

School Bus Scheduling and Routing: Private and Non-Private Roads

The Westmoreland County School Board will only consider providing bus service on private roads or on non-private roads that have not yet been accepted into the state's road system by the Commonwealth Transportation Board (CTB) and/or for which the Westmoreland County Board of Supervisors (BOS) has not yet passed a resolution requesting that the roads be accepted into the state system, in accordance with the provisions of this policy.

A. Minimum Criteria for Road Construction

The following minimum criteria must be met for any request for school bus service on private roads or on non-private roads which have not yet been accepted into the state road system and/or for which the BOS has not yet passed a resolution requesting that the roads be accepted into the state system:

1. If the roads are constructed up to Virginia Department of Transportation (VDOT) standards, even though the roads have remained private or have not yet been finally accepted by CTB, school bus service may be supplied without further inquiry as to the quality of the design and construction of the roads.
2. If the roads have not been constructed up to VDOT standards, then the burden shall be upon the private owner, the property owners' association, or the developer to present such evidence, including engineering data that is convincing to the School Board to provide school bus service on such roads. In reaching its decision, the School Board requires, at a minimum, that such roads have a base coat of asphalt present and that they are constructed in accordance with VDOT specifications of the following:
 - a. Pavement Width
 - b. Shoulder Width
 - c. Signage (speed, stop)
 - d. Intersection Geometry
 - e. Sight Distance
 - f. Cul-de-sac Ingress/Egress adequacy, including a minimum of 110 unobstructed feet in diameter for bus turnaround
 - g. Maximum Vertical Grades
3. Unless the requirements set forth above in numbers 1 or 2 are met, the School Board shall not provide bus service unless it determines, in its sole discretion, that no safe and suitable alternative can be found. In all cases, bus service shall only be provided if the minimum requirements for student safety are met.

B. Requirements to Apply for Bus Service

Any fully authorized property owners' association, private road owner, or any developer, shall be entitled to make a request for such school bus service. To request the Westmoreland County School Board to consider providing bus service on any private road or other road not yet accepted by CTB into the state system and/or for which the BOS has not yet passed a resolution requesting that the roads be accepted into the state system, a requestor shall:

1. Submit an application to the Westmoreland County School Board, accompanied with a current VDOT survey or other study of the road(s) by a certified engineer to be considered by the school transportation department prior to initial service and annually before July 1.
2. Enter into a written Agreement with the Westmoreland County School Board in accordance with the requirements set forth in Section C below.

C. Written Agreement with Westmoreland County School Board

All private property owners, authorized homeowners' associations or developers shall enter into a written Agreement with the School Board that includes the following provisions:

1. For roads that are private property, to fully indemnify and hold harmless the Westmoreland County School Board and its employees for any and all claims made against them, and for any losses sustained, by reason of their actions in reasonably performing their duties in providing transportation on the subject roads; or for roads that are not private, but have not yet been accepted by the CTB as part of the state system and/or for which the BOS has not yet passed a resolution requesting that the roads be accepted into the state system, to fully indemnify and hold harmless the Westmoreland County School Board and its employees for any and all claims made against them, and for any losses sustained, that arise out of the condition of the roads; and
2. To waive all claims it may have, now or in the future, against the Westmoreland County School Board or its employees, for damages to its property, including the roads, that may result from operation of the school bus service on such roads, other than claims involving negligent or intentional acts by the Westmoreland County School Board or its employees; and
3. To provide for snow removal consistent with that provided on state-approved and maintained roads; and
4. To continue to maintain such roads in compliance with the initial requirements to obtain such bus service; and

5. To the extent that any construction work is continuing to be performed on or near such roads, to prevent any construction containers from being placed on any roadways of any bus routes, and to prevent the parking of any construction vehicles on such bus route roads, without prior approval by the transportation department.

D. Policy Of Liability Insurance for Private Roads

For private roads, the owner of such roads or the authorized homeowner's association, shall obtain a policy of liability insurance showing the Westmoreland County School Board of the County of Westmoreland as an additional insured, with a liability limit of \$1,000,000. A copy of the policy must be submitted before transportation service can be provided.

E. Other Terms and Conditions Relating to Bus Service Provision

School bus service on private roads or other roads not yet accepted into the state system and/or for which the BOS has not yet passed a resolution requesting that the roads be accepted into the state system shall be terminated at any time for reasonable cause by the director of transportation. Prior to extending or resuming service, a representative of the transportation department shall make a physical inspection to ensure the proposed route is safe and adequate for school bus transportation.

Prior to providing any bus service under this policy, the Westmoreland County School Board transportation department must have received all required mapping information from the Geographic Information System (GIS) Department of the County.

The route of the school bus on private or other roads not yet accepted into the state system will be established to provide service but minimize expense and time. In all cases, the location of the bus stops shall be determined by the county transportation department.

Adopted: February 23, 2009