Transportation of Children

This brief, one in a series of nine addressing health and safety requirements specified in the Child Care and Development Block Grant Act of 2014, provides an overview of transportation requirements for center-based and home-based child care settings. Licensing administrators and Child Care and Development Fund Administrators may find the brief helpful as they begin to assess and consider future revisions to state standards for both licensed and license-exempt providers. It may also be of value to early childhood and school-age care and education programs and providers in understanding and improving the health and safety of their learning environments.

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New Federal Requirements

The Child Care and Development Block Grant Act of 2014 includes provisions related to health and safety requirements for all providers that receive payment from the Child Care and Development Fund (CCDF).¹

(I) Health and Safety Requirements. The plan shall include a certification that there are in effect within the State, under State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers that provide services for which assistance is made available under this subchapter. Such requirements

(i) shall relate to matters including health and safety topics consisting of

(IX) for providers that offer transportation, if applicable, appropriate precautions in transporting children;

... and

¹ The Child Care and Development Block Grant Act of 2014 and section 418 of the Social Security Act (42 USC 618), as amended, provide the statutory authority for implementation of the CCDF program as designated by the Administration for Children and Families. Retrieved from http://www.acf.hhs.gov/programs/occ/resource/ccdf-law.
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(XI) minimum health and safety training, to be completed pre-service or during an orientation period in addition to ongoing training, appropriate to the provider setting involved that addresses each of the requirements relating to matters described in subclauses (I) through (X) . . .

Transportation Safety

Keeping children safe in a vehicle means using appropriate car seats and being sure that everyone is buckled up correctly for every ride. In 2012, all 50 States, the District of Columbia, and Puerto Rico had seat belt use laws and laws requiring children of certain ages to be restrained in child safety seats.2

But there are other dangers in and around vehicles that drivers and caregivers need to be aware of to keep children protected. Children who are left unattended in a closed vehicle may die or be injured as a result of heatstroke or hyperthermia. Hyperthermia can occur in vehicles even if outside temperatures are mild. When the outside temperature reaches 60 to 70 degrees Fahrenheit, the inside of a vehicle can reach dangerous temperatures in as little as fifteen minutes. This rise in vehicle temperature is especially dangerous for young children. A young child’s body temperature increases three to five times faster than that of an adult.3 Because of this danger, vehicles should be locked when not in use and checked after use to make sure no child is left unintentionally in a vehicle.4

Caring for Our Children Basics

Released in 2015 by the Administration for Children and Families (ACF), Caring for Our Children Basics: Health and Safety Foundations for Early Care and Education (CFOCB) represents the minimum health and safety standards experts believe should be in place where children are cared for outside their homes.5 CFOCB seeks to reduce conflicts and redundancies found in program standards linked to multiple funding streams. Though voluntary, ACF hopes CFOCB will be a helpful resource for States and other entities as they work to improve health and safety standards in licensing and quality rating and improvement systems. The following standards from CFOCB address the safe transportation of children while in care.

6.5.1.2 Qualifications for Drivers

In addition to meeting the general staff background check standards, any driver or transportation staff member who transports children for any purpose should have:

a) A valid driver's license that authorizes the driver to operate the type of vehicle being driven;

b) A safe driving record for more than 5 years, with no crashes where a citation was issued, as evidenced by the state Department of Motor Vehicles records;

c) No use of alcohol, drugs, or any substance that could impair abilities before or while driving;

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d) No tobacco use while driving;

e) No medical condition that would compromise driving, supervision, or evacuation capability;

f) Valid pediatric CPR and first aid certificate if transporting children alone.

The driver's license number and date of expiration, vehicle insurance information, and verification of current state vehicle inspection should be on file in the facility.

6.5.2.2 Child Passenger Safety

When children are driven in a motor vehicle other than a bus, all children should be transported only if they are restrained in a developmentally appropriate car safety seat, booster seat, seat belt, or harness that is suited to the child's weight and age in accordance with state and federal laws and regulations. The child should be securely fastened, according to the manufacturer's instructions. The child passenger restraint system should meet the federal motor vehicle safety standards contained in 49 CFR 571.213 and carry notice of compliance. Child passenger restraint systems should be installed and used in accordance with the manufacturer's instructions and should be secured in back seats only.

Car safety seats should be replaced if they have been recalled, are past the manufacturer's "date of use" expiration date, or have been involved in a crash that meets the U.S. Department of Transportation crash severity criteria or the manufacturer's criteria for replacement of seats after a crash.

