

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: Department of Revenue

DIVISION: Division of Motor Vehicles

RULE IDENTIFIER: 280-RICR-30-05-5

RULE TITLE: Rules and Regulations Regarding Eligibility for Pupil Transportation Certificate

REASON FOR RULEMAKING: The Division of Motor Vehicles is codifying this regulation for inclusion in the RICR.

TESTIMONY AND COMMENTS: The DMV received comments that a conviction for a crime involving “moral turpitude” should not be a mandatory disqualifier for obtaining a pupil transportation certificate as there is no clear standard for what constitutes a crime of “moral turpitude”. The DMV amended Section 5.6(A)(5) in response to this comment to remove the conviction for a crime involving “moral turpitude” as grounds for the mandatory denial of a pupil transportation certificate application.

The DMV received comments expressing concerns with the automatic and presumptive disqualifications for obtaining a pupil transportation certificate due to past criminal offenses. The DMV will conduct a thorough review of other states’ eligibility standards for similar certifications as well as eligibility standards for other Rhode Island licenses and certifications that involve interaction with children to determine if revisions to the pupil transportation certificate eligibility standards are warranted.

CHANGE TO TEXT OF THE RULE: Section 5.6(A)(5) is amended to remove the conviction of a crime involving moral turpitude as a mandatory disqualifier for obtaining a pupil transportation certificate.