dollars; provided, however, that said twenty-five dollar fine shall not apply to an operator of a motor vehicle licensed as a taxi cab not equipped with a child passenger restraint device.

A violation of this section shall not be used as evidence of contributory negligence in any civil action.

A person who receives a citation for a violation of any of the provisions of this section may contest such citation pursuant to section three of chapter ninety C. A violation of this section shall not be deemed to be a conviction of a moving violation of the motor vehicle laws for the purpose of determining surcharges on motor vehicle premiums pursuant to section one hundred and thirteen B of chapter one hundred and seventy-five.

Chapter 90 Sec. 7CC. Transporting Special Needs Children

Every person or company contracting to transport by motor vehicle one or more special needs children who are enrolled in a public or private school shall conspicuously display, in lettering, not less than four inches square, on such motor vehicle the name and address of the owner thereof. Whoever violates the provisions of this section shall be punished by a fine of one hundred dollars.

540 CMR 7.09. MINIMUM STANDARDS FOR CONSTRUCTION AND EQUIPMENT OF SCHOOL BUSES AND MINIMUM STANDARDS FOR SCHOOL PUPIL TRANSPORT VEHICLES

7.09: Minimum Standards for School Pupil Transport Vehicles

- (1) **School Pupil Transport Vehicle (7D).** Must be a passenger vehicle with a Gross Vehicle Weight rating of less than 10,000 lbs. Effective July 1, 2020 all school pupil transport vehicles shall have a seating capacity of no more than ten passengers.
- (2) **Identification.** All vehicles shall conspicuously display on both sides of the vehicle, the company name, city and state in lettering at least two inches high with a $\frac{3}{4}$ inch brush stroke in glossy black lettering.
- (3) **Brakes.**
 - (a) Every vehicle shall be equipped with an adequate working parking brake system.
 - (b) Every vehicle shall be equipped with an adequate working service brake system. The service brake shall be adequate to stop the vehicle while traveling at a speed of 20 MPH if not more than a distance of 30 feet.
- (4) **Seatbelts.** The vehicle shall be equipped with a seat belt for each permanent seating accommodation, in good working order, and in compliance with the United States Department of Transportation's Safety Standard.
- (5) **Window Tinting.** Any window tinting shall comply with 540 CMR 4.04: Procedures for Inspections of Non-commercial Motor Vehicles.
- (6) **Side Doors and Rear Doors.** The vehicle shall have, in good working order, an emergency door buzzer or warning device to indicate when door is open.
- (7) **School Bus Signs, Alternating Flashing Red Signal Lamps and Actuation.** The vehicle shall comply with all applicable provisions of 49 CFR 571.108.
- (8) **Windshield.** The windshield shall be in accordance with M.G.L. c. 90, § 9D.
- (9) **Windshield Wiper/Washer System.** The vehicle shall be equipped with a windshield wiper/washer system in good working order.
- (10) **Steering Mechanism.** The steering mechanism shall be approved by the chassis manufacturer and designed to assure safe and accurate performance when the vehicle is operated with maximum load and at maximum speed.
- (11) **Horn.** The vehicle shall be equipped with a horn of standard make, capable of producing adequate sound.
- (12) **Turn Signals.** The vehicle shall be equipped with turn signals in good working order.
- (13) **Emergency Four-way Flashers.** The vehicle shall be equipped with emergency four-way flashers in good working order.

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- (14) **Ignition Lock**. The vehicle shall be equipped with an ignition lock in good working order.
- (15) **Interior of Vehicle**. The interior of the vehicle shall be clean and in good condition.
- (16) **Headlamps**. The vehicle shall be equipped with headlamps and be in good working order.
- (17) **Tires**. All tires must have a minimum tread depth of /32 inch.
- (18) **Wheels**. Wheels shall not be missing, bent, cracked, have broken tire rims, broken studs or missing nuts.
- (19) **Muffler and Exhaust System**. The exhaust system, exhaust manifolds, exhaust pipes, mufflers and tail pipe shall be present and free of leaks. Systems components shall be securely fastened with fasteners in place and undamaged. All motor vehicle exhaust systems shall discharge the exhaust beyond the operator, passenger and or trunk compartment.
- (20) **Fuel Tank**. The fuel tank shall be present and not leak and shall be securely attached to the vehicle's body or chassis.
- (21) **Springs**. Capacity of springs or suspension assemblies shall be commensurate with chassis manufacturer's gross vehicle weight rating.
- (22) **Tail Lights**. The vehicle shall be equipped with two tail lights and two stop lights, one of each mounted at each side of the rear of the vehicle, provided both functions may be combined on a single tail lamp, one at each side.
- (23) **Back Up Warning Alarm**. All vehicles shall be equipped with an audible back up alarm. This alarm shall be installed behind the rear axle. This system must be installed on all vehicles by July 1, 2018.
- (24) **Bumpers**. All bumpers as originally equipped by the manufacturer shall be securely mounted in place.
- (25) **Hood, Doors, and Compartment Lids**. The hood, doors and compartment lids shall open and close properly and be capable of being firmly latched.
- (26) **Fenders (front and rear)**. All fenders shall be securely mounted in place and be in good condition.
- (27) **Additional Required Equipment**. The vehicle shall carry a first aid kit, body fluid clean-up kit, two adequate chock blocks, seat belt cutter (accessible to the driver), fire/evacuation blanket (wheelchair vehicles only), fire extinguisher with a total rating of 2A 10BC or greater (accessible to the driver) and three reflective triangles.