If the program uses a vehicle that meets the definition of a school bus and the school bus has safety restraints, the following should apply:

a) The school bus should accommodate the placement of wheelchairs with four tie-downs affixed according to the manufacturer's instructions in a forward-facing direction;

b) The wheelchair occupant should be secured by a three-point tie restraint during transport;

c) At all times, school buses should be ready to transport children who must ride in wheelchairs;

d) Manufacturers' specifications should be followed to assure that safety requirements are met.

6.5.2.4 Interior Temperature of Vehicles

The interior of vehicles used to transport children for field trips and out-of-program activities should be maintained at a temperature comfortable to children. All vehicles should be locked when not in use, head counts of children should be taken before and after transporting to prevent a child from being left in a vehicle, and children should never be left in a vehicle unattended.

6.5.3.1 Passenger Vans

Early care and education programs that provide transportation for any purpose to children, parents/guardians, staff, and others should not use 15-passenger vans when avoidable.
Caring for Our Children Standards

*Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs,* 3rd edition (CFOC3), is a collection of 686 national standards that represent best practices with respect to health and safety in early care and education settings. CFOC3 can help programs and providers implement CFOCB, understand rationale, and move to higher levels of quality in health and safety. CFOC3 is available at [http://cfoc.nrckids.org/](http://cfoc.nrckids.org/).6

The following links to CFOC3 pertain to the transportation of children. The links go to the full text of each standard, which is presented alongside an explanation of its rationale, supported by research.

**Standard 5.3.1.12 Availability and Use of a Telephone or Wireless Communication Device**
[http://cfoc.nrckids.org/StandardView/5.3.1.12](http://cfoc.nrckids.org/StandardView/5.3.1.12)

**Standard 5.6.0.1 First Aid and Emergency Supplies**
[http://cfoc.nrckids.org/StandardView/5.6.0.1](http://cfoc.nrckids.org/StandardView/5.6.0.1)

**Standard 6.5.1.1 Competence and Training of Transportation Staff**
[http://cfoc.nrckids.org/StandardView/6.5.1.1](http://cfoc.nrckids.org/StandardView/6.5.1.1)

**Standard 6.5.1.2 Qualifications for Drivers**
[http://cfoc.nrckids.org/StandardView/6.5.1.2](http://cfoc.nrckids.org/StandardView/6.5.1.2)

**Standard 6.5.2.1 Drop-Off and Pick-Up**
[http://cfoc.nrckids.org/StandardView/6.5.2.1](http://cfoc.nrckids.org/StandardView/6.5.2.1)

**Standard 6.5.2.2 Child Passenger Safety**
[http://cfoc.nrckids.org/StandardView/6.5.2.2](http://cfoc.nrckids.org/StandardView/6.5.2.2)

**Standard 6.5.2.4 Interior Temperature of Vehicles**
[http://cfoc.nrckids.org/StandardView/6.5.2.4](http://cfoc.nrckids.org/StandardView/6.5.2.4)

**Standard 6.5.2.5 Distractions While Driving**
[http://cfoc.nrckids.org/StandardView/6.5.2.5](http://cfoc.nrckids.org/StandardView/6.5.2.5)

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Standard 6.5.3.1 Passenger Vans

http://cfoc.nrckids.org/StandardView/6.5.3.1

Trends in Child Care Licensing Requirements

The following tables provide information about the number of States with requirements related to transporting children in their 2014 licensing regulations for child care centers, family child care (FCC) homes, and group child care (GCC) homes.

In 2014, only 13 percent of States reported that their licensed child care center regulations required training about transporting children, and only 13 percent required child care centers to conduct an additional check for children remaining on board vehicles after unloading.

Driver and Auto Insurance Requirements

<table>
<thead>
<tr>
<th>Licensing Requirements</th>
<th>Child Care Centers (N = 53)</th>
<th>FCC Homes (N = 46)</th>
<th>GCC Homes (N = 40)</th>
</tr>
</thead>
<tbody>
<tr>
<td>State has requirements for vehicle drivers (e.g., driver’s license, minimum age requirements).</td>
<td>46</td>
<td>38</td>
<td>34</td>
</tr>
<tr>
<td>Facilities are required to have automobile insurance.</td>
<td>31</td>
<td>25</td>
<td>21</td>
</tr>
<tr>
<td>Staff or providers are required to complete training about transporting children.</td>
<td>7</td>
<td>5</td>
<td>7</td>
</tr>
</tbody>
</table>

N = the number of States that regulate the type of facility.

