



This publication is a member service of
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The National School Transportation Association (NSTA) was founded in 1964 by school bus contractors to "promote and foster the highest degree of safety in the transportation of school children"



Congressional Resolution Honoring School Bus Safety Week

Congressman John J. "Jimmy" Duncan (R-TN) plans to introduce a Resolution next week honoring School Bus Safety Week. Once the Resolution is introduced, NSTA will be working hard - along with NASDPTS and NAPT - to obtain over 50 co-sponsors to the legislation in an effort to have it approved by Congress.

The Resolution honors the goals and ideals of School Bus Safety Week and the safety of school bus transportation.

Please watch for correspondence from NSTA asking you to contact your Member of Congress to urge them to support the Resolution. Your assistance will be critical in getting Members of Congress to support this legislation.

NSTA Continues to Work for Tax Incentive for Used School Bus Donations



NSTA continues to work with Congress to encourage the adoption of a modified deduction for the donation of used school buses to school districts and local entities impacted by Hurricane Katrina.

get paid for—as contrary to the public interest as that might seem.

As you know, under current law, businesses may claim a deduction for donations of used motor vehicles, boats and airplanes with a claimed value of more than \$500 to charitable organizations and governmental organizations. However, most of the useful life of a school bus has already been depreciated, rendering the deduction meaningless. NSTA's proposal, however, would permit some type of flat or sliding scale deduction for donation of a used school bus even if the vehicle has been fully depreciated, including any incidental costs necessary to prepare and relocate the vehicle for service. This would include items such as transportation and fuel costs and any refurbishing or cleaning that might be necessary.

NSTA is working to have this proposal included in the next bill addressing tax and rebuilding infrastructure issues for Hurricane Katrina victims. While both the House and Senate are carefully considering a multitude of proposals, we remain hopeful that ours will be included in future legislation.



We Get Questions

Q. Two of my drivers volunteered to deliver used buses that I am donating to a school district hit by Hurricane Katrina. They offered to drive the buses to Louisiana without pay if I pay to fly them home. Can I accept their offer?

(Questions article continued...)

A. You're on shaky ground here. The U.S. Department of Labor has addressed the issue of volunteers under the Fair Labor Standards Act (FLSA) and has said that an employee cannot volunteer to do the same work for an employer that he is employed to do. Your drivers are paid to drive a school bus; it's questionable whether the Labor Department would consider their driving your school buses to Louisiana volunteer work even though they freely offered to do so, with no coercion from you and no expectation of compensation other than reimbursement of their expenses to get back home. You could make an argument that since there are no students involved, the work is not substantially the same; you could also argue that you are engaging in a charitable act, not a business enterprise. But you'd be gambling that DOL will accept that as sufficient reason to waive or ignore the rules.

The Department has said that the Wage and Hour Division will not enforce the rule in the case of a driver who volunteers to drive the team bus when her child is a member of the team, so long as the driver expects no compensation and feels no pressure from the employer to do it.

Interestingly, your drivers could volunteer to drive buses to Louisiana for another school bus company and it wouldn't be a problem. They can also volunteer to do another kind of work for you that is not related to their regular jobs—for example, they could organize a collection of school supplies to load into the buses going South. Or one of your employees who is not a driver (but has a CDL) could volunteer to drive the buses. (Watch out, though, for mechanics whose jobs may include shuttling buses between terminals or other driving duties.)

The bottom line is that people cannot volunteer to do work for their employer that is the same as the work they usually



NSTA Midwinter Meeting January 22 – 25, 2006

Information has been mailed and is also available online at the NSTA website for the 2006 Midwinter Meeting, which will be held at the Ritz-Carlton Kapalua Resort in Maui, Hawaii.

Visit the UPCOMING EVENTS section of the NSTA website to see how you can register for the meeting and make your room reservations.

Are You Ready for School Bus Safety Week?

This year's School Bus Safety Week, October 16-22, is a great opportunity for your company to promote school bus safety awareness.

If you're looking for information on school bus safety rules, activity ideas and more visit www.yellowbuses.org and click on Safety and Security Issues.

Also available is a brand new safety campaign from the IC Corporation, **Be Cool. Bus Rules.™**

This safety campaign, which includes a safety toolkit, will help your school district customers' educate children about school bus safety. The toolkit includes:

- **Driver's Guide:** Tips to give your school drivers to keep them refreshed on the latest driving tips from industry experts.
- **Bus ID tag:** This nametag includes safety rules and a place for a child to put his or her name and bus number on it.

- **Postcard:** Special safety tips for parents on a postcard-sized mailer that can be sent with a customized message
- **Coloring page:** A fun activity sheet to educate students about school bus safety
- **Magnetic card:** A magnet with the **Be Cool. Bus Rules.™** safety rules that can be used at home or at school.

For more information on School Bus Safety Week or IC's **Be Cool. Bus Rules.™** campaign, contact NSTA's Headquarters Office at 1-800-222-NSTA (6782) or email us at info@yellowbuses.org.

**WWW.
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NSTA Website News...

Bulletin Board

Post your questions in the bulletin board section of the website and receive answers from your colleagues across the globe.

Members Only Section

NSTA offers its members a special section in the website just for you!

NSTA Hotline

Contact the NSTA Answers Hotline for questions on school bus issues.



