



SENATE BILL No. 1085

April 12, 1994, Introduced by Senator DILLINGHAM and
referred to the Committee on Transportation and
Tourism

A bill to amend sections 19 25 31 49 52, 53 55, 57, and
59 of Act No 187 of the Public Acts of 1990, entitled
"The pupil transportation act,"
section 55 as amended by Act No 184 of the Public Acts of 1991,
being sections 257 1819, 257 1825, 257 1831, 257 1849, 257 1852,
257 1853, 257 1855, 257 1857, and 257 1859 of the Michigan
Compiled Laws to add sections 9a and 38 and to repeal certain
parts of the act on a specific date

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 19, 25, 31, 49, 52, 53, 55, 57, and 59
2 of Act No 187 of the Public Acts of 1990 section 55 as amended
3 by Act No 184 of the Public Acts of 1991, being sections
4 257 1819, 257 1825, 257 1831 257 1849 257 1852 257 1853,
5 257 1855, 257 1857, and 257 1859 of the Michigan Compiled Laws,
6 are amended and sections 9a and 38 are added to read as follows

1 SEC 9A A LOCAL AUTHORITY SHALL NOT ADOPT, ENACT, OR
2 ENFORCE A STATUTE, CHARTER PROVISION, ORDINANCE, RULE, OR REGULA-
3 TION IN CONFLICT WITH THIS ACT

4 Sec 19 (1) A school bus shall be equipped with signal
5 lamps mounted as high and widely spaced laterally as practicable
6 which shall be capable of displaying to the front 2 alternately
7 flashing red lamps located at the same level and to the rear 2
8 alternately flashing red lamps located at the same level

9 (2) In addition to the 4 red lamps described in
10 subsection (1), 4 amber lamps shall be installed near each red
11 signal lamp, at the same level, but closer to the vertical center
12 line of the bus The system of red and amber signal lamps shall
13 be wired so that the amber lamps are energized manually, and the
14 red lamps are automatically energized, with the amber lamps being
15 automatically ~~de-energized~~ DEACTIVATED, when the bus service
16 door is opened

17 (3) The area around the lens of each alternately flashing
18 signal lamp and extending outward approximately 3 inches shall be
19 painted black In installations where there is no flat vertical
20 portion of body immediately surrounding the entire lens of a
21 lamp, a circular or square band of black approximately 3 inches
22 wide, immediately below and to both sides of a lens, shall be
23 painted on the body or roof area against which the signal lamp is
24 seen from a distance of 500 feet along the axis of the vehicle
25 Visors or hoods with an appropriate black background to fit their
26 shape and roofcap may also be used These amber and red sealed
27 beam lights shall have sufficient intensity to be visible from a

1 distance of not less than 500 feet in normal sunlight Lamps
 2 indicating alternately flashing light operation shall be visible
 3 to the driver when in a normal seated position

4 (4) This section shall apply to new school buses manufac-
 5 tured on or after October 1, 1990 and to school buses manufac-
 6 tured before October 1, 1990 that are retrofitted to meet the
 7 requirements of this section

8 Sec 25 (1) A school bus OR PUPIL TRANSPORTATION VEHICLE
 9 shall be equipped with at least 1, 2A-10BC dry chemical fire
 10 extinguisher, or its equivalent, that is approved by the depart-
 11 ment of state police and that has an aluminum, brass, or bronze
 12 valve The extinguisher shall be mounted securely in an accessi-
 13 ble place in the driver's compartment and shall be in satisfac-
 14 tory operating condition at all times

15 (2) A school bus or pupil transportation vehicle shall be
 16 equipped with a first aid kit which shall be firmly mounted with
 17 a quick release bracket in an accessible location in the driver's
 18 compartment and which shall contain, at a minimum, all of the
 19 following

20 (a) Bandage compress (sterile gauze	
21 pads), 4-inch	2 packages
22 (b) Bandage compress (sterile gauze	
23 pads), 2-inch	2 packages
24 (c) Adhesive compress, 1-inch	2 packages
25 (d) Triangular bandage with 2 safety	
26 pins, 40-inch	1 package

