

For more information, contact your FTA Regional Office:

**Region 1** (CT, MA, ME, NH, RI, VT)  
55 Broadway, Suite 920  
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02142-1093  
Phone (617) 494-2055  
Fax (617) 494-2865

**Region 2** (NJ, NY, VI)  
One Bowling Green,  
Room 429  
New York, NY  
10004-1415  
Phone (212) 668-2170  
Fax (212) 668-2136

**Region 3** (DC, DE, MD, PA, VA, WV)  
1760 Market Street,  
Suite 500  
Philadelphia, PA  
19103-4124  
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Fax (215) 656-7260

**Region 4** (AL, FL, GA, KY, MS, NC, PR, SC, TN)  
61 Forsyth Street, S.W.,  
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Atlanta, GA 30303  
Phone (404) 562-3500  
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**Region 5** (IL, IN, MI, MN, OH, WI)  
200 West Adams  
Street, Suite 320  
Chicago, IL 60606  
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Fax (312) 886-0351

**Region 6** (AR, LA, NM, OK, TX)  
819 Taylor Street,  
Room 8A36  
Fort Worth, TX 76102  
Phone (817) 978-0550  
Fax (817) 978-0575

**Region 7** (IA, KS, MO, NE)  
901 Locust Street,  
Suite 404  
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Phone (816) 329-3920  
Fax (816) 329-3921

**Region 8** (CO, MT, ND, SD, UT, WY)  
12300 West Dakota  
Avenue, Suite 310  
Lakewood, CO  
80228-2583  
Phone (720)-963-3300  
Fax (720) 963-3333

**Region 9** (AS, AZ, CA, GU, HI, NV)  
201 Mission Street,  
Suite 2210  
San Francisco, CA  
94105-1926  
Phone (415) 744-3133  
Fax (415) 744-2726

**Region 10** (AK, ID, OR, WA)  
915 Second Avenue,  
Suite 3142  
Seattle, WA 98174-  
1002  
Phone (206) 220-7954  
Fax (206) 220-7959

U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Office of The Chief Counsel  
400 Seventh Street, S.W.  
Room 9316  
Washington, DC 20590



# Federal Transit Administration

## Public Transportation and School Buses

### Questions and Answers

*Federal transit laws and regulations place limitations on the use of public transportation to transport students to and from school and school-sponsored activities or trips in competition with private transportation providers. This brochure is intended to help transportation providers understand those limitations, as well as the permissible use of public transportation for school students.*

**U.S. Department of Transportation  
Federal Transit Administration**



400 Seventh Street, S.W.  
Washington, D.C. 20590  
Phone (202) 366-1936  
Fax (202) 366-3809

### General Rule Regarding School Transportation\*

In general, recipients of Federal Transit Administration grants cannot provide transportation for students and school personnel if that transportation excludes the general public or competes with private school bus operators.

### QUESTIONS AND ANSWERS

**Question 1:** Does the prohibition against providing school bus service apply to school field trips or trips to other school-sponsored activities, like football games?

**Answer:** Yes. The prohibition against school bus service applies to both home-to-school transportation and transportation for school-sponsored activities or trips. However, an FTA grantee may use buses, facilities, and equipment for the transportation of school students, personnel and equipment for incidental charter bus operations, if one of more of the charter bus service exceptions apply. These include situations where there are no willing and able private charter operators to provide the service, or when the trip involves a significant number of persons with disabilities. For a complete description of the charter bus exceptions, please refer to the charter service regulations (49 CFR 604). They are available online at <http://www.fta.dot.gov/library/legal/charterservice/index.html>

**Question 2:** Does the prohibition against providing school bus service apply to transporting children who are participating in Head Start programs?

**Answer:** No. Head Start transportation is not school bus service; it is transportation to a human service program.

\* The complete text of FTA's School Bus Operations regulations, 49 CFR Part 605, can be accessed online at <http://www.fta.dot.gov/library/legal/schoolbus/>



## TRIPPER SERVICE

**Question 3:** Can students going to school ride regular transit to their destination?

**Answer:** Yes. Public transportation vehicles can be used to transport students and school personnel to and from school if they ride regularly scheduled mass transportation service that is open to the general public. Such service may be designed or modified to accommodate the needs of school students and personnel, using various fare collection or subsidy systems. This is commonly known as "tripper service."

**Question 4:** I want to offer tripper service. Can I put a sign on my regular public transit buses or use the school name as the designated destination to help students figure out which bus to take to school?

