

# Child Safety Alert Systems

## Frequently Asked Questions

### Revised July 2019

- When must school buses, school pupil activity buses [SPAB] (unless excepted), youth buses, and child care motor vehicles be equipped with a functional Child Safety Alert System (CSAS)?

No later than March 1, 2019.

- Are there any exceptions to the March 1, 2019, compliance date?

Yes. A school district, county office of education, charter school, or private school with an average daily attendance of 4,000 pupils or fewer may be excepted from the CSAS requirements until September 1, 2019, under California Vehicle Code (CVC) Section 28160(b)(1)(B), if they submit specified documentation of their intent to install CSAS to the California Highway Patrol (CHP) no later than March 1, 2019.

- Will the CHP develop and provide a form to document the information required by Section 28160(b)(1)(B) CVC in order to take advantage of the CSAS compliance date extension?

No. If a school district, county office of education, charter school with an average daily attendance of 4,000 pupils or fewer, or a private school with 4,000 pupils or fewer in attendance cannot meet the CSAS installation requirements on or before March 1, 2019, the entity must submit to the CHP, on or before March 1, 2019, documentation that demonstrates it has, before March 1, 2019, ordered or purchased the required CSAS. The documentation must include: an estimate of repairs or installation; the total number of involved vehicles within the fleet; the number of vehicles that do not have an installed CSAS; the proposed date of installation; and the name of the vendor or individual who will install the CSAS. Upon providing this documentation, the operator shall have an additional six months, not to extend beyond September 1, 2019, to meet the CSAS installation and use requirements.

Any entity *other* than those identified above which operates a school bus, SPAB (unless excepted), youth bus, or child care motor vehicle that is subject to the CSAS may submit documentation as specified above to the CHP. Upon providing this documentation, the entity shall have an additional six months, not to extend beyond September 1, 2019, to meet the CSAS installation and use requirements.

Required documentation submissions may be forwarded to the CHP at: P.O. Box 942898, Attention: Commercial Vehicle Section, Sacramento, CA 94298.

The motor carrier or operator of the vehicle(s) is encouraged to retain a copy of the documentation and may present it to any authorized employee of the CHP at the time of vehicle inspection or annual certification. Presentation of the required documentation at the time of inspection, indicating compliance with the applicable submission date, will be deemed to have been forwarded to the CHP as required.

- What is the exemption from the CSAS requirement for a SPAB?

A SPAB is not required to be equipped with a CSAS meeting the requirements of Title 13, California Code of Regulations (CCR), Section 1294, when all the requirements outlined in Section 28160 CVC are met. Click the following link to view Section 28160 CVC: <http://leginfo.legislature.ca.gov>.

- Will the CHP develop and provide a form to document the SPAB CSAS exemption on each activity trip?

No. Section 28160(b)(1)(D)(2) CVC sets forth the requirements associated with the CSAS related to SPAB, which indicates all the required information may be recorded on a single form and requires the forms to be retained by the school district, county office of education, charter school, or private school for a minimum of two years. While the minimum required entries are specified, the format or design of the form is not.

- Will the SPAB CSAS exemption documentation be inspected during school bus terminal inspections by CHP Motor Carrier Specialists?

School bus terminal inspections will remain focused on determining compliance with all applicable requirements related to vehicle maintenance, driver credentialing/proficiency, and driver hours-of-service requirements. However, CSAS compliance date extension documents may be reviewed to determine compliance with CSAS requirements.

- If my school buses, SPAB (unless exempted), or youth buses are not equipped with a CSAS after the mandatory compliance dates, may I still transport pupils to and from school or school related activities in those vehicles?

No. Transportation of pupils conducted in vehicles which are not safe to operate and not equipped as required violates applicable provisions of law. The aforementioned vehicles are required to be inspected and certified annually by the CHP for pupil transportation. When required, vehicles not equipped with a CSAS will not be certified and are not authorized for pupil transportation.

- When a school bus is used to transport passengers other than school pupils to or from school or a school-related function requiring the school bus markings and warning lights to be covered, does the CSAS have to be maintained in working order?

The CSAS requirements are applicable to school buses, SPAB (unless exempted), youth buses, and child care motor vehicles. As a result, vehicles which are not defined as one of the aforementioned vehicle types are not required to be equipped with a CSAS. Vehicle types are defined by the type of transportation conducted, not by size, color, markings, or other indicators.

- To prevent the CSAS from alarming during a non-school related trip, can it be deactivated and prevented from operating temporarily until it is again used for school pupil transportation?

No. Deactivation of a CSAS by any means other than those specified in Title 13 CCR, Section 1294, is prohibited by Title 13 CCR, Section 1294(b). [The device shall not be equipped with any method to deactivate the device except as provided within this section of the CCR.] Click the following link to view Title 13 CCR, Section 1294:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I658FA1A0D46911DE8879F88E8B0DAAAE&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I658FA1A0D46911DE8879F88E8B0DAAAE&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)).