The inspector shall issue a 7D Repair Form (EQ) for any vehicle that fails to satisfy any one of the following requirements.

- (28) **Speedometer**. The speedometer shall be in good working order.
- (29) **Sun Visor and Rearview Mirror**. The sun visor and rearview mirror shall be in good condition.

(30) **Windows.** In addition to the requirements of the windshield, all windows shall be present and in good working order.

(31) **Defroster and Heater.** The defroster and heater shall be in good working order.

(32) **Interior Lights.** All interior lights shall be in good working order to illuminate the interior of the vehicle.

(33) **Instruments, Lamps, and Gauges.** All instruments, lamps and gauges shall be in good working order.

(34) **School Bus Light Indicator.** Such indicator must be equipped with a continuous warning light(s) readily visible to the driver to indicate school bus lights are activated. This system must be installed on all vehicles by July 1, 2018.

(35) **Child Reminder System.** The child reminder system must include an audible device that must be disengaged by the driver before leaving the vehicle. Effective July 1, 2020 all school pupil transit vehicles shall have a child reminder system. The child reminder system control shall be located in the rear most seating compartment.

(36) **Evacuation Plan for School Pupil Transport Vehicles.** Every school pupil transport vehicle is required to have an evacuation plan that clearly states the procedures for the evacuation of each passenger. The plan must remain in the vehicle at all times. All drivers shall understand and be able to execute these plans. The company is to review the plans with the drivers at least twice per year and is required to keep a record of such reviews including the date and substance of the review and the names of those drivers and supervisor(s) participating in the reviews.

(37) **Power Train, Cooling System or Steering System.** The power train, cooling system and steering system shall be free of any fluid leaks or seepage.

(38) **Battery.** The battery shall be securely mounted in a carrier.

(39) **Belts (Alternator/Power Steering).** Belts shall not be loose and shall be in good condition.

(40) **Mirrors.** Mirrors shall be in good condition and mounted one on each side of the vehicle with a clear view to the rear.

(41) **Side Marker Lamps.** The side marker lamps shall be as installed by the manufacturer, and in good working order.

(42) **Shock Absorbers.** The vehicle shall have two shock absorbers in the front and two in the rear in good working order.

REGULATORY AUTHORITY

540 CMR 7.00: M.G.L. c. 90, §§ 7A, 7C and 31.

540 CMR 21.00. SEMI-ANNUAL SAFETY INSPECTION OF SCHOOL PUPIL TRANSPORT VEHICLES

Section

21.01: Purpose, Scope and Applicability

21.02: General Inspection Procedures

21.03: Vehicle Inspection Procedures

21.04: Inspection Dates

21.01: Purpose, Scope and Applicability

540 CMR 21.00 is adopted by the Registrar of Motor Vehicles pursuant to M.G.L. c. 90, §§ 7A and 31, to establish rules and regulations for the semiannual safety inspection of school pupil transportation vehicles under M.G.L. c. 90, § 7D, (7D vehicle) to be performed by licensed Safety Inspection Stations.

