



Information Brief on Vehicle Types, Safety Data and Potential Impact for Providers

Vehicle Definitions

- **Passenger vehicle**
 - Code of Federal Regulations (CFR) Title 49, Chapter 523.4
 - A passenger automobile is any automobile (other than an automobile capable of off-highway operation) manufactured primarily for use in the transportation of not more than 10 individuals.
 - A passenger vehicle is considered a Type 10 vehicle, meaning it has an equipped capacity of not more than ten persons. [OAR 581-053-0003.32]
- **Bus**
 - CFR Title 49, Chapter 571.3
 - *Bus* means a motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons.
- **School Bus**
 - CFR Title 49, Chapter 571.3
 - *School bus* means a bus that is sold, or introduced in interstate commerce, for purposes that include carrying students to and from school or related events, but does not include a bus designed and sold for operation as a common carrier in urban transportation.
 - Must meet federal and state safety requirements for construction.
 - May be categorized as “A-1”, “A-2”, “B”, “C” or “D”.
 - Requires a Commercial Driver’s License (CDL).
- **Multifunction School Activity Bus (MFSAB)**
 - CFR Title 49, Chapter 571.3
 - *Multifunction school activity bus (MFSAB)* means a school bus whose purposes do not include transporting students to and from home or school bus stops.
 - Shall meet all minimum construction and equipment standards of a Type A-1 school bus, except for: color, may not be equipped with school bus safety lights and marked with the words “School Bus”.
 - Divided into two groups:
 1. Group One has a seating capacity of 11 – 15 including the driver and requires a Class C driver’s license.
 2. Group Two has a seating capacity of 16 – 21 including the driver and requires a CDL.
 - An MFSAB is considered a Type 20 vehicle, meaning it has an equipped capacity of not more than 20 passengers. [OAR 581-053-0003.32]

Rules from Other States for Licensed Child Care

- Licensing rules for 27 states were surveyed.
- Three states that were surveyed had rules regulating the type of vehicles that could be used to transport child care children.

	Vehicle Restrictions		Other Requirements		
	Family Child Care	Centers	Travel Restrictions	Vehicle Inspections	Driver Safety Training
1. Alaska					
2. Arizona					
3. Arkansas					X
4. California					
5. Colorado					X
6. Connecticut					
7. Delaware	X	X			
8. Florida					
9. Georgia				X	X
10. Hawaii					
11. Idaho					
12. Iowa					
13. Kansas				X	
14. Kentucky				X	
15. Louisiana					
16. Maine					X
17. Montana					
18. North Carolina					
19. Tennessee	X	X	X	X	X
20. Texas					X
21. Utah					
22. Vermont			X	X	
23. Virginia					
24. Washington					
25. West Virginia		X		X	
26. Wisconsin				X	
27. Wyoming					

- **Delaware**

- Family: A licensee shall ensure the driver and vehicle used to transport children complies with all applicable federal, State and local laws. The licensee shall not use 12-15 passenger vans to transport children.
- Centers: The driver shall not transport more people, including children and adults, than the capacity of the vehicle. Use of a 12-15-passenger van to transport children is prohibited unless purchased or leased by the facility before July 1, 1998. Official proof of purchase or lease is required.