Supervision of Children in Vehicles

<table>
<thead>
<tr>
<th>Licensing Requirements</th>
<th>Child Care Centers (N = 53)</th>
<th>FCC Homes (N = 46)</th>
<th>GCC Homes (N = 40)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff or providers must provide supervision of children when they board and exit vehicles.</td>
<td>24</td>
<td>13</td>
<td>17</td>
</tr>
<tr>
<td>Staff or providers must conduct additional checks for children remaining on board once vehicles are unloaded.</td>
<td>7</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

N = the number of States that regulate the type of facility.

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7 “States” includes the 50 States, the District of Columbia, and 2 U.S. Territories: Guam and the Virgin Islands.


Examples of State Licensed Child Care Requirements

Licensing of child care centers and family child care homes is a process that establishes the minimum requirements necessary to protect the health and safety of children in care. State licensing requirements are regulatory requirements, including registration or certification requirements, that State law establishes as necessary for providers to legally operate and provide child care services. The following excerpts related to transporting children while in care are taken from Delaware, Texas, and Utah licensing requirements. These examples do not include all States that have these requirements, but are meant to represent a range of approaches States have taken in their regulations. A document with links to all States’ child care licensing regulations is available at [https://childcareta.acf.hhs.gov/resource/state-and-territory-licensing-agencies-and-regulations](https://childcareta.acf.hhs.gov/resource/state-and-territory-licensing-agencies-and-regulations).

Child Care Center Requirements

Delaware

**53. Transportation**

A. A licensee of a center that provides transportation for children shall ensure that the operator when employed by the center and the vehicle when owned or leased by the center and used to transport children, are in compliance with all applicable federal, State, and local laws and that children are transported in compliance with all applicable laws including State and federal child restraint laws. The operator of a vehicle transporting children for a center shall be at least 21 years of age, have a valid driver’s license that authorizes the driver to operate the vehicle being driven, and a background check confirming suitability to be alone with children for routine transportation. The operator of the vehicle does not need to be qualified by Delaware First. The driver shall not transport more people, including children and adults, than the capacity of the vehicle. Use of a 12-15-passenger van to transport children is prohibited unless purchased or leased by the facility before July 1, 1998. Official proof of purchase or lease is required.

B. A licensee shall develop, follow, and inform the parent/guardian of the center’s written transportation policy that complies with current federal, State, and local laws regarding transportation of children and ensures that each child is secured at all times in an individual safety restraint system that is properly installed and appropriate to the age, weight, and height of the child while the vehicle, other than a school bus, is in motion. This policy shall have procedures that are followed to ensure that children are released only to people authorized by the parent/guardian and never left unattended in a vehicle used by the center. If a school bus is used for transportation, a child preschool-age or younger shall be transported only when the bus is properly equipped with child safety restraints. An exception may be made when written permission is received from the parent/guardian stating that he/she has been informed that the National Highway Traffic Safety Administration recommends that children in this age group always be transported in school buses properly equipped with child safety restraints and that he/she gives permission allowing the child to be transported on a school bus unrestrained.

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11 See note 6.
C. A licensee shall ensure that a vehicle used to transport children shall:

- Have and use an operable heater capable of maintaining a temperature of at least 50°F in the vehicle;
- Have and use air-conditioning to reduce the interior temperature of the vehicle when it exceeds 85°F (school buses are exempt);
- Have a working telephone;
- Have a traveling first aid kit;
- Load and unload children at the curbside of the vehicle or in a protected parking area or driveway;
- Have locked doors, except for emergency doors which are required to remain unlocked, whenever the vehicle is in motion; and
- Have a dry chemical fire extinguisher approved by Underwriter’s Laboratory.

D. A licensee shall obtain written permission from the parent/guardian for all transportation provided by the center. A licensee shall document arrangements with the parent/guardian and the child’s school regarding transportation provided by the licensee to and from the child’s school. A licensee shall inform the parent/guardian of the identity of each vehicle’s operator or transportation company and require the parent/guardian to specify a special need or problem of the child which might require special attention during transportation.

Texas

Chapter 746: Minimum Standards for Child-Care Centers (June 2015),

§746.1311 How many clock hours of training must my child-care center director obtain each year?

Subchapter D, Personnel Division 4, Professional Development, March 2012

(h) If the center transports a child younger than nine years old, the director must complete two hours of annual training on transportation safety in addition to the other training requirements.

§746.1316 What additional training must a person have in order to transport a child in care?

Subchapter D, Personnel Division 4, Professional Development, March 2010

(a) An employee or owner must complete two hours of annual training on transportation safety in order to transport a child who’s chronological or development age is younger than nine years old. This training is in addition to other required training hours.