21.02: General Inspection Procedures

- (1) All inspections shall be performed in accordance with 540 CMR 21.00 by a Safety Inspection Station licensed by the Registry of Motor Vehicles.
- (2) Before beginning the vehicle inspection, the Inspector shall:
 - (a) complete a 7D vehicle inspection report form and remove the old 7D vehicle sticker;
 - (b) verify the registration, VIN number, date of expiration, school pupil plate which must be displayed pursuant to M.G.L. c. 90, § 2, and annual Certificate of Inspection. If the Certificate of Inspection is missing or invalid, the vehicle shall be rejected (R). If there are any errors on the Certificate of Inspection, a defect equipment card (E.Q.) shall be issued;
 - (c) ensure that the vehicle is a passenger vehicle, with a Gross Vehicle Weight Rating (GVWR) of less than 10,000 lbs. If it is not, it shall be rejected;
 - (d) ensure the vehicle is properly marked. All School Pupil Transport Vehicles shall conspicuously display on each side of the vehicle, the company name, the city or town and state, in lettering at least two inches high with a ¾ inch brush stroke in glossy black lettering. If the vehicle is not so marked, it must be rejected.
- (3) After the vehicle inspection is completed, the Inspector shall issue:
 - (a) a Certificate of Inspection if the vehicle is found to be in compliance with the requirements of 540 CMR 21.00; or
 - (b) a Certificate of Rejection for any safety-related defects as identified in 540 CMR 21.03, and for any exigent condition which, in the opinion of the Inspector, may jeopardize the public safety whether or not specified in 540 CMR 21.03; or
 - (c) a Defective Equipment Card for all minor, non-safety related defects. To prevent further enforcement action by the Registry of Motor Vehicles, the owner or person in control of a vehicle for which a Defective Equipment Card is issued must have the noted defects corrected immediately, and must complete and return the Defective Equipment Card to the Registry within seven days in accordance with the instructions on the Card.

21.03: Vehicle Inspection Procedures

- (1) The Inspector shall reject, and issue a Certificate of Rejection for, any vehicle that fails to satisfy any one of the following requirements:

- (a) Floor. The vehicle floor shall be free of any holes or tears that may allow toxic exhaust fumes to enter the passenger compartment.
- (b) Brakes.
1. The parking brake shall be tested by accelerating the motor to approximately 1200 to 1300 RPMs with the vehicle in the lowest forward gear against the brake in the applied position, and shall be found to hold the vehicle.
 2. The service brake shall be tested at a speed between four and eight MPH and shall be found to be reasonably equalized so that the vehicle does not pull noticeably to either side when applied; and, with the first application of the service brake pedal, to not travel more than 50% of the total distance the brake pedal can travel. In all questionable cases, service brakes shall be adequate to stop the vehicle while traveling at a speed of 20 MPH in not more than the distance of 30 feet. Any vacuum assisted system for service brakes shall be in good working order.
- (c) Seat Belts. The vehicle shall be equipped with a seat belt for each permanent seating accommodation, in good working order, and in compliance with the United States Department of Transportation's Safety Standard.
- (d) Window Tinting. Any window tinting shall comply with 540 CMR 4.04: Procedures for Inspection of Non-commercial Motor Vehicles.
- (e) Side Doors and Rear Doors. The vehicle shall have, in good working order, an emergency door buzzer or warning device to indicate when door is open.
- (f) School Bus Signs, Alternating Flashing Red Signal Lamps and Actuation. The vehicle shall comply with all applicable provisions of 49 CFR 571.108.
- (g) Windshield. The windshield shall be free of any of the following defects:
1. any broken glass with sharp or jagged edges inside or outside;
 2. any stone bruise, star break, or bull's eye damage in excess of one inch in diameter within the area covered by the sweep of the vehicle's wipers provided by the vehicle's manufacturer (the critical viewing area) or larger than two inches outside the critical viewing area, or multiple such damage;
 3. any single line crack which extends more than three inches into the critical viewing area;
 4. multiple cracks one or more which extends into the critical viewing area;
 5. any wiper scrapes in excess of ¼ inch wide within the critical viewing area;
 6. any clouding extending more than three inches within perimeter of the exposed glass;
 7. any poster, sticker, decal, or similar object, attached to the windshield in such a manner as to obstruct the vision of the operator.
- (h) Windshield Wipers/Washer System. The windshield wipers and washer system shall be in good working order.
- (i) Steering Box. The steering box shall be tested by turning the steering wheel until motion is detected at the front wheels, with the engine running if the vehicle is equipped with power steering, and found to have play not to exceed two inches on a steering wheel up to a diameter of 18 inches or 2½ inches on a steering wheel with a diameter in excess of 18 inches.
- (j) Horn. The horn shall be securely fastened to the vehicle, and provide adequate signal.
- (k) Turn Signals. The turn signals shall be in good working order.
- (l) Emergency Four-way Flashers. The emergency flasher shall be in good working order.
- (m) Ignition Lock. The ignition lock shall be in good working order.
- (n) Interior of Vehicle. All panels and seats shall be free of holes and tears larger than two inches. The vehicle interior shall be free of any sharp or protruding objects or defects.
- (o) Fluid. The vehicle shall be free of any fluid leaks or seepage:
1. in the brake or fuel system;
 2. that may be a source of combustion;