1 (e) Roll gauze 1 package

2 (f) Elastic bandage, 3-inch 1 package

3 Antiseptics and burn ointments shall not be included, except
4 as required by the state transportation department

5 (3) A school bus or a pupil transportation vehicle shall be
6 equipped with 3 bidirectional emergency reflective triangles
7 which are properly cased and securely mounted and 3 red-burning
8 fusees which are capable of burning not less than 15 minutes and
9 which are properly cased and securely mounted in the driver's
10 compartment Fusees and reflectors shall comply with the stan-
11 dards set forth in this act and the rules promulgated pursuant to
12 this act

13 Sec 31 A school bus may be equipped with a flashing
14 oscillating, or rotating light mounted on the roof of the bus
15 approximately 6 feet from the rear of the vehicle which displays
16 a white light to the front, side and rear of the bus which light
17 may be actuated by the driver for use ~~only in~~ DURING inclement
18 weather such as fog, rain or snow ~~when boarding or discharging~~
19 ~~passengers~~ from 1/2 hour ~~before~~ AFTER sunset until 1/2 hour
20 ~~after~~ BEFORE sunrise or where conditions hinder the visibility
21 of the school bus

22 SEC 38 A MOTOR VEHICLE, OTHER THAN A SCHOOL BUS, SHALL
23 NOT BE EQUIPPED WITH THE LIGHTS DESCRIBED IN SECTIONS 17 AND 18,
24 OR A STOP ARM DESCRIBED IN SECTION 20 A SCHOOL BUS SHALL NOT BE
25 SOLD OR OTHERWISE DISPOSED OF UNTIL THE LIGHTS REQUIRED IN
26 SECTIONS 17 AND 18 AND THE STOP ARM REQUIRED IN SECTION 20 ARE
27 PHYSICALLY REMOVED, UNLESS THE PURCHASER DESIGNATES IN WRITING

1 THAT THE BUS IS TO BE USED AS A SCHOOL BUS OR THE SCHOOL BUS IS
2 BEING SOLD OR TRADED TO A DEALER

3 Sec 49 (1) A person whether or not licensed under the
4 Michigan vehicle code, Act No 300 of the Public Acts of 1949,
5 being sections 257 1 to 257 923 of the Michigan Compiled Laws,
6 who is 17 years of age or less shall not drive a school bus, ~~or~~
7 pupil transportation vehicle, OR SCHOOL TRANSPORTATION VEHICLE

8 (2) A person shall not operate a school bus or pupil trans-
9 portation vehicle ~~used~~ for the ~~regularly~~ PURPOSE OF scheduled
10 transportation of ~~passengers~~ PUPILS to ~~and~~ OR from school
11 ~~and~~ OR home OR SCHOOL-RELATED EVENTS unless that person pos-
12 sesses a valid chauffeur's license, the appropriate vehicle group
13 designation, and a passenger vehicle indorsement under
14 section 312e of Act No 300 of the Public Acts of 1949 being
15 section 257 312e of the Michigan Compiled Laws, AND SUCCESSFULLY
16 COMPLETES THE DRIVER COMPETENCY REQUIREMENTS DESCRIBED IN SEC-
17 TIONS 51, 52, AND 53

18 (3) ~~Pursuant to the authority granted in section 204a of~~
19 ~~the Michigan vehicle code Act No 300 of the Public Acts of~~
20 ~~1949, being section 257 204a of the Michigan Compiled Laws, the~~
21 ~~secretary of state shall note on the person's license each con-~~
22 ~~viction, civil infraction determination or other moving viola-~~
23 ~~tion or accident of the person while operating a school bus pur-~~
24 ~~suant to this act~~ A PERSON SHALL NOT OPERATE A SCHOOL BUS,
25 PUPIL TRANSPORTATION VEHICLE, OR SCHOOL TRANSPORTATION VEHICLE,
26 OR A SCHOOL ADMINISTRATOR OR A PERSON OR ENTITY UNDER CONTRACT
27 WITH A SCHOOL TO PROVIDE PUPIL TRANSPORTATION SERVICES SHALL NOT