(b) The person must obtain these two hours of transportation safety training prior to transporting children.
§746.1805 If I provide transportation, how many caregivers must I have in the vehicle to supervise the children?

Subchapter E, Child/Caregiver Ratios and Group Sizes, Division 4, Ratios for Field Trips, September 2003

(a) When you transport children younger than two years, you must have one caregiver in addition to the driver for each group of four children younger than two years.

(b) When you transport children two years and older, you must comply with classroom child/caregiver ratio. The driver may be counted in this ratio if the driver meets caregiver qualifications.

§746.5605 What safety precautions must I take when loading and unloading children from the vehicle?

Subchapter X, Transportation, December 2010

You must take the following precautions when loading and unloading children from any vehicle, including any type of bus:

(1) You must load and unload children at the curbside of the vehicle or in a protected parking area or driveway.

(2) You must not allow a child to cross a street unless the child is accompanied by an adult any time before entering or after leaving a vehicle.

(3) You must account for all children exiting the vehicle before leaving the vehicle unattended.

(4) You must never leave a child unattended in a vehicle.

§746.5617 Must I carry specific equipment in vehicles used to transport children in my care?

Subchapter X, Transportation, September 2003

(a) You must have the following in each vehicle you use to transport children:

(1) A list of the children being transported;

(2) Emergency medical transport and treatment authorization forms for each child being transported;

(3) The child-care center's name, child-care center director or permit holder's name, and child-care center telephone number in the glove compartment or clearly visible inside the passenger compartment, or the child-care center's name and telephone number must be clearly visible on the outside of the vehicle;

(4) Parent's names and telephone numbers and emergency telephone numbers for each child being transported;

(5) A fire extinguisher approved by the local or state fire marshal, secured in the passenger compartment and accessible to the adult occupants; and

(6) A first-aid kit as specified in §746.4003 of this title (relating to What items must each first-aid kit contain?).
(b) The driver must have a current driver’s license.

§746.5619 Must I have a plan to handle transportation emergencies?

Subchapter X, Transportation, September 2003

Yes. You must ensure the driver/caregivers have clear instructions in handling emergency breakdowns and accidents, including vehicle evacuation procedures, supervision of the children, and contacting emergency help. The director or designee in charge of the child-care center must know what action to take in responding to a transportation emergency call.

§746.5621 Must I have a communications device in the vehicle?

Subchapter X, Transportation, September 2003

You must have one of the following:

(1) A communications device such as a cellular phone, message pager, or two-way radio; or

(2) A caregiver at the child-care center that knows the routine arrival and departure times of the vehicle and takes action if the vehicle does not return to the child-care center at a scheduled time. The driver must travel a known fixed route within an approximate timeframe.

§746.5623. What is an electronic child safety alarm?

Subchapter X, Transportation, March 2014

An electronic child safety alarm is an alarm system installed in a vehicle. The alarm prompts the driver of a vehicle to inspect the vehicle to determine whether children are in the vehicle before the driver exits the vehicle.

§746.5625. When and how must I install and use an electronic child safety alarm in a vehicle?

Subchapter X, Transportation, March 2014

(a) You must ensure that a vehicle purchased or leased on or after December 31, 2013, is equipped with an electronic child safety alarm if:

(1) The vehicle is designed to seat eight or more persons; and

(2) Your operation uses the vehicle to transport children in care.

(b) You are responsible for ensuring that the alarm is installed and maintained according to the manufacturer’s instructions.

(c) The alarm must be used at all times whenever a vehicle described in subsection (a) of this section is used to transport a child in care.
§746.5627. What documentation must I keep at the child-care center for each vehicle used to transport children in care?

Subchapter X, Transportation, March 2014

You must keep documentation at your child-care center that shows when your center first purchased or leased a vehicle unless it:

(1) Is equipped with an electronic child safety alarm; or

(2) Is not designed to seat eight or more persons.

Family Child Care Home Requirements

Utah


R430-90-21. Transportation

(1) Any vehicle used for transporting any child in care shall:

(a) be enclosed;

(b) be equipped with individual, size appropriate safety restraints, properly installed and in working order, for each child being transported;

(c) be maintained in a safe condition and have a current vehicle registration and safety inspection;

(d) be maintained in a clean condition;

(e) maintain temperatures between 60-90 degrees Fahrenheit when in use; and

(f) contain first aid supplies, including at least antiseptic, band-aids, and tweezers.