- **Tennessee**

- Family: (a) Effective January 1, 2007 all vehicles that the child care agency operates, for which it contracts, or which are otherwise under its direction or control, that are designed to carry ten (10) or more passengers must conform to all Federal Motor Vehicle Safety Standards (FMVSS) governing either “large” school buses or “small” school buses, as applicable, in accordance with the provisions of the FMVSS described in 49 Code of Federal Regulations Part 571, or as such Part may be amended. (b) The requirements of this subparagraph (h) do not apply to vehicles used exclusively for the provision of occasional field trips.
- Center: Requirements for Child Care Transportation Vehicles Effective January 1, 2007.
 - (a) All vehicles used by a child care agency that are designed to carry ten (10) or more passengers must conform to all Federal Motor Vehicle Safety Standards (FMVSS) governing either “large” school buses or “small” school buses, as applicable, in accordance with the provisions of the FMVSS described in 49 Code of Federal Regulations Part 571, or as such law may be amended.
 - (b) The requirements of this paragraph do not apply to vehicles used exclusively for the provision of occasional field trips.
 - (a) Children shall not spend more than forty-five (45) minutes traveling one way to or from the agency’s facility or to or from school; provided, however, this provision is not applicable to field trips.
 - (b) If extended transportation beyond the limits in subparagraph (a) is necessary in special circumstances, or as may be required by geographic factors, an individualized plan for each child shall be established and signed by the parent and the child care agency and approved by the Department prior to providing such transportation.

- **Vermont**

- The program director shall ensure that when the CBCCPP provides transportation, the maximum amount of time a child can be transported to or from the child’s home, the CBCCPP, or school shall not exceed forty - five (45) minutes one (1) way.

- **West Virginia**

- Center: Any vehicle used for transportation that has a capacity that exceeds ten (10) passengers shall be a school bus or multifunction school activity bus equipped with passenger safety restraints appropriate to the children being transported. Provided no school bus shall be operated that has aftermarket installed seat belts without certification from the installer that the school bus seat was seat belt ready prior to the installation and that the bus continues to meet federal safety standards for school buses after the installation.

15-Passenger Van Safety Data

- **National Transportation Safety Board. Safety Alert. May 2006**
 - More than half of the 15-passenger vans involved in single vehicle accidents rolled over, compared to one third of passenger car accidents.
 - A major problem with 15-passenger vans is that their tires are often underinflated, leading to higher tire temperatures, faster tire deterioration and diminished driving stability.
 - Adding passengers and cargo causes a higher center of gravity increasing the potential for the driver to lose control in emergency maneuvers.
 - Car tire pressures are typically the same for all four tires. 15-passenger van tires are different for front and rear tires, front tires are typically at 50 psi and rear tires are typically at 80 psi.

- **Analysis of Crashes Involving 15-Passenger Vans. USDOT/NHTSA/National Center for Statistics and Analysis. May 2004**
 - 1990 – 2002, there were 1576 15-passenger vans involved in fatal crashes that resulted in 1111 fatalities to the occupants of the vans.
 - 657 vans were in fatal, single vehicle crashes, of which 349 rolled over.
 - Only 14% of the fatally injured occupants were properly restrained.
 - 92% of the belted occupants survived.
 - Speed and curve road geometry were determined to be statistically significant factors affecting rollover outcome.
 - The odds of a rollover in high-speed roads (50+mph) are about five times the odds in a low-speed road (under 50 mph).
 - High occupancy single-vehicle crashes involving 15-passenger vans are significantly fewer in number as compared to other types of vehicles.
 - 15-passenger vans are equipped with a safety belt in every seating position.
 - The overall rate of rollover in single vehicle crashes for 15-passenger vans is in fact lower than that for SUVs and Pickup Trucks.
 - However, when 15-passenger vans were loaded to above half their seating capacity, they were observed to have 2.2 times the rollover rate as compared to when they were loaded to or below half their designed seating capacity. This compares to lower ratios for SUVs (1.4), Pickup Trucks (1.3), Passenger Cars (1.3) and Minivans (1.7).
 - While the increment in the risk of rollover with every unit increase in occupancy for 15-passenger vans was comparable to other passenger vehicles, 15-passenger vans exhibited a much higher risk of rollover when they were loaded at or above their designed seating capacity.

Older Vans versus Newer Vans – NHTSA Information

- **National Highway Traffic Safety Administration Safety Ratings**

There are newer Safety Rating tests that were implemented in 2011. NHTSA says a consumer should not compare ratings from 1990-2010 models to models that were tested after 2011.

