

Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012

TAMILNADU

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Rule

TAMIL-NADU-MOTOR-VEHICLES-REGULATION-AND-CONTROL-OF-S of 2012

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Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012Published vide Notification No. G.O. (Ms) No. 727, Home (Tr.VII) Department, dated 30.09.2012Last Updated 23rd January, 2020No. SRO A 24(a)/2012. - In exercise of the powers conferred by clause (xxxiii) of sub-section (2) of Section 96, Section 111, and clause (i) of sub-section (2) of Section 138 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Governor of Tamil Nadu, hereby makes the following Rules, the draft of the same having been previously published as required by sub-section (1) of Section 212 of the said Act: -

1. Short title and commencement.

(1)These rules may be called the Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012.(2)The provisions of these Rules shall come into force with effect on and from the 1st October 2012.(3)These Rules shall apply to School Buses as defined in clause (8) of rule 2.(4)These Rules shall be in addition to and not derogatory of the relevant provisions contained in the Motor Vehicles Act, 1988, (Central Act 59 of 1988), the Central Motor Vehicles Rules, 1989 and the Tamil Nadu Motor Vehicles Rules, 1989.

2. Definition.

- In these Rules, unless the context otherwise requires-(1)"Act" means the Motor Vehicles Act, 1988 (Central Act 59 of 1988);(2)"Appropriate Authority" means the Authority which is authorized under the Act to grant a permit;(3)"Attendant" means any person appointed by a School to perform duties

specified in rule 5;(4)"District Level Inter-Departmental Committee" means a committee constituted under rule 11 to monitor the implementation of provisions of these Rules at District Level;(5)"Educational Authority" means the Authority empowered by the State Government or the Central Government to control and regulate the functioning of a School;(6)"Parent Teacher Association" means an Association formed under rule 9 to ensure the safety of those students who are transported by school buses;(7)"School Authority" means the Correspondent or Secretary of the School Management Committee and the Head Master or the Principal of a School;(8)"School Bus" means an omni bus which stands registered in the name of a school recognized by the State Government or the Central Government or in the name of any other person with whom the management of the school has entered into an agreement of lease and has obtained a permit in the name of the school for the purpose of transporting students and staff of the school only in connection with school activities;(9)"School Level Transport Committee" means the committee constituted under rule 10 to monitor the implementation of provisions of these Rules at School Level;(10)"Special Cell" means the Cell constituted under rule 8 for testing and inspecting School Buses for the purpose of issue and renewal of the fitness certificate; and(11)Words and expressions used but not defined herein shall have their respective meanings, as assigned to them in the Act and the rules made thereunder.

3. School Bus Permit.

(1)No School Bus shall be used in any public place, whether or not such vehicle is actually carrying any student, without obtaining necessary permit from the appropriate authority under Section 76 of the Act.(2)(i)An application for the grant of School Bus permit shall be made in the relevant Form as prescribed in rule 170 of the Tamil Nadu Motor Vehicles Rules, 1989 to the appropriate authority in whose jurisdiction the School is functioning, together with the order of approval from the Educational Authority and such other documents as required by the appropriate authority.(ii)On receipt of an application, the appropriate authority shall make such verification as it may deem necessary and may also issue an order sanctioning permit in accordance with sub-rule (a) of rule 181 of the Tamil Nadu Motor Vehicles Rules, 1989. Upon receipt of the required documents, the appropriate authority shall issue the permit in the relevant Form as prescribed in rule 171 of the Tamil Nadu Motor Vehicles Rules, 1989. In the event of the School Authority failing to produce the required documents within the time specified, the appropriate authority shall revoke its sanction under sub-rule (b) of rule 181 of the Tamil Nadu Motor Vehicles Rules, 1989.(iii)The permit shall be normally valid for a period of five years and the permit will cease to be effective unless the approval or recognition of the school is got renewed. The School Authority shall produce to the appropriate authority, necessary orders of renewal of recognition from the Educational Authority.(iv)The school bus shall be registered in the name of the school and not in the name of the Trust or Society conducting the school.

