

§ 3623. School buses. 1. a. The commissioner of transportation in consultation with the commissioner shall adopt, promulgate and enforce rules, standards and specifications regulating and controlling the efficiency and equipment of school buses used to transport pupils, with particular regard to the safety and convenience of such pupils and the suitability and adaptability of such school buses to the requirements of the school district. No school bus shall be purchased by a school district or used for the transportation of pupils unless and until it has been approved by the commissioner of transportation as complying with the rules, standards and specifications relating thereto.

b. No bus manufactured after January first, nineteen hundred seventy-four shall be used to transport pupils under any contract with a school district or board of cooperative educational services unless it has been similarly approved by the commissioner of transportation, except that no such approval shall be required for buses used to transport pupils and also used to serve the general public under a certificate of public convenience for the operation of a bus line, granted pursuant to the transportation law or for buses used to transport pupils, teachers and other persons acting in a supervisory capacity to and from school activities and which bus does not receive or discharge passengers on or along the public highways on regularly scheduled routes and is operating under a permit as a contract carrier of passengers granted pursuant to the transportation law or by the interstate commerce commission. School buses manufactured or assembled prior to April first, nineteen hundred seventy-seven may not be used to transport pupils, teachers and other persons acting in a supervisory capacity to and from school activities.

c. The commissioner shall establish and provide for the enforcement of rules and regulations requiring instruction on the use of seat safety belts as specified in subdivision five of section three hundred eighty-three of the vehicle and traffic law and section thirty-six hundred thirty-five-a of this chapter, drills in safe boarding and exiting procedures and emergency drills to be conducted on all school buses and shall emphasize specific hazards encountered by children during snow, ice, rain and other inclement weather. All such drills

shall include instruction in the importance of orderly conduct by all school bus passengers. A minimum of three such drills shall be had on each school bus during the school year, the first to be conducted during the first seven days of session of the fall term.

2. The commissioner shall, after public hearing, promulgate rules and regulations requiring drills on school buses for those pupils who do not participate in such drills required by subdivision one of this section, and the commissioner may provide by such rules and regulations for instructional alternatives to carry out the purposes of this subdivision.