1 KNOWINGLY PERMIT A PERSON TO OPERATE A SCHOOL BUS OR PUPIL
2 TRANSPORTATION VEHICLE FOR THE SCHEDULED TRANSPORTATION OF PUPILS
3 TO OR FROM SCHOOL OR SCHOOL-RELATED EVENTS IF THAT PERSON HAS 7
4 OR MORE PENALTY POINTS ON HIS OR HER DRIVING RECORD UNDER SECTION
5 320A OF ACT NO 300 OF THE PUBLIC ACTS OF 1949, BEING SECTION
6 257 320A OF THE MICHIGAN COMPILED LAWS OR IF THE PERSON WAS
7 ISSUED A RESTRICTED LICENSE DUE TO A CONVICTION FOR A VIOLATION
8 OF SECTION 625 OF ACT NO 300 OF THE PUBLIC ACTS OF 1949, BEING
9 SECTION 257 625 OF THE MICHIGAN COMPILED LAWS

10 Sec 52 ~~-(1) The department shall administer an on-road~~
11 ~~driver skills test as developed by the department and the school~~
12 ~~bus safety advisory committee created under section 70 and~~
13 ~~approved by the state board of education~~

14 ~~-(2) The on-road driver skills test is to be conducted by an~~
15 ~~examiner not employed by the same agency or school of the driver~~
16 ~~being tested~~

17 ~~-(3) The on-road driver skills test shall be administered to~~
18 ~~each school bus and pupil transportation vehicle driver who has~~
19 ~~met the minimum threshold for a required safety evaluation as~~
20 ~~established by the department and the school bus safety advisory~~
21 ~~committee and approved by the state board of education~~ The
22 ~~on-road driver skills test shall be administered within 30 days~~
23 ~~after a driver has met the established minimum threshold~~

24 ~~-(4) In addition to any on-road driver skills test or tests~~
25 ~~given to a driver who has met the minimum threshold for a~~
26 ~~required on-road driver skills test the department shall~~
27 ~~implement a requirement for the testing of each school bus and~~

~~1 pupil transportation vehicle driver within each 4-year period~~
~~2 that the person is assigned to drive a school bus or pupil trans-~~
~~3 portation vehicle if the on-road testing is recommended by the~~
~~4 school bus safety advisory committee and approved by the state~~
~~5 board of education—~~ (1) THE DRIVER OF A SCHOOL BUS OR PUPIL
6 TRANSPORTATION VEHICLE SHALL TAKE A DRIVER SKILLS TEST AS ESTAB-
7 LISHED BY THE DEPARTMENT OF EDUCATION AND THE SCHOOL BUS SAFETY
8 ADVISORY COMMITTEE CREATED UNDER SECTION 70 AND APPROVED BY THE
9 STATE BOARD OF EDUCATION, EXCEPT AS PROVIDED IN SUBSECTION (2)

10 A DRIVER SKILLS TEST SHALL INCLUDE AN ON-ROAD DRIVING TEST

11 (2) THE DRIVER OF A SCHOOL BUS OR PUPIL TRANSPORTATION VEHI-
12 CLE WHO FAILS TO MEET MINIMUM DRIVER COMPETENCY PERFORMANCE STAN-
13 DARDS AS ESTABLISHED BY THE DEPARTMENT OF EDUCATION AND THE
14 SCHOOL BUS SAFETY ADVISORY COMMITTEE CREATED UNDER SECTION 70 AND
15 APPROVED BY THE STATE BOARD OF EDUCATION SHALL SUCCESSFULLY COM-
16 PLETE A DRIVER SKILLS TEST AS PROVIDED IN THIS SECTION WITHIN 30
17 DAYS AFTER FAILING TO MEET THE MINIMUM DRIVER COMPETENCY PER-
18 FORMANCE STANDARDS

19 (3) THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE DRIVER
20 SKILLS TEST PROGRAM WHICH SHALL BE CONDUCTED BY AN EXAMINER NOT
21 EMPLOYED BY THE SAME AGENCY OR SCHOOL OF THE DRIVER BEING TESTED

22 (4) ~~—(5)—~~ A driver who fails to successfully complete the
23 ~~on-road~~ driver skills test shall not be permitted to drive a
24 school bus or pupil transportation vehicle ~~used for the regu-~~
25 ~~larly scheduled transportation of passengers to and from school~~
26 ~~and home—~~ A driver who fails the ~~on-road~~ driver skills test
27 ~~required by~~ ADMINISTERED PURSUANT TO this section may retake

1 the test under ~~guidelines~~ A POLICY developed by the department
2 OF EDUCATION and the school bus safety advisory committee and
3 approved by the state board of education