3. that may come in contact with brake pads, linings, or exhaust system.
- (p) Headlamps. The headlamps shall be properly aligned and securely mounted.
- (q) Tires. The tires shall conform to the following standards:
1. All tires shall be free of any fabric break or cut in excess of one inch, any bulge, bump or knot related to the deterioration of the tire structure or any ply or cord structure which is visible;
 2. All tires shall have tread depth of at least $\frac{1}{32}$ of an inch in any recut, regrooved, siped, or original tread groove, when measured with a tire depth gauge in a major tread groove nearest the tire center at two points, 15 inches apart, on the circumference.
 3. No studded tires shall be used between May 1 through November 1, unless approved by the Registrar of Motor Vehicles.
 4. No vehicle shall have radial tires on the same axle with non-radial tires, or radial tires on the front axle with non-radial tires on the rear axle, with the exception that vehicles equipped with dual rear tires may have radial or non-radial on any axle, provided they are not intermixed on the same axle.
- (r) Wheels. Wheels shall not be missing, bent, cracked, have broken tire rims, broken studs or missing nuts.
- (s) Front End. Both sides of all vehicles shall be raised and all ball joints, tie rod ends, drag links, pitman arm, idler arm, and kingpins shall be visually or manually examined and found not to be excessively worn.
- (t) Muffler and Exhaust System. The muffler and exhaust system shall be tested by accelerating the motor, and shall be found to prevent unnecessary noise and emission of any unreasonable amount of smoke. The exhaust system, exhaust manifolds, exhaust pipes, mufflers and tail pipe shall be free of leaks. Systems components shall be securely fastened with fasteners in place and undamaged. All motor vehicle exhaust systems shall discharge the exhaust beyond the operator, passenger and or trunk compartment.
- (u) Fuel Tank. The fuel tank shall not leak and shall be securely attached to the vehicle's body or chassis.
- (v) Springs. All springs shall be in good condition. The main leaf shall not be broken or have more than one broken leaf per spring. The center bolt shall not be broken. Spring shackle and U-bolts must maintain proper axle alignment.
- (w) Tail Lights. The vehicle shall be equipped with two tail lights and two stop lights, one of each mounted at each side of the rear of the vehicle, provided both functions may be combined on a single tail lamp, one at each side.
- (x) Bumpers. All bumpers, as originally equipped by the manufacturer, shall be securely mounted in place and shall not be bent, broken or twisted or have any sharp edges or protrusions.
- (y) Hood, Doors, and Compartment Lids. The hood and all doors and compartment lids shall open and close properly and be capable of being firmly latched.
- (z) Fenders (Front and Rear). All fenders shall be securely mounted in place, and shall not be bent or broken. The exterior sheet metal or moldings shall be free of sharp edges or abnormal protrusions extending beyond normal vehicle extremities. Any vehicle whose tires extend beyond the fender or body shall be equipped with flaps or other suitable guards to reduce spray or splash to the rear and side.

Additional Required Equipment.

- (aa) The vehicle shall carry a first-aid kit, body fluid clean-up kit, two chock blocks, a seat belt cutter (accessible to the driver), a fire/evacuation blanket (wheel chair vehicles only), and a fire extinguisher with a total rating of 2A10BC or greater (accessible to the driver) and three reflective triangles.

1. The vehicle shall be equipped with a pressurized, dry chemical fire extinguisher complete with hose. Extinguisher must be mounted in a bracket, located in the driver's

compartment and readily accessible to the driver and passengers. A pressure gauge shall be mounted on the extinguisher so as to be easily read without moving the extinguisher from its mounted position.

2. The fire extinguisher shall be of a type approved by the Underwriters Laboratories, Inc. The seal shall be intact and gauge shall read green at all times.

(bb) Back-up Warning Alarm. All School Pupil Transport Vehicles shall be equipped with an audible back-up alarm effective July 1, 2018. This alarm shall be located behind the rear axle.

(cc) School Bus Light Indicator. All School Pupil Transport Vehicles shall be equipped with a school bus light indicator effective July 1, 2018. Such indicator must be equipped with a continuous warning light(s) readily visible to the driver to indicate if the school bus lights are activated.

(dd) Child Reminder System. All School Transport Vehicles shall be equipped with a child reminder system. The child reminder system must include an audible device that must be disengaged by the driver before leaving the vehicle. The child reminder system shall be installed on all school buses model year 2018 or newer. The child reminder system control shall be located in the rear most seating compartment.

