

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE SECRETARY OF STATE  
BRIAN P. KEMP**

Pursuant to O.C.G.A. §§ 50-13-3, 50-13-4 and 50-13-6, the Department has amended rule 591-1-1-.36 of the Rules and Regulations for Child Care Learning Centers, Chapter 591-1-1.

I do hereby certify that the attached rule adoption is a true and correct copy as promulgated and adopted by Bright from the Start: Georgia Department of Early Care and Learning (Department) on the 24th day of February, 2014.

**BRIGHT FROM THE START: GEORGIA DEPARTMENT OF EARLY CARE AND LEARNING**

**Filed:** February 24, 2014.

**Chapter 591-1-1 Child Care Learning Centers**

Rule 591-1-1-.36 titled "*Transportation.*", amended.

**Authority:** O.C.G.A. § 20-1A-1 *et seq.*

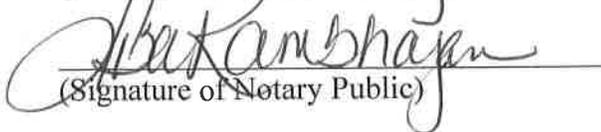


**Bobby D. Cagle, MSW  
Commissioner**

**Bright from the Start:  
Georgia Department of Early Care and Learning**

**Sworn to and subscribed before me this**

24<sup>th</sup> day of February, 2014.



(Signature of Notary Public)

(Notary Public Seal)



### **591-1-1-.36 Transportation**

(1) **Transportation Requirements.** The transportation requirements that follow apply to all transportation provided by the licensee, including transportation provided by any person on behalf of the licensee, regardless of whether the person is employed by the licensee and regardless of whether a fee is charged for this service. Non-routine transportation, such as a parent requesting that their child be picked up at school due to the parents' work schedule or other conflicts, is also covered by these requirements, regardless of whether a fee is charged for this service. (Possible scenarios include, but are not limited to: contract services hired by the licensee to provide transportation or another licensed facility providing transportation on the licensee's behalf.)

(2) **Emergency Transportation.** A center shall have available at all times both a licensed driver and a vehicle that meets the safety requirements contained in these rules or must have a plan approved by the Department for alternative emergency transportation.

(3) **Transportation Training.** Child Care Learning Centers that provide any type of transportation shall obtain two (2) clock hours of transportation training, biannually, for the Director and for each staff person responsible for or who participates in the transportation of children. The training shall include, but is not limited to, a review of the transportation rules as stated in 591-1-1-.36, a review of approved transportation forms and procedures, and instruction on the usage and completion of the forms and procedures.

(a) The Director and each staff person who is responsible for or who participates in the transportation of children shall complete two (2) clock hours of transportation training on or before June 30, 2015 and at least every two years thereafter.

(b) Effective July 1, 2015, the Director and each staff person who will be responsible for or participate in the transportation of children shall have completed two (2) clock hours of transportation training prior to assuming any duties related to the transportation of children and at least every two years thereafter.

(c) Any transportation training completed should be state approved or state accepted training. This training may be counted as part of the annual ongoing training requirements for staff.

(4) **Vehicle Safety.** Vehicles used for transporting children shall be maintained as follows:

(a) **Annual Safety Check.** Each vehicle shall have a satisfactory annual safety check, completed by a trained individual, of at least: tires, headlights, horn, taillights, turn signals, brake lights, brakes, suspension, exhaust system, steering, windows, windshields and windshield wipers. A copy of a standard inspection report used by the Department or an equivalent shall be kept in the center or on the vehicle and should include evidence of any repairs and/or replacements that were identified as needed on the inspection report.

(b) **Interior.** Interior of a transportation vehicle must be clean, in safe repair and free of hazardous items, objects and/or other non-essential items which could impede the children's access or egress from the vehicle or cause injury if the items were thrown about the vehicle as a result of a collision.

(c) **Fire Extinguisher.** Each vehicle shall be equipped with a fire extinguisher maintained in working order and kept inaccessible to children.

(d) **Heater.** Each vehicle must have a functioning heating system.

