



## BEST PRACTICES FOR COMMONLY ASKED TRANSPORTATION QUESTIONS

With the bus driver shortage affecting many schools in Michigan, schools are considering nontraditional methods of school business transportation. Districts that elect to pursue transportation outside of traditional, district-owned school buses should be aware of the unique risk management items associated with it.

**NOTE: Always avoid one-on-one situations with only one employee and student.**

### **SCHOOL-OWNED BUS OR VEHICLE**

- Use a district-owned vehicle with an approved employee driver who is trained and screened to transport students.
- Follow the Michigan Pupil Transportation Act to ensure seating capacity does not exceed 10 passengers (including the driver) in any van.
- Outline common pick-up/drop-off locations.

### **ATHLETIC TRANSPORTATION**

Student transportation to athletic and after-school events should be dictated by school policy. If the district is not providing after-school transportation, our best practice recommendation is to return that responsibility to the parents.

### **BORROWING ANOTHER DISTRICT'S BUS DRIVER TO DRIVE A DISTRICT VEHICLE (*One-Time Event*)**

- If an accident occurs and the bus driver is injured on your bus, workers' compensation would go to the employer of the bus driver, per the Michigan workers' compensation statute.
- The driver is a permissive user of the district vehicle and insured under the districts' coverage. Ensure approved training and screening of that driver.
- If an accident occurs, liability coverage would go to the owner of the bus on a primary basis.

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## **BORROWING ANOTHER DISTRICT'S SCHOOL BUS (One-Time Event)**

- If an accident occurs, collision damage and liability exposures would go to the owner of the bus. Exceptions to this could be a contract stating differently or a long-term rental (more than 30 days).
- The district bus driver would be a permissive user of the bus.
- If an accident occurs and the bus driver is injured on the bus, workers' compensation would go to the employer of the bus driver, per the Michigan workers' compensation statute.

## **TRANSPORTATION SERVICE**

- Hire a third-party transportation service to transport students.
- Ensure the vendor carries a minimum of \$3,000,000 of automobile and general liability (including sexual misconduct coverage).
- Request a Certificate of Insurance which reflects the minimum limits and names the district as an additional insured.

## **DISTRICT LEASED/RENTED VEHICLE**

- If the district utilizes a long-term lease or rental vehicle, use the [Contract Risk Management resource](#).
- Any rental contract for district business should be executed in the district's name. If the contract is executed by an individual's name, district insurance will not be responsible for a claim.

## **EMPLOYEE VEHICLE**

- Employee vehicles should only be utilized for transportation services in a rare situation and only for school business. Best practices:
  - Obtain motor vehicle records to ensure clean driving history.
  - Ensure proof of insurance is provided.
  - Confirm vehicles pass a basic inspection for safety.
- The employee's insurance assumes primary responsibility in the event of an accident.

All coverage decisions are made at the time of a claim filing and are subject to the terms, limits, and exclusions of the coverage agreement.