4 (5) ~~-(6)-~~ A school ADMINISTRATOR OR PERSON OR ENTITY UNDER
5 CONTRACT WITH A SCHOOL TO PROVIDE PUPIL TRANSPORTATION SERVICES
6 may require all of its school bus and pupil transportation vehi-
7 cle drivers to take the ~~on-road~~ driver skills test as
8 ~~developed by the department and the school bus safety advisory~~
9 ~~committee created under section 70 and approved by the state~~
10 ~~board of education~~ CONSIDERED NECESSARY TO ENSURE ACCEPTABLE
11 DRIVER'S PERFORMANCE

12 (6) A PERSON SHALL NOT OPERATE OR A SCHOOL ADMINISTRATOR OR
13 PERSON OR ENTITY UNDER CONTRACT WITH A SCHOOL TO PROVIDE PUPIL
14 TRANSPORTATION SERVICES SHALL NOT PERMIT A PERSON TO OPERATE A
15 SCHOOL TRANSPORTATION VEHICLE UNTIL THEY HAVE COMPLIED WITH THE
16 REQUIREMENTS PERTAINING TO A SCHOOL TRANSPORTATION VEHICLE IN
17 SECTION 53(7)

18 Sec 53 (1) All regular drivers and substitute drivers of
19 school buses ~~transporting passengers~~ and pupil transportation
20 vehicles ~~used for the regularly scheduled transportation of pas-~~
21 ~~sengers to and from home~~ shall at a minimum meet the following
22 qualifications

23 (a) The requirements of sections 49 and 51

24 (b) For a school bus or pupil transportation vehicle operat-
25 ing in intrastate transportation the annual physical require-
26 ments for school bus and pupil transportation vehicle drivers as
27 authorized by the superintendent of public instruction In

1 meeting these physical requirements the driver shall be examined
2 by a licensed physician and shall present the physician's certifi-
3 cate to the employer

4 (c) An employer who has reason to believe that a driver is
5 not physically qualified to drive may require a physical examina-
6 tion for that driver in accordance with subdivision (b) at more
7 frequent intervals If an employer requests a physical examina-
8 tion under this subdivision the employer shall indicate in writ-
9 ing what physical impairment covered under the requirements of
10 subdivision (b) the driver is to be examined for and shall only
11 be entitled to that portion of the examination results which per-
12 tain to that impairment An examination requested by the
13 employer under this subdivision shall be paid for by the
14 employer

15 (d) A copy of the physician's certificate for a driver shall
16 be carried by that driver while he or she is operating a school
17 bus or pupil transportation vehicle

18 (2) A record of each employed school bus or pupil transpor-
19 tation vehicle driver including a copy of his or her physician's
20 certificate department of education certification driver
21 license, certificate of road test application for employment and
22 any other information that relates to driver qualification or
23 ability to safely drive a school bus or pupil transportation
24 vehicle, shall be maintained in the employer's administrative
25 office

26 (3) A school shall submit transportation safety related
27 documents, such as driver qualification records and vehicle

1 maintenance records upon request for inspection and copying to
2 motor carrier officers or vehicle inspectors of the department of
3 state police

4 (4) Upon receipt of an application from a person for the
5 position of school bus driver or pupil transportation vehicle
6 driver, a school shall request from the department of state
7 police a background check to determine whether the person was
8 convicted of any of the following offenses

9 (a) Criminal sexual conduct in any degree

10 (b) Assault with intent to commit criminal sexual conduct

11 (c) An attempt to commit criminal sexual conduct in any
12 degree

13 (d) Felonious assault on a child child abuse, or cruelty,
14 torture, or indecent exposure involving a child

15 (e) A violation of section 145c of the Michigan penal code,
16 Act No 328 of the Public Acts of 1931 being section 750 145c of
17 the Michigan Compiled Laws

18 (5) A person shall not smoke on a school bus ~~or~~ pupil
19 transportation vehicle ~~within 1 hour before use of the school~~
20 ~~bus or pupil transportation vehicle by pupils~~ OR SCHOOL TRANS-
21 PORTATION VEHICLE

22 (6) A person shall not possess or consume alcoholic liquor
23 or a controlled substance on a school bus, ~~or~~ pupil transporta-
24 tion vehicle, OR SCHOOL TRANSPORTATION VEHICLE