4. Qualification and duties of driver of School Buses.

- No person shall drive or no School Authority shall allow any person to drive any School Bus unless such person possess the following qualifications as well as satisfy the following conditions:-(1)He must have a valid Driving Licence to drive such class of vehicle;(2)He must have a minimum driving

experience of atleast 5 years in similar category of vehicles;(3)He should not have been challaned more than twice in a year for offences like red light jumping, violation of lane discipline or allowing unauthorized person to drive, etcetera;(4)He should not have been challaned even once for the offences of over speeding, drunken driving and dangerous driving resulted in fatal accident;(5)He should undergo driving skill test before the School Level Transport Committee once in a year. He should also undergo eye test at that time;(6)The driver must maintain a log book. He must point out any defect noticed while driving the School Bus, on day to day basis and also he must ensure that the defects noticed in the log book are rectified and mention the same in the log book;(7)While on duty he should be in a uniform of Khaki Slack and Khaki Pant as specified in clause (iv) of rule 37 of the Tamil Nadu Motor Vehicles Rules, 1989. He should also display on his left chest pocket a white plastic plate of size 8cms x 2cms inscribed with his name in bold black letters of size 0.5cm both in English and in Tamil with badge number and the name of the district as specified in rule 21 of the Tamil Nadu Motor Vehicles Rules, 1989;(8)He shall not drive the School Bus in contravention of the speed limit prescribed;(9)He shall carry the authorisation issued by the School Authority in Form AVT prescribed under rule 12 of the Tamil Nadu Motor Vehicles Rules, 1989 and certified by the Regional Transport Officer;(10)Utmost care should be taken by the driver of the School Bus to follow the Rules of Road Regulations, 1989 as notified in the Government of India Notification No.SO 439(E), dated 12.6.1989.

5. Duties and responsibilities of the Attendant in School Buses.

(1)In every School bus, there shall be an attendant while transporting students. He should possess valid conductor licence granted under Chapter III of the Tamil Nadu Motor Vehicles Rules, 1989.(2)The attendant shall not be less than 21 years of age and not more than 50 years of age. He should be medically fit to get down first from the School Bus at each stopping point to facilitate the embarkation and disembarkation of school children.(3)The attendant should have been adequately trained to handle young children to attend to their needs and ensure their safety while travelling in the School Bus.(4)In case of the children, on the return journey from the school, the attendant shall properly hand over the children to the parent or to the authorised person at the bus stop where the child gets down.(5)As the School Bus stops, the attendant shall get down from the bus at first, stand outside the bus near the steps, help the students to embark and disembark safely and ensure that their parents or authorised person are present to take care of the children.(6)In case, the School Bus is carrying exclusively girl students, there shall be a female attendant in the School Bus.

6. Construction and Maintenance of the School Buses.

- (1) Type of Body. - Every School Bus shall be of semi-saloon type with steel body and no vehicle shall be covered with canvass hood.(2)Painting. - Every School Bus shall be fully painted as follows as specified in rule 349-A of the Tamil Nadu Motor Vehicles Rules, 1989:-(a)Every School Bus shall be fully painted in yellow colour.(b)The inscription "School Bus" shall be painted in the front and rear top of the School Bus, as the case may be, in bold and clearly visible letters.(c)On both exterior sides of the School Bus in a circle of 60 centimeter diameter, and on both the front and rear exterior sides, in a circle of 20 centimeters diameter, the following diagram shall be painted, in dark blue colour with yellow back-ground.(d)The particulars of name and address of the School, contact

