Federal & State Laws
Impacting School Bus Drivers
Medical Fitness for Duty

Presenters' Resource Materials

Click on hyperlinks for complete text of law and or regulation.

Part II – ***"How We Got Here"***

Pre-2010

PA-108 of 2006, April 7, 2006, Pupil Transportation Act, MCL **257.1853, Sec. 53 (1) (b)**.

2010 Change from MDE to FMCSA Medical Fitness Standards
PA-93 of 2010, June 22, 2010, Pupil Transportation Act, MCL **257.1853**, Sec 53 (b) (i) (ii) (c) (i-ix).

Post 2010

PA-131 of 2021, December 17, 2021, Pupil Transportation Act, MCL **257.1853**(1) (b)

Part III – ***"Need for MSP Waiver Process"***

PA-160 of 2011, September 30, 2011, Michigan Motor Carrier Act, MCL **480.15** Sec 5. (7).
PA-131 of 2021, December 17, 2021, Pupil Transportation Act, MCL **257.1853**(1) (b)
Federal Motor Carrier Safety Administration **49 CFR 391.46**, **Physical qualification standards for an individual with diabetes mellitus treated with insulin for control.**

Part IV – ***"What Happens Now"***

Federal Motor Carrier Safety Administration **390.3 General applicability**
Federal, State, & Local Gov't (Public School Dist.) **Exceptions (f) (1) (2)**
Federal Motor Carrier Safety Administration 49 CFR 390.5 Definitions **School Bus**, **School bus operation**
Federal Motor Carrier Safety Administration 49 CFR 390.15 Disqualification of drivers **(e) Texting prohibition**, (f) **restriction using hand-held mobile telephone**
Federal Motor Carrier Safety Administration 40 CFR **392.15** Prohibited driving status – alcohol & controlled substances.
Federal Motor Carrier Safety Administration 49 CFR **392.82** Using a hand-held mobile phone.

Physical Qualifications for Drivers – 49 CFR 391.41

Appendix A to Part 391 - Medical Advisory Criteria

1. Loss of limbs – **391.41 (b) (1) & (2)** *** would require SPE**
2. Limb impairment - **391.41 (b) (2)** *** would require SPE**
3. § **391.49** Alternative physical qualification standards for the loss or impairment of limbs ***complete SPE requirements found here**
4. Cardiovascular Conditions - **391.41. (b) (4)**
5. Respiratory Dysfunction - **391.41 (b) (5)**
6. Hypertension - **391.41 (b) (6)**
7. Rheumatic, Arthritic, Orthopedic, Muscular, Neuromuscular or Vascular Disease - **391.41 (b) (7)**
8. Epilepsy - **391.41 (b) (8)**
9. Mental Disorders - **391.41 (b) (9)**
10. Vision – **391.41 (b) (10) (i) (ii)** Drivers with monocular vision completing CDL Physical may drive a Commercial Motor Vehicle, e.g., school bus
11. Hearing - **391.41 (b) (11)**
12. Drug Use - **391.41 (b) (12) (i) (ii)**
13. Alcoholism - **391.41 (b) (13)**

2) **FMCSA Medical Examiner's Certificate with SPE needed**
3) **SPE Certification materials 12212021** (Clean copy for fleet resource document)

Federal Motor Carrier Safety Administration - **Skill Performance Evaluation Certificate Program**

Part V – ***"CDL Groups, Endorsements, & Restrictions***

PA-131 of 2021, December 17, 2021, Pupil Transportation Act, MCL **257.1853**(1) (b) (d)

See included: **Commercial Driver's License – Group Designations, Endorsements, & Restrictions**

Federal Motor Carrier Safety Administration, 49 CFR **391.41** (a)(1)(i)(ii) and 49 CFR **391.41**(a)(2)(i)(A)(B) **Physical Qualifications and Examinations**

Pupil Transportation Act, **MCL 257.1853** (1) (d)