

591-1-1-.36 Transportation.

(1) Required Transportation. A center shall have available at all times a licensed driver and a vehicle that meets the safety requirement contained in these rules or must have a plan approved by the Department for alternative emergency 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 attachment to a motor vehicle.

(a) **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. 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, whether a fee is charged for this service or not.

(2) 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 of: tires, headlights, horn, taillights, brakes, suspension, exhaust system, steering, 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 the vehicle.

(b) Interior. Interior of a transportation vehicle must be clean and in safe repair and free of hazardous objects 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 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 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 in transporting 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 the center uses.

(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 state and federal laws and regulations and the vehicle manufacturer's recommendations when allowing children to sit in the front seat.

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

(3) 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 will be operating for the center.

(b) Additional Staff. When transporting children, the following supervision must be maintained:

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

When transporting three (3) or more children under three years of age;

When seven (7) or more children under five (5) years of age occupy 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 must be at least eighteen (18) years of age or older]

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 years of age occupy the vehicle with other children.

(c) CPR and First Aid Training. Either the driver or another staff person present on the vehicle must 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.

(4) Staffing Requirements When Transporting More Than Thirty-six (36) Children.

(a) When more than thirty-six (36) children under the age of five (5) occupy the vehicle, the regular staff: child ratios contained in rule .32(1) shall be met.

(b) When more than thirty-six (36) children five (5) years and older are transported with no children under the age of five (5), there must be one staff for each additional twenty children.

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

(5) Parental Authorization. If the center is to provide routine transportation to or from school, home or center, the child's parents must authorize 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.

(6) Transportation Plan. When a center transports children either directly or by contract, it must implement the following requirements:

(a) Center and Passenger Information. Each vehicle used to transport children shall contain current information of the names of all children 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 to receive the child. In addition, the vehicle shall contain current information identifying the center's name, driver and telephone number.

(b) Emergency Medical Information. An emergency medical information record must be maintained in the vehicle on each child being transported by the center. The emergency medical information care for each child shall include a listing of the child's 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 phone 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 signed checklist to account for the loading and unloading of children must be used. When transporting children to the center, the checklist must be turned over to the person in charge of the center upon arrival. Following delivery of children~~

~~from the center, the checklist shall be turned over to the person in charge of the center by the next day. Transportation checklists shall be maintained as center records for one (1) year.~~

A passenger transportation checklist, provided by or in a format approved by the Department, shall be used to account for each child during transportation.

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

2. The director shall designate either the driver of the vehicle or the additional person on the vehicle as the person responsible for completing the checklist.

3. The driver or other designated person shall immediately document in writing, with a check or other mark/symbol on the checklist, each time a child gets on and off the vehicle so that each child is accounted for every time the vehicle is loaded or unloaded. The driver or other designated person shall also document in writing the following information on the checklist:

a. The written time of departure/arrival for all types of transportation as described below:

i. School Transportation - Each time the vehicle departs from the center, arrives at each school(s) and when the vehicle returns to the center.

ii. Home Transportation - Each time the vehicle departs from the center, arrives at the location where a child or children are dropped off and when the vehicle returns to the center.

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

b. The initials of the driver or additional designated person to verify the arrival and departure times at each location.

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

a. Immediately upon return to the center at the completion of the trip once the vehicle has been checked.

b. Immediately upon arrival at the center on the next business day following 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. Transportation checklists shall be maintained as center records for one (1) year.

(d) Checking for Children the Vehicle - Centers Using Transportation Vehicles without Child Safety Alarm Devices. To ensure that all children have been unloaded from transportation vehicles that are not equipped with Department approved and recognized child safety alarm devices, the vehicle shall be thoroughly checked first by a staff person who was present on the vehicle during the trip and then by the director or the director's designated staff person who was not on the vehicle during the trip.

1. 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:

a. Physically walk through the vehicle;

b. Visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior;

c. Sign the passenger transportation checklist with their full name, indicating all of the children have exited the vehicle; and

d. Give the checklist to the director or designated staff person at the center, who will also check the vehicle as stated in 591-1-1-.36(6) (d)1.a. through c. above.

2. If the director or other designated staff person is not available and the driver is the only staff person present, the driver shall check the vehicle as stated in 591-1-1-.36(6)(d)1.a. through c. 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 transportation or on a field trip; the driver takes the vehicle home at the end of the day.) Such telephone contact shall be documented and signed on the checklist by the staff person.

(e) Checking the Vehicle - Centers Using Transportation Vehicles with Child Safety Alarm

Devices. Any vehicles designed or used to transport more than seven (7) passengers and one (1) driver that have Department approved and recognized child safety alarm devices installed shall meet the following requirements to ensure that children have been unloaded from the vehicle, as long as the devices are properly maintained in working order. Any vehicle with a child safety alarm device that is not in working order shall follow the rule for checking a vehicle that does not have such device.

1. The alarm system shall be installed so that the driver must walk to the very back of the vehicle to reach the switch that deactivates the alarm. Only the driver or other center staff shall deactivate the alarm. Alarm switches installed in locations that do not require the driver to walk to the back of the vehicle and view all seating areas will not be acceptable or approved by the Department.

2. The alarm system may be installed by any certified technician or mechanic employed by a recognized electronics or automotive business in accordance with the devices manufacturer's recommendations.
3. The time delay from activation of the alarm until the alarm sounds shall be no longer than one minute.
4. Centers shall comply with one of the following three options for using the child safety alarm device when children are being delivered at the facility or to any other destination when the vehicle is unloaded. Other options must be approved by the Department.
 - a. Unload all of the children, walk through the vehicle to ensure that no children remain on board and deactivate the alarm. (This option will only work if you are able to unload all children in less than one minute.)
 - b. Upon arrival, have one staff member immediately walk through the vehicle to deactivate the alarm system. That staff member will remain near the alarm switch at the back of the vehicle until all children have been unloaded to ensure that no child is left on board. (This option will require at least two staff members, one to supervise the children and one to remain inside the vehicle.)
 - c. Upon arrival, deactivate the alarm and unload the children. Immediately after unloading, start the vehicle and move it to a different location for final parking. (This will reactivate the alarm and require a final walk through.)
5. For any of the transportation vehicle unloading options contained in 591-1-1-.36(6)(e)4.a. through c. above, selected by the center, the vehicle shall be thoroughly checked by the staff person who was present on the vehicle during the trip to ensure that all children have been unloaded from the vehicle:

a. 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 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 with their full name, indicating all of the children have exited the vehicle; and

iv. Give the checklist to the director or designated staff person at the center.

v. If the director or other designated staff person is not available to receive the checklist and the driver is the only staff person present, the driver shall check the vehicle as stated in 591-1-1-.36(6)(e)4. and 5. 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 transportation or on a field trip; the driver takes the vehicle home at the end of the day.) Such telephone contact shall be documented and signed on the checklist by the staff person.

(e f) Travel Restriction. Unless accompanied by his 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.

(f g) 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 parents. A child shall not be dropped off at any location if there is no one to receive the child.

(~~h~~ i) A child shall never be left unattended in a vehicle.

(7) 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.

Authority O.C.G.A. Sec. 20-1A-1 et seq. **History.** Original Rule entitled "Transportation" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency. **Amended:** F. Jan. 12, 2005; eff. Feb. 1, 2005. **Repealed:** New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.