(2) The Inspector shall issue a Defective Equipment Card for any vehicle that fails to satisfy any one of the following requirements:

(a) Speedometer. The speedometer shall be in good working order.

(b) Sun Visor and Rearview Mirror. The sun visor and rearview mirror shall be in good condition.

(c) Windows. In addition to the requirements for the windshield, all windows shall be free of broken glass, cracks, or any condition that may constitute a hazard.

(d) Defroster and Heater. The defroster and heater shall be in good working order.

(e) Interior Lights. All interior lights shall be in good working order to illuminate the interior of the vehicle.

(f) Instruments, Lamps, and Gauges. All instruments, lamps and gauges shall be in good working order.

(g) Power Train, Cooling System and Steering System. The power train, cooling system and steering system shall be free of any fluid leaks or seepage.

(h) Battery. The battery shall be securely mounted in a carrier and free of excessive terminal corrosion. (Bungy straps are not acceptable as tie downs.)

(i) Belts (Alternator/Power Steering). Belts shall not be loose and shall be in good condition. Adjustment shall be tested by turning the drive pulley, which should not turn by hand. If the vehicle is equipped with a serpentine belt, a visual inspection shall be performed for the presence of cracks or chaffing, and to check alignment.

(j) Mirrors. Mirrors shall be in good condition and mounted one on each side of the vehicle with a clear view to the rear.

(k) Side Marker Lamps. The side marker lamps shall be as installed by the manufacturer, and in good working order.

(l) Shock Absorbers. The vehicle shall have two shock absorbers in the front and two in the rear, and they shall not be damaged, worn, broken or hanging.

21.04: Inspection Dates

School pupil transport vehicles shall undergo two inspections each year; one to be performed during the month of October or November, and the other during the month of February or March.

REGULATORY AUTHORITY

540 CMR 21.00: M.G.L. c. 90, §§ 7A and 31.

APPENDIX B: MEDICAL POLICY STATEMENTS

DIABETES POLICY STATEMENT

For School Bus, 7D, and School Pupil Transport Vehicles

Approved by the Registry of Motor Vehicles Medical Advisory Board on March 24, 2008 and recommended to the Registrar for adoption on the same date.

The following standard is applicable to all persons applying for a SCHOOL BUS OPERATOR CERTIFICATE OR 7D OR SCHOOL PUPIL TRANSPORT CERTIFICATE.

For the purpose of this standard, the approving physician must be a Massachusetts board certified or board eligible endocrinologist. A “serious hypoglycemic event” is defined as a hypoglycemic episode or event so severe that it interfered with on-going activities or it required the assistance or aid of another person. “Hypoglycemic unawareness” is defined as the inability to recognize the early symptoms of hypoglycemia such as sweating, anxiety, forceful heartbeat, light-headedness, and/or confusion.

The Registrar, or her designee, may require such additional evidence of the applicant’s or licensee’s medical qualification criteria as she deems appropriate, or may modify this standard as an individual case may require.

A. DIABETES STANDARD:

(1) Diabetic licensees or applicants are eligible to receive a School Bus Operator Certificate or 7D or School Pupil Transport Certificate if:

- (a) The individuals have never had a hypoglycemic episode or spell (as certified by the physician);
and
- (b) The individuals do not use insulin to control their diabetes.

(2) Diabetic licensees or applicants who use insulin to control their diabetes or have had a serious hypoglycemic event are eligible to receive a School Bus Operator Certificate or 7D School Pupil Transport Certificate upon meeting the following conditions:

- (a) The individual possesses a currently valid operator’s driver license;
- (b) The individual is not diagnosed with “hypoglycemic unawareness”;
- (c) The individual has not had a “serious hypoglycemic event” as certified by a Massachusetts board certified or board eligible endocrinologist within the last three years.
- (d) The individual provides a Massachusetts board certified or board eligible endocrinologist with a complete written medical history including, but not limited to, the date insulin use began, all hospitalization reports, consultation notes for diagnostic examinations, all results of studies conducted for diabetes, and follow-up reports and reports of any hypoglycemic insulin reactions within the last three years.

