



Appendix B—Driver Record Evaluation and Penalty Point System

Table I
School Bus Driver Driving Record Evaluation

Assess **1 penalty point** for each conviction if the date of the violation is within **3 years** of the date of the driving record evaluation.

Brakes not on all wheels required	No beam indicator
Carried passenger without a helmet	No clearance lamps
Clearance lamps improperly mounted	No fire extinguisher
Clearance lights not visible sufficient distance	No front seat belts (when required)
Defective parking lamp(s)	No head lamp(s)—not equipped
Defective safety glazing material	No motorcycle endorsement
Defective stop lamp(s)	No mud flaps or improper mud flaps
Defective tail lamp(s)	No multiple-beam road lighting equipment
Defective turn signal lamps	No parking lamps
Defective windshield wiper	No reflector(s) when required
Driving safety course sec. 143(a)(1)	No stop lamps
Hazardous material placard violation	No tail lamp(s)—not equipped
Head lamps glaring not adjusted	No turn signal lamps when required
Identification lamps not visible sufficient distance	No white flag on tow chain (or cable)
Improper flashing lights	No windshield wiper
Improper use of back-up lamp	Pull more than one trailer or other vehicle
Improperly directed or adjusted lamp(s)	Red light(s) on front
Mirror violation	Reflectors improperly mounted
More than four driving lamps lighted	Reflectors not visible sufficient distance
Muffler violation	Side marker lamps not visible sufficient distance
No automatic brake application on breakaway (trailer)	Slow-moving vehicle emblem violation



Table I (Continued) School Bus Driver Driving Record Evaluation

Assess **1 penalty point** for each conviction if the date of the violation is within **3 years** of the date of the driving record evaluation.

Tail lamp(s) improperly located	Wrong color back-up lamp
Too many auxiliary driving lamps	Wrong color clearance lamp(s)
Too many auxiliary passing lamps	Wrong color identification lamps
Too many fog lamps	Wrong color license plate light
Too many spot lamps	Wrong color reflectors
Unauthorized glass coating material	Wrong color side marker
Unauthorized use of siren, bell, or whistle	Wrong color signal device
Warning devices not installed or defective	Wrong color spotlight



Table II School Bus Driver Driving Record Evaluation

Assess **2 penalty points** if the date of occurrence is within **3 years** of the date of the driving record evaluation. Persons disqualified because of penalty points assessed for crash* involvement shall be notified of their right to a review. (See below for review procedure.)

Accident	Accident non-incapacitating injury
Accident citation issued	Accident non-injury
Accident fatal	Accident no citation issued
Accident incapacitating injury	Accident possible injury

*The terms “crash” and “accident” shall be used interchangeably.

Review Procedure for Disqualification Appeal

(2 point penalty assessments under Table II)

Two penalty points shall automatically be assessed for a crash involvement occurring within **3 years** of the date of the driver record evaluation that appears on the driver history record. Applicants disqualified on the basis of penalty points assessed for crash involvements appearing on their driving records may request a review by the person(s) designated by the employer to determine if the applicant was a cause of the crash(es). The applicant must identify the specific crash involvement(s) to be reviewed and request a copy of the crash report(s) on the approved form. Mail the form to Crash Records, Texas Department of Transportation at the address listed on the form.

The designated person(s) shall review information pertinent to the crash(es), which should include the **Texas Peace Officer’s Crash Report**. In examining this report, consideration of such items as Charges Filed, Investigators’ Narrative of What Happened, Diagram, and Factors/Conditions Contributing to the Crash should assist in making a determination as to whether or not the assessment of penalty points is appropriate.

If the designated person(s) reviews the crash report and any other pertinent information and determines that the applicant was not a cause of the crash(es), no penalty points should be assessed. If the designated person(s) determines that the applicant was a cause of the crash(es), 2 penalty points shall be assessed for each crash.



Table III

School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Bus driver failed to activate warning signal/equipment	Disregarded RR crossing gate or flagger
Bus failed to stop at RR crossing	Disregarded signal at RR crossing
Bus shifting gears while crossing RR tracks	Disregarded traffic control device
Careless driving	Disregarded turn marks at intersection
Changed lane when unsafe	Disregarded warning sign at construction
Child (4-17) not secured by safety belt	Drawbar over 15 feet
Coasting	Driver opened door in moving traffic
Consumed alcohol while driving	Drove on or across streetcar track where prohibited
Crossed RR with heavy equipment without notice	Drove on sidewalk
Crossed RR with heavy equipment without stop (or safely)	Drove on wrong side of divided highway
Crossing physical barrier	Drove on wrong side of road
Cut across driveway to make turn	Drove onto (or from) controlled access highway where prohibited
Cut corner left turn	Drove through safety zone
Cut in after passing	Drove to left of rotary traffic island
Did not use designated lane or direction	Drove without lights—when required
Displayed fictitious driver license	Drove wrong way in designated lane
Disregarded flashing red signal (at stop sign, etc.)	Drove wrong way on one-way roadway
Disregarded flashing yellow light	Endorsement violation CMV
Disregarded lane control signal	Fail to comply with requirements on striking fixtures on highway
Disregarded no lane change sign	Fail to comply with requirements on striking unattended vehicle
Disregarded no passing zone	
Disregarded police officer	