(e) **Seats.** Seats must be securely fastened to the body of the vehicle.

(f) **Child Passenger Restraints**

1. All children transported in a vehicle provided by or used by the center shall be secured in a child passenger restraining system or seat safety belt in accordance with current state and federal laws and regulations. The child passenger restraining system and seat safety belts must be installed and used in accordance with the manufacturer's directions for such system and used in

accordance with the manufacturer's directions with respect to restraining, seating or positioning the child being transported in the vehicle.

2. No vehicle used by the center to transport children shall exceed the manufacturer's rated seating capacity for the vehicle. The center shall maintain on file proof of the manufacturer's rated seating capacity for each vehicle used by the center.

(g) Front Seat. There shall be no more than three (3) persons in the front seat of a transporting vehicle including the driver. Centers must follow applicable current state and federal laws and regulations and the vehicle manufacturer's recommendations when children are allowed to sit in the front seat.

(h) Windows. No window in a transporting vehicle, except that of the driver, shall be opened to more than fifty percent (50%) of its capacity at any time children are on board.

(5) Staffing Requirements for Transportation of Children

(a) Driver. Whenever the center transports children for any reason, the driver of the vehicle shall be at least eighteen (18) years of age and possess a valid driver's license as required for the class of vehicle that the driver operates for the center.

(b) CPR and First Aid Training. Either the driver or another staff person present on the vehicle shall have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid offered by certified or licensed health care professionals and which dealt with the provision of emergency care to infants and children.

(c) Additional Staff. When the center transports children for any reason, the following staff:child ratios shall be maintained:

Driver + One (1) Staff Members  
[The additional staff must be at least eighteen (18) years of age

When three (3) or more children under three (3) years of age occupy the vehicle;

When seven (7) or more children under five (5) years of age occupy the vehicle;

When eighteen (18) or more children five (5) years of age or older occupy the vehicle.

Driver + Two (2) Staff Members  
[One (1) of the additional staff members must be at least eighteen (18) years of age

When eight (8) or more children under three (3) years of age occupy the vehicle with other children;

When more than twenty (20) children under five (5) years of age occupy the vehicle with other children.

(d) Staffing Requirements When Transporting More Than Thirty-Six (36) Children.

1. When more than thirty-six (36) children under five (5) years of age occupy the vehicle, the staff: child ratios as stated in Rules 591-1-1-.32(1) and 591-1-1-.32(2) shall be met.

2. When more than thirty-six (36) children five (5) years of age and older are transported with no children under the age of five (5) years, there shall be a minimum of two (2) staff persons for the first thirty-six (36) children and there must be one additional staff person for each additional

twenty (20) children. This means a third staff person would be required if transporting thirty-seven (37) to fifty-six (56) children five (5) years of age and older.

(6) Parental Authorization. For routine transportation provided by the center or on behalf of the center, the child's parent(s) must provide written authorization for the transportation and specify routine pick-up location, routine pick-up time, routine delivery location, routine delivery time and the name of any person authorized to receive the child.

(7) Transportation Plan. For all transportation conducted by the center or on behalf of the center, the following requirements shall be met:

(a) Center and Passenger Information. Each vehicle used to transport children shall contain current information including of the full names of all children to be transported, and each child's pick-up location, pick-up time, delivery location, alternate delivery location if parent is not at home and name of person authorized to receive each child. In addition, the vehicle shall contain current information identifying the center's name and telephone number and the name of the driver of the vehicle.

(b) Emergency Medical Information. An emergency medical information record must be maintained in the vehicle for each child being transported. The emergency medical information record for each child shall include a listing of the child's full name, date of birth, allergies, special medical needs and conditions, current prescribed medications that the child is required to take on a daily basis for a chronic condition, the name and telephone number of the child's doctor, the local medical facility that the center uses in the area where the center is located and the telephone numbers where the parents can be reached.

(c) Passenger Transportation Checklists. A passenger transportation checklist, provided by or in a format approved by the Department, shall be used to account for each child during transportation. A separate passenger checklist shall be used for each vehicle.