**Answer:** Buses used for tripper service can only use a school name as the designated destination if the school is the final destination of a regularly scheduled mass transportation route. Further, buses used for tripper service must be marked as open to the general public, in the same manner as other public transit buses. They may not carry designations such as "school bus," "school special," "student," or any other indications that could deter the general public from using the bus.

**Question 5:** Can a bus in tripper service stop directly in front of a school?

**Answer:** Only under certain conditions. Buses may stop only at stops that are accessible to the public and that are clearly marked like all system stops as available to the public (except in the case of traditional unmarked flag stops). Stops may not be located on private property or on property that restricts access to the public. All routes traveled by tripper buses must be part of a grantee's or operator's regular service route, and must be included in the published route schedules.

## AVAILABILITY/COST OF PRIVATE SCHOOL BUS OPERATORS

**Question 6:** If a school system doesn't want to contract with any of the private bus operators in its area because the prices are too high, can a grantee provide transportation to students?

**Answer:** An FTA grantee in an urban area may provide transportation that is exclusive to students and school personnel if private school bus operators in the urban area are unable to provide adequate transportation at a reasonable rate and in conformance with applicable safety standards. However, buses, facilities, or equipment purchased with FTA assistance cannot be used to provide this service. So a grantee may use only buses, facilities, and equipment that have been purchased exclusively with non-FTA funds to transport students and school personnel to and from school or school-sponsored activities.

**Question 7:** How should a grantee determine whether private school bus operators in the area are unable to provide adequate transportation at a reasonable rate?

**Answer:** A grantee that wants to provide school bus service must place a notice in a newspaper of general circulation within the proposed geographic area of service, send a copy of the notice to all private school bus operators in the area, and provide an opportunity for a public hearing on its application for approval of school bus service.

FTA also recommends that a copy of the notice be sent to the National School Transportation Association.

## PUBLICLY OWNED AND OPERATED SCHOOL BUS SYSTEMS

**Question 8:** If a community operates both the schools and the public transportation

system, can it provide its own school bus service using public transportation buses?

**Answer:** A state or municipality that is an FTA grantee and operates a school system with its own separate and exclusive school bus program may provide transportation that is exclusive to students and school personnel. However, buses, facilities, or equipment purchased with FTA assistance cannot be used to provide this service.

## COMPLAINTS AGAINST FTA GRANTEEES

**Question 9:** How can a private school bus operator file a complaint about a violation of the school bus regulations?

**Answer:** Information concerning the service should be sent in writing to the FTA Regional Administrator. Include as many specifics as possible, such as who provided the service, date and time of the service, origin, destination, and equipment used. After consideration of this information, the Regional Administrator will make a preliminary determination as to whether probable cause exists to believe that a violation of the agreement has taken place. If probable cause exists the Regional Administrator will investigate the complaint and make a written determination of whether there has been a violation and may impose a remedy.

## SCHOOL TRANSPORTATION FOR STUDENTS WITH DISABILITIES

**Question 10:** Is an FTA grantee permitted to bid on a school transportation contract in competition with private school bus operators to provide exclusive transportation for students with disabilities?

**Answer:** No, but see Question 1 concerning charter service exceptions. In addition, a grantee may use paratransit service to transport students and others to school.

**Question 11:** Can an FTA grantee that provides paratransit or demand responsive service (such as "Dial-a-Ride" service) pick up a student and take him or her to school?

**Answer:** Yes, as long as the student qualifies for the service and the service does not exclude the general public. Such service would be comparable to allowable "tripper service" using the fixed route system.

**Question 12:** If a transportation broker wins a school district contract to provide exclusive transportation for students with special needs, can the broker subcontract with an FTA grantee for this service?

**Answer:** No. Whether the public transportation provider contracts directly with the school district or contracts with a broker, exclusive transportation of students and school personnel is a violation of the school bus regulation. However, a grantee may use such buses, facilities, and equipment for the transportation of school students (including students with disabilities), personnel and equipment for incidental charter operations, if one or more of the charter service exceptions apply (49 CFR Part 604).

## FURTHER INFORMATION ON SCHOOL BUS SERVICE

National School Transportation Association  
113 South West Street, 4th Floor  
Alexandria, VA 22314  
800-222-NSTA [www.yellowbuses.org](http://www.yellowbuses.org)

National Association for Pupil Transportation  
1840 Western Avenue  
Albany, NY 12203  
800-989-NAPT [www.napt.org](http://www.napt.org)

National Association of State Directors of Pupil Transportation Services  
6298 Rock Hill Road  
The Plains, VA 20198  
800-585-0340 [www.nasdpts.org](http://www.nasdpts.org)