- Would vehicles required to be equipped with the CSAS be allowed to be equipped with a battery-disconnect readily accessible to the driver which can deactivate an activated CSAS?

No. Deactivation of the CSAS by any means other than those permitted in Title 13 CCR, Section 1294, [manual contact with or scanning of the device, as those terms are defined in Title 13 CCR, Sections 1294(g)(2) and (g)(3)] violates CSAS requirements. As a result, for the purposes of CSAS requirements, a vehicle equipped with a battery-disconnect which is readily accessible to and operable by the driver is not in compliance. However, a battery-disconnect not accessible or operable without the use of tools is not deemed readily accessible to the driver.

- If a CSAS was installed on a school bus prior to the passage of Assembly Bill 1840, which extended the mandated implementation date to March 1, 2019, must the CSAS be maintained, fully functional, and utilized?

Buses required to be equipped with a CSAS, but for which the compliance date has been extended, CSAS requirements are not applicable. However, if the bus is equipped with a CSAS, ongoing maintenance and use of the device is strongly recommended.

- If a defect is discovered with the CSAS, must the defect be repaired immediately, or can the bus be operated for the remainder of the working day?

Defects associated with CSAS are addressed in Title 13 CCR, Section 1294(f). The section requires the driver to immediately report the malfunction to the motor carrier or operator of the vehicle. The report may be made initially via radio or other electronic communication. When verbal or electronic notification is made, the driver must also note the malfunction on the driver's vehicle condition

report required by Title 13 CCR, Section 1215, or other document submitted to the motor carrier or operator of the vehicle in order to ensure proper notification. There is no requirement to stop transportation immediately and return to the terminal.

- After discovering a defect with the CSAS during a route or trip, and after returning to the terminal, must the CSAS defect be repaired prior to the next dispatching of the bus?

When required, the CSAS must be properly installed and fully operational at all times. Any vehicle with a CSAS defect which renders the device other than fully operational as required is out of compliance with applicable requirements. An inoperative or not fully operational CSAS adversely affects pupil safety. Although immediate return to the terminal upon discovery of a CSAS malfunction is not required, once the vehicle has returned, if it is again dispatched to transport pupils without having been repaired, the vehicle will not be equipped as required. Additionally, the motor carrier may be found to be non-compliant with applicable, associated requirements for permitting or requiring the operation of a vehicle which is not equipped as required.

- Do the CSAS requirements apply to a school districts' "white fleet", i.e., smaller passenger vehicles that are not regulated as school buses?

The CSAS requirements are applicable to school buses, SPAB (unless excepted), youth buses, and child care motor vehicles. Definitions applicable to the aforementioned vehicles are contained in the CVC as outlined below:

School Bus – Section 545 CVC.

School Pupil Activity Bus – Section 546 CVC.

Youth Bus – Section 680 CVC.

Child Care Motor Vehicle – Section 28160(d) CVC.

- What is a 'floor level door' as referenced in Title 13 CCR, Section 1294(c)?

A floor level door is any door installed in a school bus, SPAB, youth bus, or child care motor vehicle which extends from any height to the floor of the vehicle including, but not limited to, driver and passenger entrance and exit doors, emergency exit doors, and wheel chair lift doors.

- Title 13 CCR, Section 1294(c), prohibits deactivation of the CSAS unless "*the vehicle is stopped, the parking brakes are applied, the ignition is in the off position, and all floor level doors are closed.*" Does this require the CSAS to monitor the vehicle brake system to ensure deactivation cannot occur unless the parking brake is set?

No. Title 13 CCR, Section 1294, is comprised of performance-based requirements rather than prescriptive requirements. As a result, Title 13 CCR, Section 1294, does not require the CSAS to monitor any specific vehicle systems or components. Performance-based requirements outline the manner in which a

device or system must perform or behave in order to comply with applicable requirements, but does not specify parts, components, or accessories necessary to meet the performance requirements. This facilitates and encourages innovation and use of emerging technology without placing unnecessary restrictions on manufacturers or the CSAS.

- Although a CSAS is not required to be connected to the parking brake system, may I elect to connect my CSAS to the parking brake system to ensure the vehicle is configured as required prior to deactivating the device?

Yes. Title 13 CCR, Section 1246(c), prohibits modifications to the brake system of a Type 1 school bus unless specific criteria are met including, but not limited to, obtaining written approval from the school bus chassis manufacturer. The installation of a sensor or other device into an existing, factory installed port within the brake system, which does not alter or modify the existing brake system configuration in any manner, does not constitute a brake system modification within the meaning of Title 13 CCR, Section 1246(c). As a result, in this case, the aforementioned approval is not required.