- (e) The individual is examined by a Massachusetts board certified or board eligible endocrinologist every six months and a complete School Pupil Transport Diabetes Medical Evaluation Form, issued by the Registry of Motor Vehicles, is 1) certified by the examining endocrinologist, 2) signed by the license applicant and 3) submitted to the RMV every six months.
- (f) The examining endocrinologist signed statement on the School Pupil Transport Diabetes Medical Evaluation Form certifies the following medical determinations:
 - (i) The endocrinologist is familiar with the applicant's medical history for the past three years either through actual treatment over that time or through consultation with a physician who has treated the applicant during that time. Review of a complete written medical history for the past three years may be substituted for actual consultation with the other physician;
 - (ii) If applicable, the applicant has been on a stable insulin regimen to control his/her diabetes on the date of application;
 - (iii) The applicant does not have serious hypoglycemic events or altered consciousness that interfere with on-going activities or require the assistance of another person to regain control;
 - (iv) The applicant does not have hypoglycemic unawareness or the inability to recognize the early symptoms of hypoglycemia (such as sweating, anxiety, forceful heartbeat, light-headedness and/or confusion);
 - (v) Within the past three years, the applicant has not had an hypoglycemic reaction, at any time, that resulted in any change in mental status that would have been, in the examining endocrinologist's opinion, detrimental to the safe operation of a school bus or a school pupil transport vehicle;
 - (vi) Complications of the applicant's diabetic condition, such as neuropathy, visual impairment or cognitive impairment will not adversely affect his/her ability to operate a school bus or a school pupil transport vehicle.
 - (vii) The applicant has been educated in diabetes and its management, thoroughly informed of and understands the procedures which must be followed to monitor and manage his/her diabetes and what procedures should be followed if complications arise by a National Standard for Diabetes Self-Management Education Program; and
 - (viii) The applicant has the ability and has demonstrated willingness to properly monitor and manage his/her diabetes including signing the School Pupil Transport Diabetes Medical Evaluation Form, as witnessed by the treating endocrinologist, that the applicant understands his/her medical regime and agrees to comply with all criteria concerning eligibility for the 7D School Pupil Transport Certificate or School Bus Certificate.
- (g) The following special conditions are required for the issuance of a 7D School Pupil Transport Certificate or School Bus Operator Certificate to any driver who uses insulin to control his/her diabetes. Each driver must:
 - (i) Carry, use, and record, in a log, the readings from a portable self-monitoring blood-glucose device (SMBG) that is equipped with a computerized memory including date and time of test. Blood glucose monitoring must be performed immediately prior to driving and every four hours thereafter while on duty. Paper tapes generated by SMBGs having a printing capability may be used in lieu of a log prepared by the driver. Log records of blood glucose values (with time and date) must be available to law enforcement or authorized Registry

- personnel upon request. Log records must also be submitted to the certifying endocrinologist for each renewal application;
- (ii) Carry upon your person at all times and use, as necessary, a source of rapidly absorbable glucose;
 - (iii) Not operate a school bus or a school pupil transport vehicle unless blood glucose measures within the target parameters of 80 and 350;
 - (a) If blood glucose measures between 60 and 79 then operator cannot drive school children until blood glucose measure is within the target parameters defined above;
 - (b) If blood glucose measures below 60 then the operator cannot drive school children until certified as “safe to operate” by a Massachusetts board certified or board eligible endocrinologist;
 - (c) If blood glucose measures 350 or more, then the operator cannot operate a school bus or school pupil transport vehicle until certified as “safe to operate” by a Massachusetts board certified or board eligible endocrinologist;
 - (iv) Report and surrender his/her 7D School Pupil Transport Certificate or School Bus Certificate immediately to the Registry of Motor Vehicles if a serious hypoglycemic event should occur;
 - (v) Submit a glucose log within 15 days of a serious hypoglycemic event to the treating endocrinologist;
 - (vi) Acknowledge every six months, through signature and in the presence of their treating endocrinologist, that he/she understands and will adhere to the special conditions of his/her 7D School Pupil Transport Certificate or School Bus Operator Certificate.

EPILEPSY POLICY

As of June 16, 1998:

The following standard is applicable to all persons applying for a **School Bus Operator Certificate or 7D School Pupil Transport Vehicle Certificate**.

For the purpose of this standard, “physician” is defined as “a medical doctor who is licensed to practice in the Commonwealth of Massachusetts.”

The Registrar, or his designee, may require such additional evidence of the applicant or licensee’s medical qualification criteria as she deems appropriate, or may modify this standard as an individual case may require.

1. Epilepsy standard:

Any licensee or applicant for a school bus certificate or 7D school pupil transport certificate who has a current diagnosis of epilepsy is not eligible to receive a certificate or license. The Registry of Motor Vehicles Medical Advisory Board has determined that individuals who have a current diagnosis of epilepsy, even if controlled through treatment, present a significant threat to their own safety and to the safety of the children they are transporting, and may interfere with their ability to perform the duties and responsibilities associated with operating these types of vehicles.

