Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—School-Age Programs.

28-4-593. Transportation.

(a) Program-sponsored transportation. If the applicant with a temporary permit or licensee provides or arranges for transportation for children to and from the premises or for program-sponsored activities, the applicant with a temporary permit or licensee shall ensure the following requirements are met:

(1) Written permission. Prior written permission is obtained for each child to be transported as specified in K.A.R. 28-4-582. The applicant with a temporary permit or licensee shall ensure that the authorization for emergency medical care for each child is in the vehicle in which the children are being transported or is immediately available to emergency personnel. If the applicant with a temporary permit or licensee is unable to obtain written permission or authorization for emergency medical care, the applicant with a temporary permit or licensee shall follow the plan as specified in K.A.R. 28-4-582.

(2) Transportation safety. Each applicant with a temporary permit and each licensee shall ensure that the following transportation safety requirements are met while transporting children:

(A) No child under 13 years of age shall be seated in the front seat of a vehicle that is equipped with a passenger air bag.

(B) No child shall be transported in a trailer pulled by another vehicle, a camper shell, or a truck bed.

(C) Each vehicle that is owned or leased by the applicant with a temporary permit or licensee and is used to transport children shall be maintained in safe operating condition and shall contain a first-aid kit as specified in K.A.R. 28-4-592.

(3) Driver requirements. Each driver shall comply with the following safety requirements:

(A) Be 18 years of age or older, hold a valid driver's license that meets the requirements of the Kansas motor vehicle drivers' license act, K.S.A. 8-234a et seq., and amendments thereto, and observe all traffic laws;

(B) not allow the capacity of the transporting vehicle to be exceeded;

(C) remove accumulated trash from the transporting vehicle daily;

(D) lock or have under control each vehicle door while the vehicle is in motion;

(E) maintain order in the vehicle and ensure that all parts of each passenger's body remain inside the vehicle at all times;

(F) not permit any child to enter the vehicle from or exit the vehicle into a traffic lane;

(G) leave no child unattended in the vehicle at any time and, when the vehicle is vacated, ensure that no child is left in the vehicle;

(H) prohibit tobacco product use in the vehicle while children are in the vehicle;

(I) no cell phone or other electronic device shall be used by the driver when the vehicle is in motion. If a cell phone or electronic device is used for navigation, it shall be in hands-free mode only; and

(J) transport each child directly to the location designated by the applicant with a temporary permit or licensee and make no unauthorized stops along the way except in an emergency.

(4) Vehicle seat belt restraints. Each applicant with a temporary permit and each licensee shall ensure the following requirements are met:

(A) Except as specified in paragraph (a)(4)(B), each driver and each child uses an individual seat belt restraint and that no more than one child is restrained in each seat belt.

(B) If buses of the type used by schools are used to transport children and are not equipped with individual restraints, no applicant with a temporary permit or licensee shall be required to install individual restraints.

(b) Drop-off and pick-up site. Each applicant with a temporary permit and each licensee shall ensure the following:

(1) Each drop-off and pick-up site shall contain a shelter or a permanent building that provides adequate protection from inclement weather for each child.

(2) Each applicant with a temporary permit and each licensee shall ensure that no child waits at the drop-off or pick-up site for more than one hour at the beginning of the program day or for more than one and one-half hours at the end of the program day.

(3) Each applicant with a temporary permit and each licensee shall ensure that each child does not board the transporting vehicle until immediately before it is time to leave.

(Authorized by and implementing K.S.A. 2025 Supp. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended Sept. 4, 2026.)

***** Authenticated Kansas Administrative Regulation *****