



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5363 (as passed by the House)  
Sponsor: Representative Gail Haines  
House Committee: Transportation  
Senate Committee: Education

Date Completed: 5-20-10

**CONTENT**

**The bill would amend the Pupil Transportation Act to do the following:**

- **Require school bus drivers to meet the physical requirements specified in the Code of Federal Regulations, with an exception for individuals with diabetes who were employed as bus drivers on the bill's effective date.**
- **Extend the duration of a school bus driver's entry-level certificate until the completion of the next six-hour continuing education course, if the individual completed the entry-level course after June 30 of a given year.**

Physical Requirements

The Act requires the driver of a school bus operating in intrastate transportation to meet the annual physical requirements authorized by the Superintendent of Public Instruction. The driver must be examined by a licensed physician, physician's assistant, or certified nurse practitioner and present the medical certificate to the employer. The bill would delete those requirements.

Instead, a school bus driver would have to meet the requirements to ensure that a person is qualified to operate a school bus found in Federal regulations 49 CFR 391.41 through 391.49 (which establish physical qualifications for operators of commercial motor vehicles). The requirement that a driver have no established medical history or clinical diagnosis of diabetes requiring insulin for control would not apply, however, if the individual were employed as a school bus driver on the bill's effective date and diabetes were noted at the time of examination and stabilized as described below.

A driver who was diabetic could be qualified for one year if all of the following applied:

- His or her hemoglobin A1c level was less than 8.
- He or she was under medical supervision.
- The diabetic condition was stabilized by the use of insulin, hypoglycemic drugs, or a diet that could be obtained while a driver was on duty.

If the hemoglobin A1c level were 8 or greater and less than 9, the driver could be certified for six months. If the hemoglobin A1c level were 9 or above, the driver could not be certified. (Please see **BACKGROUND** for a description of the hemoglobin A1c test and the current rules regarding bus drivers with diabetes.)

Qualified individuals affected under those provisions would have to be issued a blue Michigan Department of Education medical card, and all others would have to be issued a white U.S. Department of Transportation medical card.

### Education Enrollment Certificate

The Act requires a school bus driver to have a certificate stating that he or she has enrolled in an entry-level school bus safety education course or has successfully completed a school bus safety education course within the previous two years. A school bus driver must complete the entry-level course within 90 days after enrollment, and must complete a subsequent six-hour continuing education course within two years after certification. Enrollment certificates expire 10 days after the end of the course in which the driver is enrolled, and a second certificate may not be issued.

Under the bill, if a person completed the entry-level school bus safety education course after June 30 of any given year and before completing the subsequent six-hour continuing education course, the duration of the entry-level certificate could be extended to the completion of the next available six-hour continuing education course.

MCL 257.1851 & 257.1853

### **BACKGROUND**

The Hemoglobin A1c level indicates the amount of glycated hemoglobin in the blood, and is used to estimate how well an individual's diabetes is being controlled. The normal range is typically 6% or less, according to the National Institutes of Health. A higher amount indicates a high blood sugar level, and is associated with certain health risks.

Under procedures approved by the State Board of Education, diabetes is not considered disqualifying if it is noted during the driver's physical exam and is stabilized by the use of insulin, hypoglycemic drug, or diet that can be obtained while the driver is on duty. An individual and his or her physician must complete a questionnaire regarding the individual's diabetic history and the measures used to control the diabetes. Based on that information, a decision is made regarding whether the individual can safely operate a school bus.

Legislative Analyst: Curtis Walker

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.