



Operations Services  
33 Spectacle Lake Drive  
Dartmouth, NS  
B3B 1X7

## Memorandum

To: Principals

From: Charles Clattenburg  
Director of Operations

Date: October 8, 2011

Re: **Motor Carrier Act Clause 42A(2)(a)**  
**Transportation of Students - Co-curricular/Extra-curricular Trips**

---

As referred to in the **Student Transportation Policy Section 9**, schools should first consider the use of regular school bus vehicles, to transport students on Co-curricular/Extra-curricular trips. Note: The legislation does not affect transportation to and from school. Motor Carrier Act legislation is in effect pertaining to the use of Privately Owned, or Board Owned, Leased Controlled or Contracted Vehicles for Co-curricular/Extra-curricular School Trips.

School Board insurance is filed to provide the excess insurance required by legislation, over and above the level currently maintained on the vehicles you will be utilizing.

You are simply required to have teacher/parent volunteers complete the attached **Form J [Nova Scotia Utility and Review Board in the matter of the Motor Carrier Act Confirmation and Undertaking respecting Clause 42A(2)(a)]**, each school year, and maintain this information on file in your school.

A driver that is not less than 19 years of age and does not have the status of a newly licensed driver under the Motor Vehicle Act may drive themselves on these trips, however, do not arrange for other students to travel in their vehicles. An "N" displayed on a driver's license would indicate that the individual is newly licensed.

You must also maintain a list of students who are travelling in **each vehicle**, in the school office, along with copy of the list in each vehicle.

If you wish to utilize taxi service for the above noted trips, you would have your staff person request a taxi that is approved under the Motor Carrier Act Regulations. Upon arrival of the vehicle at your school to pick up the students, that person should then confirm that the vehicle meets the Motor Carrier Act Regulations as follows:

.../2

Any vehicles utilized for Extra/Co-Curricular trips should be within the following definitions as indicated in the Motor Carrier Act. To determine if the vehicles are appropriate to meet requirements, operators can refer to the manufacturer's certification exhibited on every vehicle, generally found in the driver's door jam. The information will be noted in one or more ways, by a serial number code using numbers and letters or a manufacturer's tag indicating the vehicle was constructed as a multi-purpose passenger vehicle (MPV) or passenger car. Owners or operators who have difficulty determining the vehicle's class should contact the respective dealer to clarify the vehicle type and a copy of the dealer's letter must be requested from the dealer.

- Multi-purpose passenger vehicle (1994 model year or later, including sport utility vehicles and mini-vans classified as MPV) with a **designated seating capacity of ten or less**.
- The 1994 Model Chrysler Mini-Vans (Designated MPV) must be in compliance with the 1995/96 Chrysler recall notice for replacement of the rear door latch mechanism. A copy of the dealer's completed work order must be attached to the Form J.
- Passenger car with a **designated seating capacity of ten or less**.
- Trucks, 1994 model year or later, with a **designated seating capacity of ten or less**.
- A motor vehicle owned and operated by the parent of the pupil for whom the transportation service is provided and is only being operated for the purpose of providing transportation to the pupil of the parent.
- **Special transit vehicle** that has been designed and manufactured or converted to transport persons with physical disabilities (with a **designated seating capacity of 11 to 14 passengers**).

NOTE: **Convertible vehicles may not be used.** Convertible is defined as a motor vehicle designed or constructed with a roof that is completely or partially retractable or removable. For definition purposes, this includes all vehicles with partially or completely removable roofs; excluding sunroof.

If you have any questions, please contact Transportation Services at 464-2000, ext. 2871 or email [wmyatt@hrsb.ns.ca](mailto:wmyatt@hrsb.ns.ca)

Attachment

cc: Charles Clattenburg

**10/6/2011**

**Form J**  
Nova Scotia Utility and Review Board  
In the matter of the Motor Carrier Act  
Confirmation and Undertaking respecting  
Clause 42A(2)(a)

**The Undersigned,**

Name \_\_\_\_\_ (check one) Parent \_\_\_ Pupil \_\_\_ Teacher \_\_\_ Volunteer \_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ (city) \_\_\_\_\_ (postal code) Phone:(home) \_\_\_\_\_  
(office) \_\_\_\_\_

Motor Vehicle: Year \_\_\_\_\_ Model \_\_\_\_\_

Hereby confirms that, In respect of the above described vehicle:

- (i) the undersigned possesses a valid motor vehicle liability policy of insurance,
- (ii) the undersigned possesses a current motor vehicle inspection for the vehicle,
- (iii) the undersigned possesses a valid driver’s license for the class of vehicle to be operated,
- (iv) the manufacturer’s designed seating capacity will not be exceeded,
- (v) each seating position is equipped with a seat belt assembly as prescribed in the *Motor Vehicle Act*,
- (vi) where a passenger vehicle is operated, seat belts will be worn by all passengers, and
- (vii) the driver is not less than 19 years of age and does not have the status of a newly licensed driver under the *Motor Vehicle Act*.

And hereby undertakes, in respect of the above-described vehicle:

To maintain the documents described in paragraphs (i), (ii), (iii) above and to notify the school board to which the undersigned provides the transportation service as to any cancellation, alteration or expiry of the documents.

Dated and Signed: \_\_\_\_\_

\_\_\_\_\_  
(Signature of person named above) (Witness)