(2) At least one adult in each vehicle transporting any child in care shall have a current Red Cross, American Heart Association, or equivalent first aid and infant and child CPR certification. Equivalent CPR certification must include hands-on testing.

(3) The adult transporting any child in care shall:

(a) have and carry with him or her a current valid Utah driver's license for the type of vehicle being driven whenever he or she is transporting any child in care;

(b) have with him or her a copy of each child's admission form as specified in Subsection R430-90-9(2)(a);

(c) ensure that each child in care being transported is wearing an appropriate individual safety restraint;

(d) ensure that each child is always attended by an adult while in the vehicle;
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(e) ensure that all children remain seated while the vehicle is in motion;
(f) ensure that keys are never left in the ignition when the driver is not in the driver's seat; and,
(g) ensure that the vehicle is locked during transport.

Examples of State License-Exempt Child Care Requirements

States have exemptions in law or regulation that define the types of center-based facilities and home-based providers that are not required to obtain a state license to operate legally. Most States allow exempt providers to receive CCDF funding. And while exempt providers are not subject to the regulatory requirements set forth by the licensing agency, the Child Care and Development Block Grant Act of 2014 requires States and Territories to have health and safety requirements in 10 different topic areas for all providers participating in the CCDF subsidy program, as well as preservice and ongoing training on those topics. The following excerpts related to transporting children in care are taken from Iowa and North Dakota requirements for license-exempt programs. These examples do not include all States that have these requirements, but are meant to represent two approaches States have taken in establishing requirements for license-exempt programs.

Iowa

Chapter 110, Child Development Homes (April 2015),

110.5(1) Health and safety. Conditions in the home shall be safe, sanitary, and free of hazards.

a. The home shall have a nonpay, working land-line or mobile telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. The number for each child's parent, for a responsible person who can be reached when the parent cannot, and for the child's physician shall be written on paper and readily accessible by the telephone. The home must prominently display all emergency information, and all travel vehicles must have a paper copy of emergency parent contact information . . .

c. A first-aid kit shall be available and easily accessible whenever children are in the child development home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall, at a minimum, include adhesive bandages, antiseptic cleaning materials, disposable tweezers, and disposable plastic gloves . . .

o. Smoking and the use of tobacco products shall be prohibited at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during the home's hours of operation. Nonsmoking signs shall be posted at every entrance of the child care home and in every vehicle used to transport children. All signs shall include:

(1) The telephone number for reporting complaints, and
(2) The Internet address of the department of public health (www.iowasmokefreeair.gov).


North Dakota

Chapter 75-03-07.1, Self-Declaration Providers Early Childhood Services (July 2013),

75-03-07.1-02. Self-declaration standards

f. When transportation is provided by a provider, children must be protected by adequate supervision and safety precautions.

   (1) Drivers must be eighteen years of age or older and must comply with all relevant federal, state, and local laws, including child restraint laws.

   (2) A child must not be left unattended in a vehicle.

Additional Resources

   Spanish: http://www.safekids.org/checklist/basic-car-seat-safety-checklist-spanish

♦ Better Kid Care, Penn State Extension, Penn State College of Agricultural Sciences.
   http://extension.psu.edu/youth/betterkidcare/early-care

♦ Child Passenger Safety: Get the Facts, Centers for Disease Control and Prevention.

   The Head Start Program Performance Standards include standards related to this topic in the following section:
   - Section 1310 Head Start Transportation

♦ In and Around Cars, Safe Kids Worldwide.
   http://www.safekids.org/and-around-cars-0

♦ Keeping Your Kids Safe in and around Cars, California Department of Human Services and Kids and Cars.
   https://www.facs.org/~/media/files/quality%20programs/trauma/keepingkidssafeinaroundcars%20english.ashx

♦ Parents Central from Car Seats to Car Keys: Keeping Kids Safe, National Highway Traffic Safety Administration.
   http://www.safercar.gov/parents/index.htm

   English: https://www.healthychildren.org/English/safety-prevention/on-the-go/Pages/default.aspx
   Spanish: https://www.healthychildren.org/Spanish/Paginas/default.aspx

♦ Virtual Early Education Center (VEEC): Room by Room Practices for Health and Wellness, National Center on Early Childhood Health and Wellness.
   https://eclkc.ohs.acf.hhs.gov/hslc/tta-system/health/health-services-management/program-planning/veec.html

♦ Virtual Lab School, The Ohio State University in partnership with the Office of the Secretary of Defense and the National Institute of Food and Agriculture.
   https://www.virtuallabschool.org/about