

## **PROCEDURES & INSTRUCTIONS FOR ACCIDENT REPORTING & ADJUDICATING**

In accordance with the Public Education Department (PED) regulations 6.41.4 NMAC, school districts/state chartered charter schools are required to submit within one week (7 calendar days) by email or regular mail, school bus accident reports to the PED School Transportation Bureau (STB) utilizing the uniform school bus accident/adjudication report found on the STB website.

STB requires all accidents to be reported, involving school buses and school owned activity vehicles, used for the purpose of transporting students to be reported regardless of severity. This also includes accidents involving students, whether or not it is a school bus or activity vehicle, related traffic accident (IE: student injured at school bus stop, loading or unloading zone, or school walk zone).

If a school bus is involved in an accident that results in hospitalization and/or serious injury of any student, bus driver, pedestrian, or vehicle occupant, the STB shall be notified promptly by telephone.

If a school bus is involved in an accident in which a possible mechanical failure on the school bus is a factor, the local school administrator shall notify the STB promptly. The possible defective parts should be secured until further directives are provided by the STB. If the accident results in fatality of any student, bus driver, pedestrian, or other vehicle occupants, the STB shall be notified immediately by telephone.

### **POST ACCIDENT TESTING REQUIREMENTS:**

Federal Regulations (49 CFR Part 382.303) require that the driver submit to controlled substance and alcohol testing post-accident as defined in the Federal Motor Carrier Safety Regulations (FMCSR). The driver must be tested under any of the following circumstances:

- Anytime a fatality occurs as a result of the accident.
- Anytime the driver receives a citation for a moving violation as a result of the accident.
- Anytime the accident involves an injury to anyone that requires medical treatment at or away from the scene.
- Anytime the accident involves disabling damage to any of the vehicles (disabling damage means one or more vehicles had to be towed from the scene and not driven away).

If an alcohol test cannot be administered within 2 hours of the accident, the school district must document a reason. If the alcohol test cannot be given within 8 hours, the school district must document the reason the test was not administered.

Violations are subject to audit by the PED School Transportation Bureau, State, and Federal Authorities.

School Transportation Bureau Website  
[Transportation Bureau – New Mexico Public Education Department \(state.nm.us\)](https://state.nm.us/transportation-bureau)