

281—43.34(285) Contract—privately owned buses. The board of education and a contractor who undertakes to transport school pupils for the board, in privately owned vehicles, shall sign a contract that contains, but is not limited to, the following provisions:

43.34(1) To furnish and operate at the contractor's own expense a legally approved vehicle of transportation transporting only children attending the school designated by the board of education.

43.34(2) To comply with all legal and established uniform standards of operation as required by statute or by legally constituted authorities.

43.34(3) To comply with all uniform standards established for protection of health and safety for pupils transported.

43.34(4) To comply with all rules and regulations adopted by the board of education for the protection of the children, or to govern the conduct of the driver of bus.

43.34(5) To keep bus in good mechanical condition and up to standards required by statutes or by legally constituted authorities.

43.34(6) To take school bus to official inspection when held by state authorities with no additional expense to party of second part.

43.34(7) Reserved.

43.34(8) To use only drivers and substitute drivers who have been approved by the board of education and have received a school bus driver's authorization.

43.34(9) To furnish the board of education an approved certificate of medical examination for each person who is approved by the board of education to drive the bus.

43.34(10) To attend a school of instruction for bus drivers as prescribed by the bureau of nutrition programs and school transportation of the department of education. (If the owner does not drive the bus, the regular approved driver of the bus shall attend.)

43.34(11) To carry insurance on bus and pupils in the coverages and limits as determined by the board of education. Copy of policy to be filed with superintendent of schools.

43.34(12) To make such reports as may be required by state department of education, area education agency board of education, and superintendent of schools.

43.34(13) To use the school bus only for transporting regularly enrolled students to and from public school and to extracurricular activities approved and designated by the board of education and further to comply with all legal restrictions on use of bus.

43.34(14) To obtain, if possible, the license plate numbers of all vehicles violating the school bus passing law, Iowa Code section 321.372, and file information for prosecution.

43.34(15) To reserve the right of the board of education to change routing of the bus and, if additional mileage is required, allow for an extra cost.

43.34(16) To ensure immoral conduct or the use of alcoholic beverages by the contractor or driver employed by the contractor shall result in appropriate sanctions as provided in Iowa Code section 321.375.

43.34(17) To allow the contract to be terminated on 90-day notice by either party as provided by Iowa Code section 285.5(4).

43.34(18) An agreement that, if the contractor desires to terminate the contract, the school bus will be sold to the board of education at its request as provided in Iowa Code section 285.5(1). This requirement does not apply to a passenger vehicle used as a school bus.

[ARC 9262B, IAB 12/15/10, effective 1/19/11; ARC 4636C, IAB 8/28/19, effective 10/2/19]