- **Stability Control**

Electronic stability control (ESC), standard in all vehicles as of 2011, helps drivers maintain control of their vehicle during extreme steering maneuvers by keeping the vehicle headed in the driver's intended direction, even when the vehicle nears or exceeds the limits of road traction.

When drivers attempt an extreme maneuver (for example, to avoid a crash or because a curve's severity has been misjudged), they may experience unfamiliar vehicle handling characteristics as the vehicle nears the limits of road traction. The result is a loss of control. This loss usually results in either the rear of the vehicle "spinning out," or the front of the vehicle "plowing out."

A professional driver, with sufficient road traction, could maintain control in an extreme maneuver by using various techniques, such as counter-steering (momentarily turning away from the intended direction). It would be unlikely, however, for an average driver to properly apply counter-steering techniques in a panic situation to regain vehicle control.

- **How ESC Works**

Electronic Stability Control (ESC) uses automatic braking of individual wheels to prevent the heading from changing too quickly (spinning out) or not quickly enough (plowing out). ESC cannot increase the available traction, but maximizes the possibility of keeping the vehicle under control and on the road during extreme maneuvers by using the driver's natural reaction of steering in the intended direction.

ESC works so quickly that drivers do not perceive the need for steering corrections. If drivers do brake because the curve is more or less sharp than anticipated, the system is still capable of generating uneven braking if necessary to correct the heading.

Potential Impact on Providers

- **Survey Data** – The Office of Child Care conducted an informal survey of licensed providers across all license types.
 - Do you transport child care children? (619 respondents)
 - 54.77% transport children as part of their licensed program.
 - What types of vehicles do you use? (326 respondents)
 - 72.39% use vehicles that were classified as either passenger, school bus or multi-function school activity bus.
 - 27.61% use vehicles that are designed to carry more than 10 but fewer than 20 passengers, but were not classified as a school bus or a multi-function school activity bus.
 - If you use 12-passenger vans, how many of these vehicles do you use? (67 respondents)
 - 10.8% of surveyed providers use 12-passenger vans.
 - 79.1% of surveyed providers that use 12-passenger vans only utilize one vehicle.
 - 21.9% of surveyed providers that use 12-passenger vans utilize several of these types of vehicles.
 - 61.7% of surveyed providers that use 12-passenger vans stated the vehicles were built before 2010.
 - If you use 15-passenger vans, how many of these vehicles do you use? (52 respondents)
 - 8.4% of surveyed providers use 15-passenger vans.
 - 78.85% of surveyed providers that use 15-passenger vans only utilize one vehicle.
 - 21.15% of surveyed providers that use 15-passenger vans utilize several of these types of vehicles.
 - 66.15% of surveyed providers that use 15-passenger vans stated the vehicles were built before 2010.
 - Sampling of submitted comments. (105 respondents)
 - Child care Centers and in home care centers should be able to choose the vehicle they transport children in as long as it is a safe, reliable vehicle that provides seat belts for each child and is properly insured.
 - We have had both 12 and 15 passenger vans and they have been safer and had less incidents than school buses that we have used in the past! Our vans are used at typically used at low speeds in neighborhoods to pick up and drop off kids for school. They are more maneuverable and are easier to see pedestrians, which is the most dangerous form of transportation. Changing the current

standards will just raise the cost of childcare and in my opinion, make transportation more dangerous to pedestrians.