Table III (Continued) School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Fail to control speed	Fail to yield right of way—changing lanes
Fail to dim headlights—following	Fail to yield right of way—turning right on red signal
Fail to dim headlights—meeting	Fail to yield right of way at open intersection (specify type)
Fail to drive in single lane	Fail to yield right of way leaving (private drive, alley, or building)
Fail to keep right on mountain roadway	Fail to yield right of way on left at obstruction
Fail to signal for stop	Fail to yield right of way to emergency vehicle
Fail to signal required distance before turning	Fail to yield right of way to pedestrian at signal intersection
Fail to signal with turn indicator	Fail to yield right of way to pedestrian in crosswalk
Fail to sound horn—mountain road	Fail to yield right of way to pedestrian in crosswalk—no signal
Fail to stop at marked RR crossing	Fail to yield right of way to pedestrian on sidewalk
Fail to stop at proper place (at traffic light)	Fail to yield right of way to pedestrian—green arrow signal
Fail to stop at proper place (flashing red signal)	Fail to yield right of way—turning left (at intersection, alley, private road, or driveway)
Fail to stop at proper place (not intersection)	Failed to give one-half of roadway
Fail to stop for school bus (or remain stopped, specify)	Failed to give way when overtaken
Fail to stop—designated point—at yield sign	Failed to pass met vehicle to right
Fail to stop—emerging from alley, driveway, or building	Failed to stop for approaching train
Fail to use due care for pedestrian	Failed to stop for streetcar—or stop at wrong location
Fail to use proper headlight beam	Fleeing from police officer
Fail to yield at stop intersection	Following ambulance
Fail to yield at yield intersection	
Fail to yield for blind or incapacitated person	
Fail to yield right of way	



Table III (Continued) School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Following too closely—following too closely truck	No flag or projecting load—daytime
Following too closely—caravan	No lamps (or reflectors) on project load at night
Heavy equipment disregarded signal of train	No seat belt—driver
Illegal backing	No seat belt—passenger
Illegal load extension	Obstructed view through windshield
Illegal pass on right	Obstructing traffic
Illegally passed streetcar	Operate motorcycle without approved headgear
Impeding traffic	Operate vehicle where prohibited
Improper lane change	Operate vehicle with child in open bed
Improper lookout	Parked double
Improper turn	Parked on a bridge or in a tunnel
Improper turn or stop hand signal	Parked on crosswalk
Improper use of auxiliary driving lamps	Parked on grade—failed to turn wheels
Improper use of fog lamps	Parked on roadway
Improper use of spot lamps	Parked with headlamps not dimmed
Increased speed while being overtaken	Parked within an intersection
Interfere with funeral procession	Parked without lights
Interfere with streetcar	Parked without locking ignition and/or removing key
Lack of caution on green arrow signal	Passed through barricade
Made a U-turn on curve or hill	Passed vehicle stopped for pedestrian
No driver license	Passed—insufficient clearance



Table III (Continued) School Bus Driver Driving Record Evaluation

Assess **3 penalty points** for each conviction if the date of violation is within **3 years** of the date of the driving record evaluation.

Passengers/load obstruct driver's view or control	Unrestrained child under 4 or less than 36 inches in height not secured by child passenger safety seat
Prohibited motor vehicle on controlled-access highway	Unrestrained child - safety seat violation
Racing—drag racing—acceleration contest, etc.	Unsafe speed (too fast for conditions)
Ran red light	Unsafe start from parked, stopped or standing position
Ran stop sign	Vehicle hauling explosives (or flammable materials) failed to stop at RR crossing
Reckless driving	Vehicle hauling explosives failed to reduce speed at RR crossing
Restriction violation-CDL	Violate DL restriction on occupational license
Slower vehicle failed to keep right	Violate DL restrictions
Speed under minimum	Warning devices not displayed (flags, fuses, flares, reflectors)
Speeding	Wrong side of road-not passing
Speeding-10 mph maximum for solid tire	Wrong side, 4 or more lane, two-way roadway
Speeding-15 miles or over	
Speeding 10% or over	
Speeding over limit	
Speeding-in a school zone	
Too many riders on motorcycle	
Turned across dividing section	
Turned left from wrong lane	
Turned right from wrong lane	
Turned right too wide	
Turned when unsafe	



Table IV School Bus Driver Driving Record Evaluation

Assess **10 penalty points** for each conviction if the date of the violation is within **10 years** of the date of the driving record evaluation.

Aggravated assault with motor vehicle	Driving while license invalid bond forfeiture
Alcohol beverage code offense	Driving while license disqualified-CMV
Boating while intoxicated	Drug offense
Controlled substance act offense	Drug offense-bond forfeiture
Criminal negligent homicide-1 st or 2 nd degree	Fail to stop and render aid-felony
Dangerous drug act offense	Fail to stop and render aid-misdemeanor
Driving under influence of drugs	Felony-use of CMV
Driving under influence (DUI)-minor	Felony-use of CMV-controlled substance
Driving while intoxicated	Intoxication assault
Driving while intoxicated—with child under 15	Intoxication manslaughter
Driving while intoxicated-probated	Involuntary manslaughter
Driving while intoxicated bond forfeiture	Volatile chemical act offense
Driving while license invalid	



Table V School Bus Driver Driving Record Evaluation

Assess **10 penalty points** for each conviction if the date of the violation is within **10 years** of the date of the driving record evaluation.

ALR CMV disqualification — 0.04 or more

ALR suspension — failure

ALR CMV disqualification — 0.04 or more HAZMAT

ALR suspension — refusal

ALR CMV disqualification — refusal

ALR suspension — Under 21 - Refusal

ALR CMV disqualification — refusal - HAZMAT

ALR suspension — Under 21 - Failure