

8/27/2025

The Colorado Department of Early Childhood oversees preschool education. Consequently, preschool transportation is not something that the Colorado Department of Education School Transportation Unit has historically overseen or addressed in our rules and regulations, as these children are not "school-aged," which the National Highway Transportation Safety Administration (NHTSA) and the State of Colorado classify as students aged 5-21, enrolled in a public school.

C.R.S. 22-1-115 School census - school age. A school census is a census embracing all persons between the ages of five and twenty-one years. School age is any age over five and under twenty-one years, but any child attaining school age during the school year may be admitted to school, subject to the requirements for admission fixed by the school board of the district in which he or she applies for enrollment.

An increasing number of preschool-aged children, defined as those between three and five years old, are riding school buses across the state. As with any student riding the school bus, the safety of these young passengers is of utmost importance. While school buses are widely regarded as one of the safest transportation options available, thanks to various built-in safety features including compartmentalization, compartmentalization is a passive safety feature of school buses that uses energy-absorbing seats to create a protective space around passengers in the event of a collision, testing conducted by the National Highway Traffic Safety Administration (NHTSA) has shown that children younger than kindergarten age are not adequately protected by this design. These smaller passengers lack the weight needed to effectively engage with the padded seats during a crash and may slip under the seats regardless of the bus size. As a result, the NHTSA requires that young children use appropriate child restraints while riding on a school bus or activity bus.

The test results further showed that preschool-age children in school buses are most protected when transported in child safety restraint systems (CSRSs) that meet Federal Motor Vehicle Safety Standards (FMVSS) 213, Child Restraint Systems, and are correctly attached to the seats.

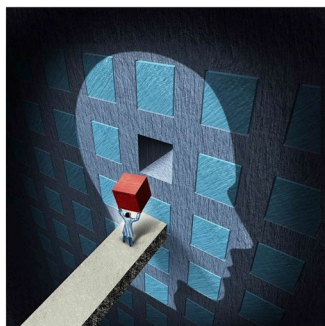
1. Each child should be transported in a Child Safety Restraint System (suitable for the child's weight and age) that meets applicable Federal Motor Vehicle Safety Standards (FMVSSs).
2. Each child should be properly secured in the Child Safety Restraint System.
3. The Child Safety Restraint System should be properly secured to the school bus seat, using anchorages that meet FMVSS 225.

The CDE School Transportation Unit recommends that school districts follow industry

best practices and comply with the NHTSA requirements and guidelines when transporting preschool-aged children in a full-sized school bus or a minibus.

When transporting preschool-age students in small-capacity vehicles, the Colorado Child Passenger Safety Law applies. This law has been recently updated to accommodate a broader range of ages and sizes for children riding in passenger vehicles. Regardless of their age, children are safer when seated in the back seat of a small-capacity vehicle (defined as having a capacity of less than 12 passengers) rather than in the front passenger seat. It is essential that the child safety restraint system used is suitable for the child's size, age, weight, and any disabilities they may have. Additionally, vehicle safety restraint systems and/or safety seats must always be secured according to the manufacturer's instructions.

<https://stnonline.com/news/compartmentalization/>



Compartmentalization - School Transportation News

Compartmentalization became the heart of the federal government's policy of school bus safety. The concept of compartmentalization envisions children riding in a cocoon or compartment surrounded by an energy-absorbing, passive occupant protection system.

stnonline.com

<https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-10/Guideline-Safe-Transportation-Preschool-Age-Children-School-Buses.pdf>

Guideline for the Safe Transportation of Pre-school Age Children in School Buses

Guideline for the Safe Transportation of Pre-school Age Children in School Buses National Highway Traffic Safety Administration February 1999

www.nhtsa.gov

<https://www.codot.gov/safety/carseats/colorado-child-passenger-safety-law-1>



Colorado Child Passenger Safety Law- Colorado Department of Transportation

**Current Law New Law (effective 1/1/25) Rear-Facing.
Under 1 year of age; Under 20 pounds; Must be in back
seat Rear-Facing. Under 2 years of age, and less than 40
pounds Must be in back seat if one is available**

www.codot.gov

If you have any other questions, please do not hesitate to reach out to us.