phone number, mobile phone number etc., shall be painted on exterior of the body of the School Bus on the left rear side.(e)The name of the School shall be written conspicuously at the top of the front and rear ends and on both sides of the body of the School Bus and the writing shall be horizontal.(f)In the rear right side of the School Bus the contact number of Transport Officer in-charge of the School, local Regional Transport Officer and Police authority should be painted. A separate e-mail ID shall be created and displayed for registering the complaints.(3)Entrance-cum-exit. - In every School bus, there shall be one entrance-cum-exit in the front left side. Hand rails shall be fixed firmly along the steps in the front entrance-cum-exit. It shall be provided with a suitable door.(4)Doors. - In every School Bus, the door in the entrance-cum-exit shall be well maintained to ensure safe locking and also easy unlocking.(5)Foot Board. - In every School Bus, the first step of the foot-board shall be at a height not exceeding 300mms and not less than 250 mms from the ground and all steps shall be fitted with non-slip treads. In case the School Bus is used exclusively for the conveyance of differently abled students, the steps shall be suitably constructed to suit their convenience. In the case of a Bus, which is used as a School Bus, these structural changes should be carried out before the 1st November 2012.(6)Driver's Cabin. - In every School Bus, grilled partition shall be provided to separate driver cabin. In the case of a Bus, which is used as a School Bus, this structural change shall be carried out before the 1st November 2012.(7)Seats. - In every School Bus, all the seats shall be firmly fixed to the floor board by bolts or studs and nuts and fastened by some efficient device to the floor board so as to prevent them coming loose.(8)Bag racks. - In every School Bus, suitable grilled provision shall be made for bag racks under the seat for keeping bags and other things of the students.(9)Floor Board. - In every School Bus, the floor boards shall be so fitted as to exclude as far as possible draughts and dust. If any part of the floor board caves in or weakens, no patch work shall be done. Instead, the entire length and breadth of that stretch of the floor board shall be replaced by the new floor board.(10)Windows. - Every School Bus shall be provided with windows on either sides of size not less than 55cms x 70cms.(11)Window grill. - In every School Bus, three horizontal steel bars shall be fixed on the exterior of the bus along the windows in such a manner that the distance between adjoining bars does not exceed 5cms.(12)Emergency exit. - (a) Every School Bus shall be fitted with an emergency exit door at the rear right side or at the rear wind screen with quick release latches mechanism which can be operated from inside and outside of the Bus.(b)The emergency exit shall be in the form of a frame fixed with a toughened glass with dimensions of 150cms x 120cms or in the form of a door with the same dimension hinged at the top, capable of being operated both from inside and outside. The words "Emergency Exit" shall be prominently inscribed in red colour on a white background both inside and outside of the emergency exit.(13)Reflecting Tape. - Every School Bus, shall have retro reflecting marking as specified in rule 104 of the Central Motor Vehicles Rules, 1989.(14)First Aid Box. - In every School Bus, a first aid box containing articles as specified in sub-rule (5) of rule 172 of the Tamil Nadu Motor Vehicles Rules, 1989 shall be provided and replaced periodically.(15)Fire Extinguisher. - In every School Bus, two fire extinguishers of ABC type having a capacity of 2kg each, bearing ISI mark shall be properly mounted.(16)Fitment of Speed Governor. - In every school bus, speed controlling device (Speed governor) conforming to standards prescribed, shall be fitted so that the speed of the vehicle does not exceed 40 kilometer per hour within Corporation limits and 50 kilometer per hour in other places.

7. Special Permit Conditions.

- In addition to the general conditions of permit specified in Section 84 of the Act and rule 172 of the Tamil Nadu Motor Vehicles Rules, 1989, the following special conditions shall be attached to every School Bus permit:(1)No School Bus shall be fitted with any pressure horn or any other device for producing tonal sound which is operated on air pressure drawn from the braking system.(2)No School Bus shall carry more number of persons than the seating capacity mentioned in the certificate of registration:Provided that in the case of School Buses only carrying children below the age of twelve years, 1.5 times of the seating capacity can be permitted.(3)Log book must be maintained and kept available in School Buses for inspection by the inspecting officers authorized under the Act.

8. Special Cell for inspection and issue of Fitness Certificate.

- (1) Constitution. - A Special Cell shall be constituted for each Regional Transport Office and the unit office under the Chairmanship of the Zonal Joint Transport Commissioner or the Deputy Transport Commissioner, as the case may be, with the following inspecting officers of Transport Department for the purpose of issue and renewal of fitness certificates for school buses:-(i)Regional Transport Officer of the region concerned.(ii)Regional Transport Officer (Enforcement Wing)/Motor Vehicles Inspector Grade I/Grade II of Enforcement Wing.(iii)Motor Vehicles Inspector Grade I of the concerned Regional Transport Office.(iv)Motor Vehicles Inspector Grade II wherever available in the concerned Regional Transport Office.(2)Functions. - (i) It shall be the responsibility of the Joint Transport Commissioner / Deputy Transport Commissioner to prescribe the time table for inspections and also be present for at least 10% of the total number of inspections in each Regional Transport Officer's jurisdiction.(ii)The Special Cell shall conduct the testing and inspection of School Buses according to Chapter VII of the Act, the rules made thereunder as well as these Rules.(iii)Every School shall produce their School Buses before the Special Cell once in three months from the date of issue or renewal of fitness certificate and shall obtain road worthiness certificate.(iv)No School Bus shall be used on public roads except with a valid road worthiness certificate and fitness certificate obtained under section 56 of the Act from the Special Cell.(3)Powers. - The Special Cell shall have the power to suspend or cancel the fitness certificate under rule 121 of the Tamil Nadu Motor Vehicles Rules, 1989 and such other penal action under the provisions of the Act.

