



On the Alert!

Date:
Attention: ASCIP Members
Subject: 15-Passenger Vans
Affected Department: Transportation
Applicability: K-12 Districts

ASCIP often receives inquiries from K-12 members on whether they can use 15-passenger vans to transport students to or from school events. Under state and federal regulations, K-12 school districts may not transport students in 15-passenger vans, even when the vans seating capacity has been reduced. This document aims to provide clarification on the regulations related to this issue.

The confusion surrounding the use of 15-passenger vans can be linked to Education Code § 39800.5 which permits the transportation of students in 15-passenger vans only when the person driving or operating the van has a valid class B driver's license and a passenger transportation vehicle endorsement. However, the Education Code is superseded by both state and federal regulations.

The prohibition against the use of 15-passenger vans for student transport stems from both the federal and state definition of a "school bus". Under Title 49 U.S. Code § 30125 and California Vehicle Code (CVC) § 545, a school bus is defined as any passenger motor vehicle designed to carry a driver and ten or more passengers to and from school events.

Title 49 U.S. Code § 571 and the California Code of Regulations (CCR), Title 13, Chapter 6.5, requires any motor vehicle designed to carry a driver and more than 10 passengers, that is likely to be used to transport preprimary and K-12 students to or from school or a school related event, be equipped with the following:

1. Lamps, reflective devices, and associated equipment,
2. A stop signal arm,
3. Emergency exits and window retention and release,
4. Rollover protection,
5. Body joint strength,
6. Passenger seating protection, and
7. Passenger crash protection.

Given the above regulatory requirements, school districts may not use 15-passenger vans to transport students unless the vans complies with the vehicle standards found in Title 49 U.S. Code § 571 and the CCR, Title 13, Chapter 6.5.

K-12 members may utilize a 15-passenger van to transport non-students and cargo as long as the driver operating the 15-passenger van posses a valid class B driver's license and a passenger transportation vehicle endorsement.

Please contact Lucy Gonzalez at (562) 404-8029 or via email at Gonzalez@ascip.org with any questions.

Resources:

[Title 49 U.S. Code § 30125: School buses and school bus equipment](#)

[Title 49 U.S. Code § 30112: Prohibitions on manufacturing, selling, and importing non-complying motor vehicles and equipment](#)

[Education Code§ 39800.5: Transportation Services General Provisions](#)

[California Vehicle Code § 545: School bus definition](#)

[California Vehicle Code § 12517: Qualifications of School bus or School Pupil Activity Bus Driver](#)

[Title 49 U.S. Code § 571: Federal motor vehicle standards](#)

[California Code of Regulations, Title 13, Chapter 6.5: Motor vehicle standards for school buses and multifunction school activity uses](#)