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State of Rhode Island

Gina M. Raimondo
Governor

EXECUTIVE ORDER

20-85

October 9, 2020

EIGHTIETH SUPPLEMENTAL EMERGENCY DECLARATION – STUDENT TRANSPORTATION

WHEREAS, on March 9, 2020, I 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 November 2, 2020;

WHEREAS, the COVID-19 public health emergency has led to the closure of all school buildings in Rhode Island for the rest of the 2019-2020 school year, with distance learning for all students taking place while school buildings are closed;

WHEREAS, on June 11, 2020, I issued Executive Order 20-44 authorizing a uniform statewide school calendar and that Order is in effect until at least October 10, 2020;

WHEREAS, the first day of school for the 2020-2021 school year under the uniform statewide school calendar as issued by the Rhode Island Department of Education ("RIDE") occurred on September 14, 2020;

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 2020-2021 school year;

WHEREAS, on September 11, 2020, I issued Executive Order 20-76 providing certain relief to providers of student transportation services retained by or via RIDE to address the shortage of available providers with drivers and/or student transportation vehicles permitted to transport students to and from school that are licensed and/or registered by the Rhode Island Division of Motor Vehicles; and

WHEREAS, 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, GINA M. RAIMONDO, 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 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 November 10, 2020, 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.

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 on or before November 10, 2020.

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 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 on or before November 10, 2020.

   e. As applicable, the Provider Driver obtains a pupil transportation certificate governed by 280-RICR-30-05-5 on or before November 10, 2020.

   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) on or before November 10, 2020.

This Order supersedes Executive Order 20-76. It shall take effect October 11 and remain in full force and effect until November 10, 2020 unless renewed, modified or terminated by subsequent Executive Order.

So Ordered:

Gina M. Raimondo
Governor