

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: EBH-RA, EBI-EA, EEA-RA

Responsible Office: Chief Operating Officer
Department of Transportation

Review of Preventable Accidents and the Bus Accident Review Board (BARB)

I. PURPOSE

To provide procedures for review of preventable accidents involving MCPS buses and for the Bus Accident Review Board (BARB)

II. DEFINITION

- A. A *preventable accident* is one for which the operator failed to do everything he/she could reasonably have done to prevent it. Any accident while backing is a preventable accident.
- B. A *Bus Accident Review Board (BARB)* will be composed of a representative of the transportation employees' association (SEIU Local 500), a representative of the Department of Transportation's Training and Safety Unit, and a transportation depot manager. The BARB will be chaired by the Training and Safety representative.

III. PROCEDURES

- A. A bus involved in an accident/incident shall not be moved until released by a transportation supervisor or the responding police officer.
- B. All accidents/incidents must be verbally reported to the Department of Transportation immediately, and in writing, within 24 hours (See Regulation EEA-RA: *Transportation of Students*).
- C. Any bus operator involved in two (2) preventable accidents/incidents within a 24-month period in which the bus operator is charged, either by police and/or Department of Transportation, is subject to termination.

- D. The BARB will make a determination of preventability and the bus operator will be notified of the committee's decision, in writing, within five (5) work days. The BARB will meet as required by the chairperson.
1. If the bus operator is dissatisfied with the initial determination of the BARB, he/she will have the right to appeal in person before that board.
 2. If not satisfied with the first appeal, the bus operator will be offered a second-level appeal before an Accident Review Board (ARB) consisting of a representative of the Department of Facilities Management, the director of transportation, the transportation support manager, and a representative of the Department of Human Resources. The director of transportation will chair the board. The bus operator may bring witnesses to the ARB.
 3. The bus operator is offered a third-level appeal to the National Safety Council of Maryland upon written request to the supervisor of the Training and Safety Unit.
 4. A quorum of 3 members will be required to convene a BARB or ARB.
- E. Bus operators charged with preventable accidents and preventable incidents may be required to attend an unpaid retraining program scheduled by the training and safety supervisor or be suspended for three (3) days.
- F. After satisfactorily completing a retraining program, a record of the preventable accident/incident will remain in the operator's file.

Regulation History: Formerly Regulation No. 215-4, June 22, 1981; reviewed April, 1988; revised March 10, 1995; revised February 6, 2000; revised June 23, 2004.