

APPENDIX II-K

COVER SHEET FOR EMERGENCY RULE

Document Number I4357

Rule Number Saf-C 1304.01(a)

1. Agency Name & Address:  
  
**Department of Safety  
23 Hazen Drive  
Concord, NH 03305**

5. Date of Filing: **August 26, 2025**

2. RSA Authority: **RSA 21-P:14, V(d); RSA 263:29; RSA 265:58**

3. Federal Authority: \_\_\_\_\_

4. Type of Action:  
Adoption \_\_\_\_\_  
Amendment **x**  
Repeal \_\_\_\_\_

6. Short Title: **School Bus Transportation Rule**

7. Contact person for copies and questions:

Name: **Shaun M. Filiault, Esq.**

Title: **Administrative Rules Coordinator**

Address: **Department of Safety  
33 Hazen Drive  
Concord, NH 03305**

Phone #: **(603)-227-0040**

**\*\*PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

9. A summary of the effect if the rule were not adopted.

10. A description of those affected.

**\*PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET** and all attachments along with 2 copies of the **emergency rule** to the Office of Legislative Services, Administrative Rules.

**\*\*PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,\* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date: 8/26/25

Signature: 

Name: **Robert L. Quinn**

Title: **Commissioner**

\*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

**Currently, Saf-C 1304.01(a)(2) requires that applicants “[h]olds a valid driver license for a minimum of two years.” This rule consequently excludes any applicant who, in the past two years, has let their license lapse or had their license suspended.**

**The division of motor vehicles reports an increase in the number of applicants excluded due to this rule. These excluded applicants are otherwise qualified, but experienced brief (less than 30 day) lapses in their driver’s license due to non-renewal or short-term suspension.**

**The state faces a shortage of school bus drivers. Excluding otherwise-qualified applicants due to a brief license lapse has the negative effect of reducing the number of bus drivers available to transport students. That reduction could lead to longer bus routes, more crowded buses, or some students not being able to use bus transport to school, as there will be fewer buses available to transport students.**

9. A summary of the effect if the rule were not adopted.

**If the rule is not adopted, the division will exclude otherwise-qualified school bus driver applicants. A reduced number of licensed school bus drivers may negatively impact students’ school transportation as fewer buses will be available to students. That reduction may negatively affect students’ families, who might have to coordinate other transportation for their children.**

10. A description of those affected.

**School bus driver applicants; school bus providers; students who use school buses; parents of students who use school buses; Division of Motor Vehicles.**

14357, (eff 8-26-25)  
 EMERGENCY RULE  
 EXPIRES: 2-22-26

**Amend Saf-C 1304.01(a), effective 6-21-24 (Doc. #14005), to read as follows:**

Saf-C 1304.01 Qualifications of Applicant.

(a) No person shall drive a school bus or be issued a certificate to drive a school bus or multipurpose passenger vehicle unless the person:

- (1) Is 18 years of age or older. Any interstate driver shall be 21 years of age or older;
- (2) Holds a valid driver license for a minimum of 2 years;
- (3) ~~Has held a~~ Holds a valid driver license for a minimum of 2 years;
- (4) Had had no gap in their driver’s license validity of more than 30 days due to suspension or non-renewal;
- (5) Has submitted their name to the division on a roster, form DSMV 126, “School Bus Driver Roster,” (rev. 06/24), signed by the person responsible at the school district or school bus company for which the person shall be driving a school bus;
- (~~6~~) Can read and speak sufficiently to converse with the public, understand highway traffic signs and signals, respond to official inquiries, and make entries on required reports and records;
- (~~6~~) Has been physically examined and is qualified to drive a school bus in accordance with the provisions of 49 CFR 391.41 through 49 CFR 391.47 if a commercial driver license holder, or Saf-C 1304.02 if a non-commercial driver license holder;
- (~~7~~) Meets the requirements of 49 CFR 382, pertaining to controlled substances and alcohol use and testing, if the person is a holder of a commercial driver license;
- (~~8~~) Has successfully completed a written examination required by the department;  
and
- (~~9~~) Meets the requirements of RSA 189:13-a and RSA 189:13-b.

**APPENDIX**

Rule	Statute
Saf-C 1304.01(a)	RSA 21-P:14, V(d); RSA 263:29; RSA 265:58; 49 CFR 391.41-391.47