- I just stopped taking school age kids, so I will no longer be transporting. Please consider that most at-home providers may have a hard time affording specific vehicles due to income limitations. So if the requirements make the vehicles more expensive, there will be fewer after-school care choices for parents.
- I use a 15 passenger van. I need this vehicle because I transport children in wheelchairs. I'm aware your banning these in 2018. Unless I'm granted an exception I'll be forced to close my daycare. Please understand that just because there's 15 seats does not mean we're transporting more than 10 children. I also sometimes have a child with anger issues. That child cannot sit next to another child while I'm driving. That means he takes up three seats. It's not as black and white of an issue as it sounds. Please keep the needs of the disabled children in mind when making new rules.
- With newer, safer 12-15 passenger vans on the market, it would be highly advantageous for the state to make rules that base the size of the vehicle upon year(s) manufactured in conjunction with size so that safety is addressed without unnecessary restrictions on those willing to purchase and maintain the newer, safer models.
- I just purchased a mini school bus since I'm certified for 16 children it makes it easy for the children and staff to ride safely. My bus is fully equipped with the Safeguard car seat system. And regular seatbelts for adults. My bus makes it easy for myself and staff to buckle children without climbing over seats to reach them which I feel is much safer since you can easily see all straps. I also have bad knees which makes things much easier. Plus statistics show there has not been a fatal school bus accident in Oregon since the 70's. Please as a provider do not take our rights to use buses away, maybe monitor or do a case by case, check out our busses, etc. I feel children are safer strapped in a larger vehicle than in smaller ones should an accident occur. PS we only do school transportation and short local field trips such as the pumpkin patch, or fire station all within approximately a 15 mile radius. I always show potential clients my bus inside and out, it's a huge selling point for my business.
- I want to purchase a van, as I have other parents who want transportation for their kids that I cannot provide now because I lack the vehicle space. I am hesitant to buy a van until I know which one I will be able to use for many years.
- I'm praying I don't have to get rid of my 2002 12 passenger van I just paid off last May. I'm not sure how I can afford to replace it.
- I think the 12 passenger van should be against the rules and a CDL should be required for the buses of all sizes for the safety of the children.

Vehicle Cost

- **15-passenger vans (Kelley Blue Book values)**
 - New vehicles: \$30,226 – 32,389
 - Used vehicles: \$7,900 - \$19,995
- **Multi-Function School Activity Buses (non-CDL)(Western Bus Sales)**
 - Used vehicles: \$5,900 - \$17,500

Rule Options

1. **15-passenger vans shall not be used to transport child care children after January 1, 2018.**
 - **Pros: Direct response to the issues and advisories concerning 15-passenger vans.**
 - **Cons: Can be difficult to clearly identify those vehicles. Vehicles can be modified. Potential for fiscal and practical impact on providers and families.**
2. **Vehicles designed to carry more than ten passengers cannot be used to transport child care children, unless that vehicle is a school bus or a multi-function school activity bus.**
 - **Pros: Simple rule language. More inclusive of other types of vehicles' safety concerns.**
 - **Cons: Can be difficult to clearly identify those vehicles. Vehicles can be modified. Potential for fiscal and practical impact on providers and families.**
3. **Vehicles designed to carry more than ten passengers cannot be used to transport child care children, unless:**
 - (a) the vehicle is a school bus or a multi-function school activity bus; or
 - (b) the vehicle is manufactured after 2010.
 - **Pros: Allows for the use of different types of vehicles. Takes into account new technology. Possible lessening of impact on providers.**
 - **Cons: Still prohibits the use of certain types of vehicles that providers may already own.**
4. **Vehicles designed to carry more than ten passengers, and are not a school bus or a multi-function school activity bus, may be used under the following conditions:**
 - (a) travel speed not to exceed 50 mph; and
 - (b) have an annual safety inspection by a garage, dealership or auto repair shop. Proof of inspection must be on a form provided by the Office of Child Care or on a form provided by the inspector which contains the same information.
 - **Pros: Allows for the use of different types of vehicles. Reduces the impact on providers. Increases awareness of safety issues.**
 - **Cons: Travel speed compliance may be difficult to enforce.**

VEHICLE SAFETY INSPECTION

Use of form: Use of this form is mandatory to comply with DCF 52.47(8)(a)1., DCF 57.12(5), DCF 250.08(4)(b), DCF 251.08(7)(a), and DCF 252.09(3)(b). Failure to comply may result in issuance of a noncompliance statement.

