

Authorized Student Transportation Vehicles in Missouri

Regulations:

Federal:

Federal requirements regulate new vehicles that carry 11 or more people, which are sold for transporting students to or from school or school-related events. Those vehicles are required to meet all FMVSSs for school buses. The FMVSSs applicable to school buses require that school buses have stop arms along with many other safety features over and above those of other passenger vehicles. Under 49 U.S.C. 30101, et seq., a vehicle is regarded as being sold for use as a school bus if, at the time of sale, it is evident that the vehicle is likely to be significantly used to transport students to or from school or school-related events. This statute applies to school buses sold to public and parochial schools.

Missouri Code of State Regulations:

5 CSR 30-261.045 Pupil Transportation in Vehicles Other Than School Buses. (1) Requirements for transportation of students in vehicles designed for transporting more than ten (10) passengers including the driver. (A) After July 1, 2001, newly purchased, newly leased, newly placed into service, newly contracted vehicles, or vehicles re-placed under contracted services with a rated capacity, as defined by the manufacturer, to carry more than ten (10) passengers including the driver that are used to transport students to or from school or to transport students to or from any place for educational purposes or school purposes shall meet state and federal specification and safety standards applicable to school buses. Contract common carriers meeting federal Department of Transportation standards may be used for field trips as outlined in section (3) of this rule.

Van Conversations

Vehicles with an original manufacturer seating capacity of 11 or more passengers, including the driver, may not be reduced by removing seats. The original manufactured design controls, not post-sale modifications, and Missouri does not recognize any certification or conversion process that attempts to re-rate these vehicles to 10 passengers.

What the experts say:

This position is consistent with federal safety guidance. NHTSA states that “vehicle seating capacity is based on the manufacturer’s original design and that removing

seats does not change the vehicle’s classification or safety risks”. FMCSA follows the same approach for passenger capacity determinations tied to safety oversight. NTSB has repeatedly identified large passenger vans as having higher rollover risk, degraded handling as passenger loads increase, and a history of serious and fatal crashes, many of which are single-vehicle, loss-of-control incidents.

Missouri Summary:

In short, seat removal does not make these vehicles legal or safe for student transportation in Missouri. Their use poses increased risk to students and staff, and Missouri’s policy aligns directly with federal guidance and national crash data.

Schools have a **legal duty of care** to provide the **safest reasonable transportation**. **School buses are the safest vehicles** on the road. Any other vehicle being used to transport students should be reviewed for safety.

Vehicle Use guide, occupant count is based on original manufacturer's design

Type of Vehicle	Passengers	Driver	Total Occupants	Authorized for Student transportation
Car, SUV, Mini Van	9 or less	1	10 or less	Yes
12/15 Passenger Van	10 or more	1	11 or more	No
12/15 Passenger Van Converted to 10 or less	9 or less	1	10 or less	No
White Activity Type Bus	10 or more	1	11 or more	No
White Activity Type Bus*	9 or less	1	10 or less	Yes
School Bus – Meeting MO Standards	NA	1	NA	Yes
Commercial Charter Bus meeting FMVSS and DOT	NA	1	NA	Yes

*Must meet the FMVSS for a “Bus”

Non CDL Bus Options

Vehicle	Capacity including driver	License Needed	Endorsement	Notes
School Bus, Type A	11-15	E	S School Bus	Must meet “S” Endorsement requirements (physical, annual Training)
Multi-Passenger Vehicle (Bus)	Less than 10	F	No	District Requirements
Any vehicle used to transport students with a rated capacity of 11 or more, including the driver, must be a School Bus.				