Based upon the advice of the Medical Advisory Board, the Registrar has determined that operators who do not have a current diagnosis of epilepsy have a significantly reduced risk of harm to themselves and to their passengers as well as a reduced risk of impairment while performing the duties and responsibilities associated with operating school pupil transport vehicles, and therefore are eligible to hold a school bus certificate or 7D school pupil transport certificate, unless the Registrar has cause to believe that such person cannot operate safely in a particular case.

2. Policies applicable to existing school bus operator’s certificates and school pupil transport vehicle licenses:

An individual who is unable to meet the medical qualification standards contained in the Vision, Epilepsy, Diabetes, and Cardiovascular/Respiratory Disease Policy Statements of June 16, 1998, but who held a valid school bus certificate or 7D school pupil transport certificate as of the effective date of such policy statements, shall be eligible to retain or renew such certificate or license, provided:

1. He or she satisfies the medical qualification standards in effect immediately prior to the effective date of this policy; and
2. He or she provides a certification from his or her physician that, to a reasonable degree of medical certainty, the individual is medically qualified to safely operate a school bus or school pupil transport vehicle, as the case may be and perform the other functions associated with such operation; and
3. The Registry has no other cause to believe, based upon the individual’s driving history or otherwise, that the individual cannot safely operate such motor vehicle.

CARDIOVASCULAR/RESPIRATORY DISEASE POLICY STATEMENT

As of March 2009:

The following standards are applicable to all persons applying for a SCHOOL BUS CERTIFICATE OR 7D SCHOOL PUPIL TRANSPORT CERTIFICATE.

For the purpose of these standards, “physician” is defined as “a medical doctor who is licensed to practice in the Commonwealth of Massachusetts.”

The Registrar, or her designee, may require such additional evidence of the applicant or licensee’s medical qualification criteria as she deems appropriate, or may modify these standards as an individual case may require.

I. CARDIOVASCULAR DISEASE STANDARDS:

A. A person is not qualified to receive a school bus certificate or 7D school pupil transport certificate, if such person:

- (1) is classified according to the American Heart Association (AHA) functional classification system as an AHA functional Class III or IV heart patient; OR
- (2) has had an implanted cardiac defibrillator (AICD) placed for a “sudden death event” and shall not be eligible for an active school bus certificate or class 7D school pupil transport certificate until a 6-month period during which there is documentation of no episodes of appropriate device firing. Individuals for whom the AICD is placed purely for prophylactic reason will not be subject to this “waiting” period. However, if such individuals are determined to have an AICD that appropriately “fires”, they will be considered the same as an individual who has had a “sudden death event” and be subject to the 6-month period during which there is documentation of no episodes of appropriate device firing.

B. Individuals who have an AICD implanted for a “sudden death event” or are classified as an AHA functional Class III or IV heart patient, may suffer symptoms of cardiac failure with less than ordinary activity. Based upon the advice of the Registry of Motor Vehicles Medical Advisory Board, the Registrar has determined that the duties and responsibilities associated with driving a school bus or school pupil transport vehicle may exacerbate these symptoms thus presenting a risk of harm to both the operator and to the passengers of school buses and school pupil transport vehicles.

C. Change of cardiovascular disease and AICD status:

Individuals who were formerly deemed ineligible to receive a school bus certificate or 7D school pupil transport certificate due to an inability to meet either or both of the criteria specified above, and who are now able to do so, must submit a written statement from their physician to the Registry which indicates that:

- (a) an AICD implanted for a “sudden death event” has not fired in a six month period or that the AICD was implanted for prophylactic reasons and has not fired in a six month period; and

(b) they are classified as either AHA functional Class I, Class II, or do not have heart disease; and

(c) contains a certification that, to a reasonable degree of medical certainty, they are medically qualified to operate a school bus or school pupil transport vehicle safely and fulfill any and all of the duties and responsibilities associated with such operation.

II. RESPIRATORY DISEASE STANDARDS:

A. Any licensee or applicant for a school bus certificate or 7D school pupil transport certificate, whose O₂ saturation level is greater than 88% at rest or with minimal exertion, with or without supplemental oxygen, will be presumed safe to operate a school bus or class 7D or 7D½ school pupil transport vehicle will continue to be eligible for such certificate or license until such time as the Registry has cause to believe that an individual is unsafe to operate a motor vehicle.

B. Any licensee or applicant for a school bus certificate or 7D school pupil transport certificate whose O₂ saturation level is 88% or less at rest or with minimal exertion, even with supplemental oxygen, is not eligible for such certificate or license. A licensee whose O₂ saturation level is 88% or less at rest or with minimal exertion, even with supplemental oxygen, shall be required to voluntarily surrender his or her certificate or license, or be subject to suspension or revocation.

