**Section 1035.45 Employer Responsibility**

It shall be the responsibility of a prospective or current employer of an applicant or holder of a school bus driver permit to:

a) conduct a pre-employment interview with the prospective school bus driver applicant;

b) distribute school bus driver permit applications and medical forms;

c) insure that applicants submit to a fingerprint-based criminal background investigation;

d) certify in writing to the Secretary of State that an applicant has successfully completed all pre-employment conditions;

e) notify the Secretary of State in writing that the employer has certified the removal from service of a school bus driver whose permit has been canceled or suspended by the Secretary of State, prior to the start of that school bus driver's next work shift;

f) upon receipt of notification from an MRO that an employee has had a positive drug test or refused to be tested, immediately notify the Secretary of State of that result. Notification to the Secretary of State shall include a copy of the CCF form, medical examiner's certificate, positive drug results or notation of failure to complete testing. This information shall be privileged and maintained for use by the Secretary of State;

g) notify the Secretary of State within 48 hours of a school bus driver that has failed a reasonable suspicion drug or alcohol test or refused to be tested in accordance with IVC Section 6-106.1c;

h) notify the Secretary of State in writing, within 10 working days, of the employment or termination of a school bus driver permit holder;

i) notify the Secretary of State that a school bus driver has failed to perform the pre-trip and/or post-trip inspection process;

j) notify the Secretary of State as soon as possible, but not later than within one business day, whenever a school bus is involved in an accident and the driver is required to submit to the post-accident testing requirements set forth in 49 CFR 382.303;

k) maintain records of certifications for a period of 2 years; these records shall be available for inspection by the Secretary of State.

(Source: Amended at 39 Ill. Reg. 5101, effective March 23, 2015)