

# HOUSE BILL No. 5283

October 23, 1991, Introduced by Reps. Niederstadt, Hertel, Bartnik, Olshove, Webb, Baade, Weeks, Anthony, Hoekman and Hoffman and referred to the Committee on Transportation.

A bill to amend section 55 of Act No. 187 of the Public Acts of 1990, entitled

"The pupil transportation act,"

as amended by Act No. 322 of the Public Acts of 1990, being section 257.1855 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 55 of Act No. 187 of the Public Acts of  
2 1990, as amended by Act No. 322 of the Public Acts of 1990, being  
3 section 257.1855 of the Michigan Compiled Laws, is amended to  
4 read as follows:

5 Sec. 55. (1) A school bus driver shall actuate alternately  
6 flashing lights only when the school bus is stopped or stopping  
7 on a highway or private road for the purpose of receiving or  
8 discharging pupils in the manner provided in this act. A school  
9 bus driver shall not actuate the alternately flashing lights when

1 operating on a public highway or private road and transporting  
2 passengers primarily other than school pupils.

3 (2) The driver of a school bus while operating upon the  
4 public highways or private roadways open to the public shall  
5 receive or discharge pupils from the bus in the following  
6 manner:

7 (a) If pupils are required to cross the roadway, the driver  
8 of a school bus equipped with only the alternately flashing red  
9 lights in accordance with section 17 shall activate the flashing  
10 red lights not less than 200 feet before the stop and park the  
11 school bus as far off the right side of the roadway or private  
12 road as possible for the safety of the pupils being boarded or  
13 discharged, and continue to activate the alternately flashing red  
14 lights while receiving or discharging pupils. Before resuming  
15 motion, the driver shall deactivate these lights and allow con-  
16 gested traffic to disperse where practicable. The deactivation  
17 of these lights is the signal for stopped traffic to proceed.

18 (b) If the pupils are required to cross the roadway, the  
19 driver of a school bus equipped with red and amber alternately  
20 flashing lights in accordance with section 19 shall activate the  
21 alternately flashing amber lights not less than 200 feet before  
22 the stop, park the bus as far off the right side of the roadway  
23 or private road as is possible for the safety of the pupils being  
24 boarded or discharged, deactivate the amber flashing lights, and  
25 activate the alternately flashing red lights while receiving or  
26 discharging pupils. Before resuming motion, the driver shall  
27 deactivate these lights and allow congested traffic to disperse

1 where practicable. The deactivation of these lights is the  
2 signal for stopped traffic to proceed.

3 (c) If the pupils are not required to cross the roadway and  
4 where the road has adequate width for the school bus to be pulled  
5 to the far right of the roadway or private road allowing traffic  
6 to flow and to provide for the safety of pupils being boarded or  
7 discharged, the driver may activate the hazard warning lights not  
8 less than 200 feet before the stop and continue to display the  
9 lights until the process of receiving or discharging passengers  
10 has been completed if the posted speed limit is 35 miles per hour  
11 or less. Before resuming motion, the driver shall deactivate  
12 these lights. The driver of a school bus shall only use this  
13 procedure at stops where the school administrator or board  
14 approved contractor has approved its use. If this hazard warning  
15 light option is not used, the driver shall use the appropriate  
16 procedure in subdivision (a) or (b) as if pupils were required to  
17 cross the roadway.

18 (d) Except as provided in subdivision (c), if the pupils are  
19 not required to cross the roadway and where the bus may be pulled  
20 off the roadway or private road or where the road has adequate  
21 width for the school bus to be pulled off to the far right of the  
22 roadway or private road leaving the normal traffic flow unob-  
23 structed and to provide for the safety of pupils being boarded or  
24 discharged, the driver may activate the hazard warning lights not  
25 less than 200 feet before the stop and continue to display the  
26 lights until the process of receiving or discharging passengers  
27 has been completed. Before resuming motion, the driver shall

1 deactivate these lights. The driver of a school bus shall only  
2 use this procedure at stops where the school administrator or  
3 board approved contractor has approved its use. If this hazard  
4 warning light option is not used, the driver shall use the appro-  
5 priate procedure in subdivision (a) or (b) as if pupils were  
6 required to cross the roadway.

7 (e) The distance of not less than 200 feet required for  
8 light activation by this subsection shall be measured on the  
9 roadway or private road on which the stop is made for receiving  
10 or discharging pupils.

11 (3) Passengers crossing the road upon being discharged from  
12 a school bus shall cross in front of the stopped school bus. If  
13 a school district authorizes its school bus drivers to signal  
14 pupils to cross in front of the stopped school bus, the signal  
15 shall be uniform throughout the school district.

16 (4) The driver of a school bus shall not stop the bus for  
17 the purpose of receiving or discharging pupils in the following  
18 instances:

19 (a) Within 200 feet of a public highway or roadway intersec-  
20 tion unless the stop is approved by the school administrator or  
21 board approved contractor.

22 (b) Upon a limited access highway or freeway, or upon any  
23 other highway or roadway that has been divided into 2 roadways by  
24 leaving an intervening space, a physical barrier, or clearly  
25 divided sections so constructed as to impede vehicular traffic if  
26 the pupils are required to cross the highway or roadway.

1 (c) Upon a highway or roadway constructed or designed to  
2 permit 3 or more separate lanes of vehicular traffic in either  
3 direction if the pupils are required to cross the highway or  
4 roadway.

5 (5) The driver of a school bus when using the alternately  
6 flashing red stopping lights shall not stop the bus for the pur-  
7 pose of receiving or discharging pupils in the following  
8 instances:

9 (a) Unless the bus is clearly and continuously visible in  
10 its stopped position to approaching vehicles on that highway or  
11 roadway for not less than 400 feet.

12 (b) Within 50 feet of an intersection IF THE INTERSECTION IS  
13 CONTROLLED BY A TRAFFIC SIGNAL.

14 (6) A school may provide instruction on proper school bus  
15 etiquette which may include, but not be limited to, boarding and  
16 leaving the bus, evacuation of the bus in an emergency, and road  
17 crossing procedures and the correct hand signal in the district,  
18 if any. If a school uses school bus drivers for this instruc-  
19 tion, the state board may reimburse the school for this  
20 training.

21 (7) For the purpose of this section, "required to cross the  
22 highway or roadway" does not include crossing the road with the  
23 assistance of a traffic control signal, or with the assistance of  
24 a crossing guard as defined in section 57b of the Michigan vehi-  
25 cle code, Act No. 300 of the Public Acts of 1949, being  
26 section 257.57b of the Michigan Compiled Laws, and applies only  
27 to the road on which the stop is being made.