1. The first and last name of each child transported shall be documented on the passenger transportation checklist. Each child shall be listed individually; a sibling group shall not be listed as a single entry, for example, an entry of "Smith children" would be unacceptable.

2. The driver or other designated person shall immediately document in writing, with a check or other mark/symbol to account for each child listed on the passenger transportation checklist each time a child enters and exits the vehicle. The driver or other designated staff person shall document in writing with a different mark/symbol to account for each child listed on the passenger transportation checklist who was not present on the vehicle for any reason. An explanation shall be documented in writing whenever a child is transported to a field trip site but is not present on the return trip to the center.

3. The driver or other designated staff person shall also document in writing the departure/arrival times for all types of transportation on the passenger transportation checklist as follows:

(i) School Transportation - Each time the vehicle departs from the center, is loaded or unloaded at each school and when the vehicle returns to the center.

(ii) Home Transportation - Each time the vehicle departs from the center, arrives at the location where any child is picked up or dropped off and when the vehicle returns to the center.

(iii) Field Trip Transportation- Each time the vehicle leaves the center, arrives at a field trip destination, leaves a field trip destination, and returns to the center.

4. The staff person on the vehicle responsible for keeping the passenger transportation checklist shall give the completed passenger transportation checklist to the Director or the Director's designated staff person at the center as set forth below:

(i) Immediately upon return to the center at the completion of the trip once the vehicle has been checked; or

(ii) The next business day following the completion of the trip if the vehicle did not return to the center at the end of the trip or if the center was closed when the vehicle returned.

5. Passenger transportation checklists shall be maintained as center records for one (1) year.

(d) Checking the Vehicle. To ensure that all children have been unloaded from transportation vehicles, regardless of whether the vehicle is equipped with a child safety alarm devices, the vehicle shall be thoroughly checked first by a designated staff person who was present on the vehicle during the trip and then by a second designated staff person, who may or may not have been present on the vehicle during the trip, to ensure that two checks of the vehicle have been completed.

1. The first check shall be conducted immediately upon unloading the last child at any location including, but not limited to, a field trip destination, arrival at the center, and the last stop during transportation to home or school. The responsible person on the vehicle shall:

(i) Physically walk through the entire vehicle;

(ii) Visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior;

(iii) Sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle; and

(iv) Give the passenger transportation checklist(s) to the second designated staff person.

2. The second designated staff person shall conduct a check of the vehicle as stated in Rule 591-1-1-.36(7)(d)1.(i) through (iii) above. The second check shall be conducted immediately upon the completion of the first check of the vehicle. There shall be continuous watchful oversight of the vehicle between the first check and second check.

3. If a second designated staff person is not available to conduct a second check of the vehicle, the driver shall check the vehicle as stated in Rule 591-1-1-.36(7)(d)1. (i) through (iii) above and then report by phone to the director or designated staff person that the check has been completed and no children remain on the vehicle. (Possible circumstances include, but are not limited to: the center has closed when the driver returns with the vehicle; the driver is the only staff person on the vehicle at the last destination during home, or school or field trip transportation; the driver takes the vehicle home at the end of the day.) The time and verification of such telephone contact shall be immediately documented and signed on the passenger transportation checklist(s) by the driver.

(8) Travel Restriction. Unless accompanied by his or her parent, no child shall be required to travel more than forty-five (45) minutes on each trip between the child care learning center and destination point, excluding field trips.

(9) Center Responsibility. The center is responsible for the child from the time and place the child is picked up until the child is delivered to his or her parents or the responsible person designated by his or her parents. A child shall not be dropped off at any location if there is no one authorized to receive the child.

(10) Supervision on Vehicles. A child shall never be left unattended in a vehicle.

(11) Prohibited Methods of Transportation. Children shall not be transported in vehicles, or parts thereof, which are not designed for the purpose of transporting people, such as but not limited to: truck beds, campers or any trailers attached to a motor vehicle.

(12) Operating Requirements. The motor shall be turned off, the brake set and the keys removed whenever the driver leaves the vehicle. Transporting vehicles shall be parked or stopped so that no child will have to cross the street in order to meet the vehicle or arrive at a destination.