Instructions: At 12-month intervals, the licensee shall provide this form to the garage, dealership or auto repair shop to be completed by the inspector upon completion of the vehicle inspection. The licensee shall submit the completed form to the Licensing Specialist.

Name – Facility

Type
 Family Child Care Group Child Care RCC for Children and Youth Day Camp Group Foster Home

Vehicle – Year	Make	Model	Color	Odometer Reading	License Plate Number
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Name – Inspecting Company or Agency	Name – Inspector	Telephone Number
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Address	City	State	Zip Code
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VEHICLE INSPECTION CHECKLIST

Item	Pass	Repair / Replace	Item	Pass	Repair / Replace		
BRAKES	<input type="checkbox"/>	<input type="checkbox"/>	SAFETY FEATURES	<input type="checkbox"/>	<input type="checkbox"/>		
1. Failure indicator light	<input type="checkbox"/>	<input type="checkbox"/>	17. Turn signals operational	<input type="checkbox"/>	<input type="checkbox"/>		
2. System integrity	<input type="checkbox"/>	<input type="checkbox"/>	18. Head lights	<input type="checkbox"/>	<input type="checkbox"/>		
3. Pedal reserve	<input type="checkbox"/>	<input type="checkbox"/>	19. Tail lights	<input type="checkbox"/>	<input type="checkbox"/>		
4. Disc / drum condition	<input type="checkbox"/>	<input type="checkbox"/>	20. Brake lights	<input type="checkbox"/>	<input type="checkbox"/>		
5. Hoses and assembly	<input type="checkbox"/>	<input type="checkbox"/>	21. Horn	<input type="checkbox"/>	<input type="checkbox"/>		
SUSPENSION	<input type="checkbox"/>	<input type="checkbox"/>	22. Windows / Windshield (cracks / chips)	<input type="checkbox"/>	<input type="checkbox"/>		
6. Shock absorbers / struts	<input type="checkbox"/>	<input type="checkbox"/>	23. Front seat safety belts condition	<input type="checkbox"/>	<input type="checkbox"/>		
7. Springs	<input type="checkbox"/>	<input type="checkbox"/>	24. Back seat safety belts condition	<input type="checkbox"/>	<input type="checkbox"/>		
8. Shackles	<input type="checkbox"/>	<input type="checkbox"/>	25. Door locks operational	<input type="checkbox"/>	<input type="checkbox"/>		
9. Modifications	<input type="checkbox"/>	<input type="checkbox"/>	WIPERS / WIPER BLADES	<input type="checkbox"/>	<input type="checkbox"/>		
STEERING	<input type="checkbox"/>	<input type="checkbox"/>	26. Wipers operational	<input type="checkbox"/>	<input type="checkbox"/>		
10. Lash	<input type="checkbox"/>	<input type="checkbox"/>	27. Blades contact	<input type="checkbox"/>	<input type="checkbox"/>		
11. Free turning	<input type="checkbox"/>	<input type="checkbox"/>	28. Blades condition	<input type="checkbox"/>	<input type="checkbox"/>		
12. Linkage play	<input type="checkbox"/>	<input type="checkbox"/>	TIRES – FRONT	Lft	Rt	Lft	Rt
13. Power system	<input type="checkbox"/>	<input type="checkbox"/>	29. Tread depth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
EXHAUST SYSTEM	<input type="checkbox"/>	<input type="checkbox"/>	30. Matching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Leaks	<input type="checkbox"/>	<input type="checkbox"/>	31. Condition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Legal muffler	<input type="checkbox"/>	<input type="checkbox"/>	TIRES – REAR	Lft	Rt	Lft	Rt
16. Tailpipe	<input type="checkbox"/>	<input type="checkbox"/>	32. Tread depth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			33. Matching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			34. Condition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Brief Comments – Refer to Item Number

SIGNATURE – Inspector	Date – Inspection
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