9. Formation of Exclusive Parent Teacher Association.

- (i) As regards the operation and maintenance of the School Buses, the parents of those students who are being transported by the School Buses should have a major say. In order to enable such parents to make any representations with regard to the conduct of drivers and attendants, maintenance of School Buses and safety of the students, an exclusive Parent Teacher Association headed by the Principal/Headmaster with such parents (whose children are being transported to school by School Buses) as members shall be formed in every school.(ii)The Association shall meet once in a month. The views, suggestions and complaints made by the parents should be duly considered and recorded by the Principal/Headmaster. On the same day, the minutes of the meeting

should be sent to the School Level Transport Committee specified in rule 10.(iii)The Principal/ Headmaster who is also the Chairman of the School Level Transport Committee shall convene the meeting of the Committee on the same day to consider the representation received from the Association and take necessary action to redress the issues.

10. School Level Transport Committee.

- (1) Constitution. - Every School shall have a School Level Transport Committee to look into the matters pertaining to safe transportation of school children. The committee shall be headed by the Principal/Head Master of the School and consists of the following members namely:-(i)Police Official not below the rank of Sub-Inspector of Police of the area concerned.(ii)An official from the Educational Authority concerned.(iii)The Motor Vehicles Inspector Grade I / Grade II of area concerned.(iv)A representative from the Parent Teacher Association.(2)Functions. - (i) The committee shall meet atleast once in a month on the same day on which the meeting of the Parent Teacher Association is held. It shall discuss about the matters pertaining to safe transportation of the school children and evolve suitable plan of action. It shall verify the documents relating to the School Buses viz. Certificate of Registration, Certificate of Fitness, Certificate of Insurance, Permit, Pollution under control Certificate, Driving Licence and ensure the provision of Fire Extinguisher and First Aid Kit.(ii)The Committee shall consider the representation received from the Parent Teacher Association and take necessary action to redress the issues on the same day.(iii)The committee shall send a report to the District Level Inter-Departmental Committee constituted under rule 11, for necessary action.

11. District Level Inter-Departmental Committee.

- (1) Constitution. - There shall be a District Level Inter-Departmental Committee for each district to discuss and decide on the issues pertaining to safety of children and their transportation. The committee shall be constituted under the Chairmanship of local Revenue Divisional Officer / Sub-collector / Assistant Collector at district head quarters, as the case may be, with the following official as members:-(i)Regional Transport Officer (Member Secretary).(ii)Deputy Superintendent of Police.(iii)Chief Educational Officer and District Educational Officer.(iv)Motor Vehicles Inspector Grade-I/Grade-II.(2)Functions. - (i) The Committee shall meet once in three months and evolve an action plan to conduct inspection of School Buses either in the premises of the school concerned or in such other places as to be decided so as to ensure whether the School Buses comply with the provisions of these Rules.(ii)The Committee will function as a flying squad to enforce the provisions of these rules and the conditions of permit specified in Section 84 of the Act and they shall exercise the powers under section 207 of the Act.(iii)The programme of inspection shall be decided in such a manner that a particular School Bus is inspected by the committee atleast once in a year.(iv)The Committee shall, at the time of inspection, verify the log book written by the driver of the School Bus and verify all the records as to whether the defects pointed out by the driver in the log book are rectified or not.(v)Based on the Committee's report, the Regional Transport Officer shall take action to suspend or cancel the fitness certificate under rule 121 of the Tamil Nadu Motor Vehicles Rules, 1989 and such other penal action under the provisions of the Act.