

Alabama Department of Education (SDE)
Pupil Transportation Section
Alabama Act 2012-372 - Physical Examinations for School Bus Drivers
Questions and Answers

1. **What is the statutory authority that requires school bus driver physical examinations?** *On May 14, 2012, Governor Robert Bentley signed Alabama Act 2012-372 into law. This act amends Section 16-27-4 of the Code of Alabama to include the requirement for school bus driver physical examinations. The amended section of the Code is 16-27-4.1. Further, on June 14, 2012, the Alabama State Board of Education approved an Emergency Rule 290-2-4-.08, which provides further direction with respect to implementation of the law.*
2. **Who is required to have a physical examination?** *Anyone who operates a school bus transporting Alabama public schoolchildren must have a physical examination before being allowed to drive. The physical examination must be reported to their local school system on a form prescribed by the SDE (Alabama School Bus Driver Physical Examination Report). This form is available from the local school system, the Pupil Transportation Section of the SDE, or online at www.alsde.edu under Offices/Office of Supporting Programs/Transportation/Publications.*
3. **How often must the physical examination be renewed?** *The driver must have a physical examination and renew the physical examination form every two years unless the examining physician or local school system require it more frequently.*
4. **Who is responsible for the cost of the physical examination?** *The driver is responsible for the cost of the examination. However, if the driver has insurance, their provider may pay for the examination less any co-pay.*
5. **When must the initial physical examination be performed?** *School bus drivers that are employed by a local school system on or before May 14, 2012 have until August 14, 2012 to be in compliance. All other school bus drivers must be in compliance before being allowed to transport students.*
6. **I have a Department of Transportation (DOT) Medical Examiner's Certificate? What must I do to comply with the law?** *Drivers holding a current DOT Medical Examiner's Certificate (DOT Medical Card) should complete the appropriate sections of the Alabama School Bus Driver Physical Examination Report and return it to their local school system along with a copy of their DOT Medical Examiner Certificate. The signed documents will be stapled together and accepted in lieu of another physical.*
7. **May the examining physician allow for a waiver for a condition listed on the Alabama School Bus Driver Physical Examination Report?** *Drivers holding a valid Alabama School Bus Driver Certificate may be grandfathered in for any condition noted on the Alabama School Bus Driver Physical Examination Report provided the driver's submitted examination form states the following: (a) A written statement from their medical examiner that the any condition the driver has will not adversely affect his or her ability to control and safely operate a school bus and (b) signed written waiver. The Alabama School Bus Driver Physical Examination Report includes a section for both the written statement and signed waiver.*
8. **What action should a school system take when a bus driver fails to pass the physical examination for a school bus driver?** *Any driver, including tenured drivers, who cannot pass the required physical examination, may not be permitted to operate a school bus transporting students to or from school or school-related events. The law does not require a local board of education to take any particular employment action with regard to a school bus driver who is not physically qualified. However, since the driver is no longer physically qualified to transport students, the local board of education must not permit them to drive and may also take whatever action it deems necessary in accordance with state and federal law. Loss of employment is a possibility.*

9. **If a driver had a physical performed prior to May 14, 2012 (say April 15, 2012) does the driver have to go back and take another physical?** *If the doctor that performed the earlier physical will complete and sign the Alabama School Bus Driver Physical Examination Report, the results of the earlier physical examination will be accepted. However, if the physician cannot or will not complete and sign the form, another physical examination must be performed and documented on the form.*
10. **Do substitute school bus drivers and/or mechanics have to take the physical examination?** *If they transport students on an Alabama school bus, they must have the physical examination. Drivers who are on “Inactive Status” (not driving) will not be required to have the physical examination until they return to “Active Status” and again start transporting students.*
11. **Must a new driver applicant have a physical form on file before attending an SDE new driver certification class?** *No. SDE requirements to attend a new driver certification classes will remain the same as they have been in the past. Even so, no one may be permitted to transport students until they have a physical examination report form on file with their local board of education, even though they may be issued an Alabama School Bus Driver Certificate by the SDE. Failure comply will result in drivers losing their certificate.*
12. **Why not just require a DOT Medical Examiner’s Certificate instead of this law?** *The DOT will not allow for grandfathering, as does Alabama’s new law. Without grandfathering, many drivers with a condition that would not adversely affect the driver’s ability to control and safely operate a school bus would not be able to drive a school bus. Also, waivers through DOT are difficult and time consuming to receive. Additionally, physical examinations for a DOT Medical Examiner’s Certificate may not be covered by most insurance providers.*
13. **Can information about a driver’s physical be shared between school systems?** *It will be the driver’s responsibility to provide a copy of the Alabama School Bus Driver Physical Examination Report to each school system for which he/she drives.*
14. **Do drivers working for a contract company have to comply with this law?** *Yes. However, contract drivers are not exempt from the Federal Motor Carrier Safety Administration regulations and must hold DOT Medical Examiner Certificates. Since DOT Medical Examiner Certificates may be accepted by local boards of education in lieu of the state’s physical examination, contract drivers will only need to complete and sign the and return it to their local board of education along with a copy of their DOT Medical Examiner Certificate. Subsequently, an out-of-state license holder driver transporting Alabama schoolchildren is required to possess a current DOT Medical Examiner’s Certificate.*
15. **Do the drivers have to carry the Certificate of Compliance with them?** *Neither the law nor the State Board of Education Rule require that school bus drivers carry a copy of the Certificate of Compliance while driving a school bus. However, it is recommended because law enforcement officers may require proof that the driver has a current physical report on file.*
16. **Where must physical report forms be filed?** *The law states that the forms are to be kept in the “central office of the department.” The SDE interprets this to mean that these records may be kept in any secure location designated by the local superintendent of education, including the transportation office.*

[For Additional Information:](#)

**[Alabama Department of Education Website at www.alsde.edu](http://www.alsde.edu)
or
[Pupil Transportation Section at 334-242-9730](tel:334-242-9730)**