25 (7) THE SCHOOL ADMINISTRATOR OR PERSON OR ENTITY UNDER CON-
26 TRACT WITH A SCHOOL SHALL ESTABLISH A WRITTEN POLICY WHICH MAY
27 INCLUDE MONITORING OR TRAINING, OR BOTH, DESIGNED TO COVER THE

1 KNOWLEDGE NEEDED TO SAFELY TRANSPORT PUPILS IN A SCHOOL
2 TRANSPORTATION VEHICLE THIS POLICY MAY INCLUDE, BUT IS NOT
3 LIMITED TO THE SKILLS KNOWLEDGE AND OTHER REQUIREMENTS FOR A
4 SCHOOL BUS DRIVER PROVIDED IN THIS ACT SAMPLE POLICIES SHALL BE
5 MADE AVAILABLE FROM THE DEPARTMENT OF EDUCATION NOT LATER THAN 90
6 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
7 THIS SUBSECTION

8 Sec 55 (1) A school bus driver shall actuate alternately
9 flashing lights only when the school bus is stopped or stopping
10 on a highway or private road for the purpose of receiving or dis-
11 charging pupils in the manner provided in this act A school bus
12 driver shall not actuate the alternately flashing lights when
13 operating on a public highway or private road and transporting
14 passengers primarily other than school pupils

15 (2) The driver of a school bus while operating upon the
16 public highways or private roadways open to the public shall
17 receive or discharge pupils from the bus in the following
18 manner

19 (a) If pupils are required to cross the roadway the driver
20 of a school bus equipped with only the alternately flashing
21 OVERHEAD red lights in accordance with section 17 shall activate
22 the ALTERNATELY flashing OVERHEAD red lights not less than 200
23 feet before the stop, ~~and park~~ STOP the school bus as far ~~off~~
24 TO the right side of the ~~roadway~~ HIGHWAY or private road as
25 possible TO PROVIDE for the safety of the pupils being boarded or
26 discharged, and continue to activate the alternately flashing
27 OVERHEAD red lights while receiving or discharging pupils

1 Before resuming motion, the driver shall deactivate these lights
2 and allow congested traffic to disperse where practicable The
3 deactivation of these lights is the signal for stopped traffic to
4 proceed

5 (b) If the pupils are required to cross the roadway, the
6 driver of a school bus equipped with red and amber alternately
7 flashing OVERHEAD lights in accordance with section 19 shall
8 activate the alternately flashing OVERHEAD amber lights not less
9 than 200 feet before the stop, ~~park~~ STOP the bus as far ~~off~~
10 TO the right side of the ~~roadway~~ HIGHWAY or private road as is
11 possible TO PROVIDE for the safety of the pupils being boarded or
12 discharged, deactivate the ~~amber~~ ALTERNATELY flashing OVERHEAD
13 AMBER lights, and activate the alternately flashing OVERHEAD 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 (c) If the pupils are not required to cross the roadway and
19 where the road has adequate width for the school bus to be pulled
20 to the far right of the ~~roadway~~ HIGHWAY or private road allow-
21 ing traffic to flow and to provide for the safety of pupils being
22 boarded or discharged, the driver may activate the hazard warning
23 lights not less than 200 feet before the stop and continue to
24 display the lights until the process of receiving or discharging
25 passengers has been completed if the ~~posted~~ LAWFUL speed limit
26 is 35 miles per hour or less Before resuming motion the driver
27 shall deactivate these lights The driver of a school bus shall

1 only use this procedure at stops where the school administrator
2 or ~~board approved contractor~~ PERSON OR ENTITY UNDER CONTRACT
3 WITH A SCHOOL TO PROVIDE PUPIL TRANSPORTATION SERVICES has
4 approved its use If this hazard warning light option is not
5 used, the driver shall use the appropriate procedure in
6 subdivision (a) or (b) as if pupils were required to cross the
7 roadway

