

HOUSE BILL No. 5402

December 3, 1997, Introduced by Reps. Scott, Leland, Curtis, Vaughn, DeHart, Schermesser, Olshove and Parks and referred to the Committee on Transportation.

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 55 (MCL 257.1855), as amended by 1991 PA 184, and by adding sections 20 and 69a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20. (1) THE DEPARTMENT OF STATE POLICE MAY PROMULGATE
2 RULES UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA
3 306, MCL 24.201 TO 24.328, PERTAINING TO THE SPECIFICATIONS AND
4 LOCATION OF CROSSING CONTROL ARMS ON SCHOOL BUSES.

5 (2) AS USED IN THIS SECTION AND SECTION 69A, "CROSSING CON-
6 TROL ARM" MEANS A VISUAL AID CONNECTED TO THE ELECTRICAL SYSTEM
7 AND MOUNTED ON THE FRONT BUMPER OF A SCHOOL BUS THAT AUTOMATI-
8 CALLY EXTENDS AND CONTRACTS WHEN THE DRIVER OPERATES THE
9 ELECTRICAL SYSTEM OF THE BUS.

1 Sec. 55. (1) A school bus driver shall actuate alternately
2 flashing lights only when the school bus is stopped or stopping
3 on a highway or private road for the purpose of receiving or dis-
4 charging pupils in the manner provided in this act. A school bus
5 driver shall not actuate the alternately flashing lights when
6 operating on a public highway or private road and transporting
7 passengers primarily other than school pupils.

8 (2) The driver of a school bus while operating upon the
9 public highways or private roadways open to the public shall
10 receive or discharge pupils from the bus in the following
11 manner:

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

23 (b) If the pupils are required to cross the roadway, the
24 driver of a school bus equipped with red and amber alternately
25 flashing lights in accordance with section 19 shall activate the
26 alternately flashing amber lights not less than 200 feet before
27 the stop, park the bus as far off the right side of the roadway

1 or private road as is possible for the safety of the pupils being
2 boarded or discharged, deactivate the amber flashing lights, and
3 activate the alternately flashing red lights while receiving or
4 discharging pupils. Before resuming motion, the driver shall
5 deactivate these lights and allow congested traffic to disperse
6 where practicable. The deactivation of these lights is the
7 signal for stopped traffic to proceed.

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

23 (d) Except as provided in subdivision (c), if the pupils are
24 not required to cross the roadway and where the bus may be pulled
25 off the roadway or private road or where the road has adequate
26 width for the school bus to be pulled off to the far right of the
27 roadway or private road leaving the normal traffic flow

1 unobstructed and to provide for the safety of pupils being
2 boarded or discharged, the driver may activate the hazard warning
3 lights not less than 200 feet before the stop and continue to
4 display the lights until the process of receiving or discharging
5 passengers has been completed. Before resuming motion, the
6 driver shall deactivate these lights. The driver of a school bus
7 shall only use this procedure at stops where the school adminis-
8 trator or board approved contractor has approved its use. If
9 this hazard warning light option is not used, the driver shall
10 use the appropriate procedure in subdivision (a) or (b) as if
11 pupils were required to cross the roadway.

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

16 (3) Passengers crossing the road upon being discharged from
17 a school bus shall cross in front of the stopped school bus. If
18 a school district authorizes its school bus drivers to signal
19 pupils to cross in front of the stopped school bus, the signal
20 shall be uniform throughout the school district.

21 (4) The driver of a school bus shall not stop the bus for
22 the purpose of receiving or discharging pupils in the following
23 instances:

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

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

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

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

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

17 (b) Within 50 feet of an intersection if the intersection is
18 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 INCLUDING WHETHER THE BUSES ARE EQUIPPED WITH
22 CROSSING CONTROL ARMS, evacuation of the bus in an emergency, and
23 road crossing procedures and the correct hand signal in the dis-
24 trict, if any. If a school uses school bus drivers for this
25 instruction, the state board may reimburse the school for this
26 training.

1 (7) For the purpose of this section, "required to cross the
2 highway or roadway" does not include crossing the road with the
3 assistance of a traffic control signal, or with the assistance of
4 a SCHOOL crossing guard as defined in section 57b of the Michigan
5 vehicle code, ~~Act No. 300 of the Public Acts of 1949, being~~
6 ~~section 257.57b of the Michigan Compiled Laws~~ 1949 PA 300, MCL
7 257.57B, and applies only to the road on which the stop is being
8 made.

9 SEC. 69A. A SCHOOL DISTRICT MAY PURCHASE NEW SCHOOL BUSES
10 EQUIPPED WITH CROSSING CONTROL ARMS. A SCHOOL DISTRICT MAY RET-
11 ROFIT ANY OF ITS EXISTING SCHOOL BUSES AS OF THE EFFECTIVE DATE
12 OF THIS SECTION WITH CROSSING CONTROL ARMS.