

2021 AUG 26 PM 2: 14



State of Rhode Island

Daniel J. McKee
Governor

EXECUTIVE ORDER

21-90

August 26, 2021

STUDENT TRANSPORTATION ORDER

WHEREAS, on March 9, 2020, Governor Raimondo issued Executive Order 20-02 declaring a state of emergency due to the dangers to health and life posed by COVID-19 and that Order is in effect until at least September 4, 2021;

WHEREAS, on August 19, 2021, I issued Executive Order 21-86 declaring a disaster emergency for new COVID-19 variants;

WHEREAS, ensuring adequate student transportation is critical to the ability of students to attend schools in person and local school districts as well as other local educational agencies throughout the State to keep schools open for in-person learning for the 2021-2022 school year; and

WHEREAS, the Rhode Island Department of Education (RIDE) has identified additional student transportation providers with available service who can assist RIDE in ensuring that students in Rhode Island are provided with transportation to and from school.

NOW THEREFORE, I, DANIEL J. MCKEE, by virtue of the authority vested in me as Governor of the State of Rhode Island, pursuant to Article IX of the Rhode Island Constitution and the Rhode Island General Laws, including, but not limited to, Title 30, Chapter 15, do hereby order as follows:

1. The requirement of using designated types of vehicle for specified routes as contained in R.I. Gen. Laws § 31-22-11.6(a)(2)(i) is hereby suspended as of August 26, 2021 for student transportation providers retained by or via RIDE to provide student transportation services (“Retained Providers”, each a “Retained Provider”). For such routes, Retained Providers may utilize:
 - a. school buses, as defined in R.I. Gen. Laws § 31-1-3(aa),
 - b. pupil transportation vehicles, as defined in R.I. Gen. Laws § 31-22.1-1,
 - c. school extra-curricular vehicles as defined in R.I. Gen. Laws §§ 31-22-11.6(a)(2)(ii),
 - d. child care vehicles as defined in R.I. Gen. Laws §§ 31-22-11.6(a)(2)(iii), and
 - e. family child care home vehicles as defined in R.I. Gen. Laws §§ 31-22-11.6(a)(2)(iv) (collectively “Student Transportation Vehicles”);

provided that such vehicles are in compliance with the applicable laws, and that by the expiration of this Order, vehicles under paragraphs 1(c) through 1(e) of this Order shall also:

- f. carry a sign in school bus yellow visible from the front and back of the vehicle containing the lettering required by R.I. Gen. Laws § 31-20-11;
- g. be equipped with Type I Class A turn signal lamps, which shall have a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps which may be activated when the vehicle is approaching a stop to load or discharge school students and when needed as a vehicular traffic hazard warning. Each vehicle shall also be equipped with front and rear alternating flashing school bus red signal

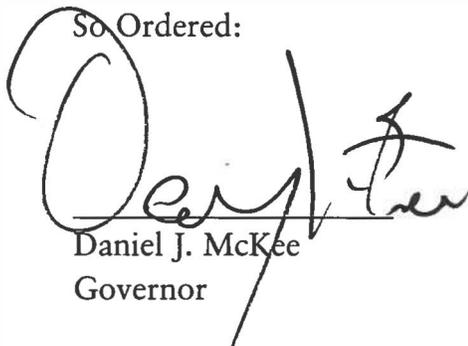
lamps, which shall remain flashing when school pupils are entering or leaving vehicle; and

- h. be equipped with one pair of adequate chock blocks and three (3) flares in compliance with United States Motor Vehicle D.O.T. Safety Standard No. 125.
2. The prohibition against school extracurricular vehicles from having amber or red flashing lights as contained in 280-RICR-30-15-8.5(B)(1) is hereby suspended as of August 26, 2021.
 3. Retained Providers may utilize Student Transportation Vehicles currently registered in Massachusetts or Connecticut to provide student transportation services in Rhode Island, provided that:
 - a. each Student Transportation Vehicle has current, valid Massachusetts or Connecticut registration and inspection stickers;
 - b. each Student Transportation Vehicle is covered by an insurance policy meeting the requirements of R.I. Gen. Laws § 31-22-10.1;
 - c. RIDE has verified paragraphs 3(a) and 3(b) of this Order; and
 - d. the Retained Provider complies with the registration requirement for each Student Transportation Vehicle pursuant to R.I. Gen. Laws § 31-7-2 by the expiration of this Order.
 4. The statutory license requirements contained in R.I. Gen. Laws §§ 31-10-5, 31-22.1-3(10), and 31-22-11.6(b)(10) are hereby suspended as of August 26, 2021 for drivers currently licensed in Massachusetts or Connecticut to operate Student Transportation Vehicles and employed by Retained Providers (each, a “Provider Driver”).
 5. A Provider Driver may operate Student Transportation Vehicles appropriate for their licensure, provided that:

- a. As applicable, the Provider Driver possesses a current, valid Massachusetts or Connecticut commercial driver's license with a "P" and "S" endorsement and a current, valid Massachusetts school bus certificate if licensed in Massachusetts.
- b. As applicable, the Provider Driver possesses a current, valid Massachusetts or Connecticut driver's license that is the equivalent of a Rhode Island license with the appropriate endorsement(s) allowing the transportation of school children.
- c. RIDE has verified paragraphs 5(a) and 5(b) of this Order.
- d. As applicable, the Provider Driver obtains a school bus certificate governed by 280-RICR-30-05-2 by the expiration of this Order.
- e. As applicable, the Provider Driver obtains a pupil transportation certificate governed by 280-RICR-30-05-5 by the expiration of this Order.
- f. The Provider Driver complies with license requirements under R.I. Gen. Laws §§ 31-10-5, 31-22.1-3(10), and 31-22-11.6(b)(10) by the expiration of this Order.

This Order shall take effect immediately and remain in full force and effect until September 25, 2021 unless renewed, modified or terminated by subsequent Executive Order.

So Ordered:



Daniel J. McKee
Governor