8 (d) Except as provided in subdivision (c), if the pupils are
9 not required to cross the roadway and where the bus may be pulled
10 off the roadway or private road or where the road has adequate
11 width for the school bus to be pulled off to the far right of the
12 ~~roadway~~ HIGHWAY or private road leaving the normal traffic flow
13 unobstructed and to provide for the safety of pupils being
14 boarded or discharged, the driver may activate the hazard warning
15 lights not less than 200 feet before the stop and continue to
16 display the lights until the process of receiving or discharging
17 passengers has been completed Before resuming motion, the
18 driver shall deactivate these lights The driver of a school bus
19 shall only use this procedure at stops where the school adminis-
20 trator or ~~board approved contractor~~ PERSON OR ENTITY UNDER CON-
21 TRACT WITH A SCHOOL TO PROVIDE PUPIL TRANSPORTATION SERVICES has
22 approved its use If this hazard warning light option is not
23 used, the driver shall use the appropriate procedure in
24 subdivision (a) or (b) as if pupils were required to cross the
25 roadway

26 (e) The distance of not less than 200 feet required for
27 light activation by this subsection shall be measured on the

1 roadway or private road on which the stop is made for receiving
2 or discharging pupils

3 (3) ~~Passengers~~ PUPILS crossing the road upon being dis-
4 charged from a school bus shall cross in front of the stopped
5 school bus If a school district authorizes its school bus driv-
6 ers to signal pupils to cross in front of the stopped school bus,
7 the signal shall be uniform throughout the school district

8 (4) The driver of a school bus shall not stop the bus for
9 the purpose of receiving or discharging pupils in the following
10 instances

11 (a) Within 200 feet of a public highway or roadway intersec-
12 tion unless the stop is approved by the school administrator or
13 ~~board approved contractor~~ PERSON OR ENTITY UNDER CONTRACT WITH
14 A SCHOOL TO PROVIDE PUPIL TRANSPORTATION SERVICES

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

20 (c) Upon a ~~highway or~~ roadway constructed or ~~designed~~
21 MARKED to permit 3 or more separate lanes of vehicular traffic in
22 either direction if the pupils are required to cross the highway
23 or roadway

24 (5) The driver of a school bus when using the alternately
25 flashing OVERHEAD red ~~stopping~~ lights shall not stop the bus
26 for the purpose of receiving or discharging pupils in the
27 following instances

1 (a) Unless the bus is clearly and continuously visible in
2 its stopped position to approaching vehicles on that highway or
3 roadway for not less than 400 feet CLEAR AND CONTINUOUS VISI-
4 BILITY SHALL NOT BE REQUIRED WITHIN 400 FEET FROM THE END OF A
5 HIGHWAY OR ROADWAY ON WHICH THE STOP IS BEING MADE IF THERE IS
6 CLEAR AND CONTINUOUS VISIBILITY TO THE END OF THE HIGHWAY OR
7 ROADWAY THIS REQUIREMENT SHALL APPLY ON A ROADWAY WITH A LAWFUL
8 SPEED LIMIT OF MORE THAN 35 MILES PER HOUR

9 (B) 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 200 FEET CLEAR AND CONTINUOUS VISI-
12 BILITY SHALL NOT BE REQUIRED WITHIN 200 FEET FROM THE END OF A
13 HIGHWAY OR ROADWAY ON WHICH THE STOP IS BEING MADE IF THERE IS
14 CLEAR AND CONTINUOUS VISIBILITY TO THE END OF THE HIGHWAY OR
15 ROADWAY THIS REQUIREMENT SHALL APPLY ON A ROADWAY WITH A LAWFUL
16 SPEED LIMIT OF 35 MILES PER HOUR OR LESS

17 (C) ~~(b)~~ Within 50 feet of an intersection if the intersec-
18 tion is controlled by a traffic stop and go signal

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

26 (7) For the purpose of this section, "required to cross the
27 highway or roadway" does not include crossing the road with the

1 assistance of a traffic control signal, or with the assistance of
2 a crossing guard as defined in section 57b of the Michigan vehi-
3 cle code, Act No 300 of the Public Acts of 1949, being
4 section 257 57b of the Michigan Compiled Laws and applies only
5 to the road on which the stop is being made

