



Risk Management Considerations for Standards of Multi-Functional Activity Buses (MFABs)

The safe transportation of children and youth is always of vital importance to all organizations. However, options have been limited to using private passenger vehicles, school buses or 11-plus passenger vans. Frequently, passenger vans are purchased or used by an organization, as they can be driven by nearly everyone, and are able to carry more passengers or cargo than a car, and are cheaper than contracting with a bus fleet.

However, over the years, there have been numerous studies from the United States, which indicate that this type of vehicle tends to be top heavy and may be prone to rollovers. Following numerous accidents and fatalities, several U.S. states, municipalities, sports associations, church groups, and other organizations, have banned the use of these vans for the transportation of children, youth and the physically or mentally challenged.

In Canada, steps have been taken by the Canadian Standards Association (CSA) to make these vehicles safer. In 2008, the CSA announced the publication of a new CSA D270-08 Multi-Functional Activity Buses (MFABs) Standard.

The Standard defines multi-functional activity buses to be a “bus” for transporting:

- a. persons with disabilities;
- b. students to co-curricular and extra-curricular school trips, when traffic/pedestrian control devices (i.e., warning lamps and stop arm) are not required for school buses by provincial or territorial law;
- c. persons to organizations, e.g. daycare centres, youth centres (YMCA-YWCA, Boys and Girls Clubs, etc), faith-based centres, seniors centres, and community transit organizations”

The Standard applies only to new vehicles, and is patterned after existing school bus requirements. It is broken down into several components, which address both the physical construction of the vehicle (for example brakes, tires, turning radius, emergency exits, safety equipment, etc.), and the testing of various components (for example, mirrors, heater, and roof hatch performance).

The vehicles are further classified into Types A1, A2, B, C or D depending on body construction, engine placement, service door location and vehicle weight.

Vehicle manufacturers who meet this Standard will be able to affix a label of compliance to the vehicle. The Standard does not apply to any after-market retrofits of equipment; these changes come under existing Provincial legislation.

Although the Standard is to be considered National, it is up to the individual provinces to adopt its use.

Having a Standard for MFABs allows organizations to once again put safety first in vehicle selection and operator training.

At the Intact Public Entities, we would strongly encourage our clients to carefully review the provisions of CSA D270, copies of which can be purchased from the CSA website at: shopcsa.ca.

While Intact Public Entities Inc. does its best to provide useful general information and guidance on matters of interest to its clients, statutes, regulations and the common law continually change and evolve, vary from jurisdiction to jurisdiction, and are subject to differing interpretations and opinions. The information provided by Intact Public Entities Inc. is not intended to replace legal or other professional advice or services. The information provided by Intact Public Entities Inc. herein is provided "as is" and without any warranty, either express or implied, as to its fitness, quality, accuracy, applicability or timeliness. Before taking any action, consult an appropriate professional and satisfy yourself about the fitness, accuracy, applicability or timeliness of any information or opinions contained herein. Intact Public Entities Inc. assumes no liability whatsoever for any errors or omissions associated with the information provided herein and furthermore assumes no liability for any decision or action taken in reliance on the information contained in these materials or for any damages, losses, costs or expenses in a way connected to it. Intact Public Entities Inc. is operated by a wholly owned subsidiary of Intact Financial Corporation. Intact Design® and Risk Management Centre of Excellence® are registered trademarks of Intact Financial Corporation or its affiliates. All other trademarks are properties of their respective owners. TM & © 2021 Intact Public Entities Inc. and/or its affiliates. All Rights Reserved.