

**State Board of Education  
Public Comment Summary  
Proposed Permanent Rule Changes  
Chapter 30. School Facilities and Transportation  
Subchapter 5. Transportation  
210:30-5-8. School bus driver certification [NEW]**

Summary of Public Comment	Agency Response
<p>Two (2) commenters believe 210:30-5-8(d)(4) should be amended to place responsibility for providing a school district superintendent (or superintendent's designee) with notice that the driver's blood glucose level is outside the target range should be on the driver with the diabetes exemption.</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the suggested change into the proposed rule.</li> </ul>
<p>One commenter questions whether statutory authority exists for SDE to create additional rules for the certification process for a school bus driver that exceed those requirements set forth in 47 O.S. § 6-101 and 70 O.S. § 9-118.</p>	<ul style="list-style-type: none"> <li>• 47 O.S. § 6-101 only addresses requirements for a commercial driver's license. 47 O.S. § 6-101 is silent as to certification of school bus drivers. The OSDE proposed rule does not address requirements for obtaining commercial driver's license.</li> <li>• 70 O.S. § 3-104(6) recognizes that the SBE has a substantial safety interest in regulating school bus drivers above and beyond the requirements of 47 O.S. § 6-101 by specifically providing that the SBE has authority "in matters pertaining to the licensure and certification of persons for instructional, supervisory and administrative positions and services in the public schools of the state...and shall formulate rules governing the issuance and revocation of certificates for...school bus drivers."</li> <li>• At least one DPS rule specifically defers to OSDE rules for certification of school bus drivers. For example OAC 595:11-3-5(a) regarding driver's licensing vision standards specifically states that "The vision standards set forth in this section and OAC 595:10-5-7 are not intended to supercede any other...state standard or rule for operators of school buses [see OAC 210:35-5 regarding school bus operator rules]."</li> <li>• The proposed changes to the rules were discussed with legal counsel for the Oklahoma Department</li> </ul>

	<p>of Public Safety when the emergency rule was approved over the summer and any concerns about conflicts have already been resolved.</p>
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