6 Sec 57 (1) Except as provided in subsections (2), (3),
7 and (4), the driver of a school bus before crossing a railroad
8 track at grade, shall ACTIVATE HAZARD WARNING LIGHTS NOT LESS
9 THAN 100 FEET BEFORE THE CROSSING stop the vehicle within 50
10 feet but not less than 15 feet from the nearest rail, ~~activate~~
11 ~~hazard warning lights~~ turn off all interior switches including
12 fans, heaters, and radios open the passenger door and
13 driver-side window and while stopped shall listen and look in
14 both directions along the track OR TRACKS for an approaching
15 train and for signals indicating the approach of a train, and
16 shall not proceed until the driver can do so safely After stop-
17 ping as required in this subsection and upon proceeding when it
18 is safe to do so the driver of the vehicle shall cross only in a
19 gear of the vehicle that does not require changing gears while
20 traversing the crossing The driver shall CLOSE THE PASSENGER
21 DOOR BEFORE PROCEEDING ACROSS THE TRACKS, AND SHALL not shift
22 gears while crossing the track or tracks HAZARD WARNING LIGHTS
23 SHALL NOT BE DEACTIVATED UNTIL THE BUS HAS COMPLETELY CLEARED THE
24 TRACKS

25 (2) A stop need not be made at a railroad track grade cross-
26 ing where a police officer or a traffic-control signal directs
27 traffic to proceed

1 (3) A stop need not be made at an abandoned railroad track
2 grade crossing As used in this subsection "abandoned railroad
3 track" means a railroad track which meets all of the following
4 requirements

5 (a) The track has been abandoned pursuant to Act No 56 of
6 the Public Acts of 1919, being sections 469 241 to 469 246 of the
7 Michigan Compiled Laws section 14 of Act No 300 of the Public
8 Acts of 1909 being section 462 14 of the Michigan Compiled Laws
9 or federal law

10 (b) The track has been covered or removed

11 (c) All signs, signals, and other warning devices are
12 removed

13 (4) A stop shall not be made at a railroad track grade
14 crossing on a freeway or limited access highway where the cross-
15 ing is protected by a clearly visible signal crossing gate or
16 barrier at a time when the signal crossing gate, or barrier is
17 not activated

18 (5) A person who violates this section is responsible for a
19 civil infraction

20 Sec 59 (1) A driver of a school bus OR PUPIL TRANSPORTA-
21 TION VEHICLE shall not transport or permit to be transported on a
22 school bus OR PUPIL TRANSPORTATION VEHICLE while transporting
23 pupils to ~~and~~ OR from school OR SCHOOL-RELATED EVENTS a person
24 other than pupils ~~persons enrolled in a school-sponsored pre-~~
25 ~~school program authorized by state or federal statute~~ teachers
26 or chaperons of the pupils or other persons authorized by the
27 school for the protection of property or the health, safety, and

1 welfare of the pupils or persons attending other school-related
2 functions, or both This subsection shall not apply during the
3 transportation of persons under section 65

4 (2) After the fourth Friday following Labor day of each
5 school year a school bus OR PUPIL TRANSPORTATION VEHICLE shall
6 not be used to transport more ~~than 100% of the number of persons~~
7 ~~for which the school bus has a rated seating capacity~~
8 PASSENGERS THAN THERE ARE AVAILABLE SEATING POSITIONS IN WHICH
9 EACH PASSENGER MAY BE PROPERLY SEATED OTHER THAN IN AN EMERGENCY
10 AS DETERMINED BY THE SCHOOL ADMINISTRATOR AND PURSUANT TO A WRIT-
11 TEN POLICY DESIGNED TO ENSURE THE SAFE TRANSPORTATION OF PUPILS
12 IN AN EMERGENCY SAMPLE POLICIES SHALL BE MADE AVAILABLE FROM
13 THE DEPARTMENT OF EDUCATION NOT LATER THAN 90 DAYS AFTER THE
14 EFFECTIVE DATE OF THE 1993 AMENDATORY ACT THAT AMENDED THIS
15 SUBSECTION

16 (3) AS USED IN THIS SECTION, "EMERGENCY" MEANS AN UNFORESEEN
17 OR UNEXPECTED EVENT IN WHICH THE HEALTH SAFETY OR WELFARE OF
18 PUPILS WOULD BE THREATENED IF THE SEATING REQUIREMENTS IN THIS
19 SECTION WERE ENFORCED

20 (4) ~~-(3)-~~ A person who violates or directs a violation of
21 this section is responsible for a civil infraction

22 Section 2 Section 61 of Act No 187 of the Public Acts of
23 1990, being section 257 1861 of the Michigan Compiled Laws, is
24 repealed effective June 30, 1994

25 Section 3 This amendatory act shall take effect June 30
26 1994