C. Based upon the advice of the Registry's Medical Advisory Board, the Registrar has determined that these individuals possess a significant threat of loss of consciousness, cognitive dysfunction, and risk of heart failure at any given time and therefore are unsafe to operate school bus or school pupil transport vehicles and perform the added duties and responsibilities associated with the transportation of school children.

D. Change of O₂ saturation level:

Applicants or licensees whose O₂ saturation level was 88% or less at rest or with minimal exertion, even with supplemental oxygen, and whose saturation level has changed to greater than 88% at rest or with minimal exertion, with or without supplemental oxygen, may be eligible to regain or obtain their licensing privileges by providing the following information from the physician to the Registry:

(1) medical documentation that his or her O₂ saturation level is greater than 88% at rest or with minimal exertion; and

(2) a certification that, to a reasonable degree of medical certainty, he or she is medically qualified to operate a school bus or school pupil transport vehicles and perform the added duties and responsibilities associated with the transportation of school children.

E. Respiratory disease standards: FEV-1 levels (in liters):

Individuals whose FEV-1 level (forced expiratory (respiratory) volume in one second) is 1.2 liters or less will be required to submit an O₂ saturation test result in order to be eligible for a school bus certificate or 7D school pupil transport certificate. Based upon the advice of the Registry's Medical Advisory Board, the Registrar has determined that individuals whose FEV-1 level is 1.2 liters or less may reasonably be expected to be symptomatic for respiratory or heart failure and therefore require a more extensive evaluation of their ability to operate a school bus or school pupil transport vehicle safely. Upon receipt of the O₂ saturation test, the Registry shall use the above O₂ saturation level criteria in evaluating the individual's ability to operate a school bus or school pupil transport vehicle safely.

VISION POLICY STATEMENT

As of June 16, 1998:

The following standards are applicable to all persons applying for a SCHOOL BUS CERTIFICATE OR 7D SCHOOL PUPIL TRANSPORT CERTIFICATE.

For the purpose of these standards, “physician” is defined as “a medical doctor who is licensed to practice in the Commonwealth of Massachusetts.”

The Registrar, or his designee, may require such additional evidence of the applicant or licensee’s medical qualification criteria as he deems appropriate, or may modify these standards as an individual case may require.

BACKGROUND INFORMATION:

The Registry’s vision standards are adopted in the context of the following information:

20/20 is excellent visual acuity and 20/200 is legally blind. 20/40 vision is better than 20/50 vision, 20/50 is better than 20/60, 20/60 is better than 20/70, and so on.

The term “at least 20/40,” as used in the visual acuity standards means 20/40 or better - 20/40, 20/30, or 20/20 visual acuity would all be acceptable for an unrestricted license. 20/50 or 20/60 would not be acceptable.

180 degrees horizontal peripheral field of vision is a full field of vision. 170 degrees is better than 160 degrees, 160 degrees is better than 150 degrees, and so on.

The term “not less than 120 degrees,” as used in the horizontal peripheral field of vision standard means 120 degrees or more- 120 degrees, 130 degrees, or 140 degrees horizontal peripheral field of vision would all be acceptable. 115 degrees or 110 degrees would not be acceptable.

Any time an applicant or licensee uses glasses or contact lenses to meet any of the vision standards, a “B” restriction (corrective lenses) must be put on the license.

THE VISION STANDARDS:

If the applicant cannot meet the following standards, a license is not possible:

A. Visual acuity and horizontal peripheral field of vision standard: At least 20/40 distant visual acuity (Snellen) in each eye, with or without corrective lenses, and not less than 120 degrees combined horizontal peripheral field of vision.

Eligible for a license. A “B” restriction (corrective lenses) must be put on the license when corrective lenses are used to meet this standard.

Applicants or licensees who use bioptic telescopic lenses are ineligible to receive a school bus certificate or 7D school pupil transport certificate.

B. Color vision standard: The individual must be able to distinguish the colors red, green and amber.

If the applicant or licensee cannot distinguish the colors red, green, and amber, a license is not possible.

C. Vision impairment standard: The individual must not have unresolvable diplopia (double vision which cannot be resolved by wearing an eye patch or other suppressive device).

If the applicant or licensee has unresolvable diplopia, a license is not possible.

APPENDIX C: APPLICATION FORMS RELATING TO 7D LICENSES & 7D VEHICLES

All applications relating to 7D licenses and vehicles can be found on the RMV's website, **Mass.Gov/RMV**, in the Professional Certificates and Licenses Forms section.