

HOUSE BILL No. 6334

September 18, 2002, Introduced by Rep. Julian and referred to the Committee on Education.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending sections 17 and 55 (MCL 257.1817 and 257.1855), as
amended by 2000 PA 49; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17. ~~-(1) This section applies to school buses manufac-~~
2 ~~tured before October 1, 1990 that have not been retrofitted to~~
3 ~~meet the requirements of section 19.~~

4 (1) ~~-(2)-~~ A school bus shall be equipped with signal lights
5 mounted as high and widely spaced laterally as practicable that
6 are capable of displaying to the front 2 overhead alternately
7 flashing red lights located at the same level and to the rear 2
8 overhead alternately flashing red lights located at the same
9 level. These sealed beam lights shall have sufficient intensity

1 to be visible from a distance of not less than 500 feet in normal
2 sunlight.

3 (2) ~~-(3)-~~ Overhead alternately flashing stoplights shall be
4 operated by a manually operated switch and detached from any
5 other instrument on the bus. A flashing light shall not be con-
6 nected to the brakes or the service door on A school ~~buses manu-~~
7 ~~factured before October 1, 1990~~ BUS. A 3-inch black area shall
8 be provided around sealed beam flasher lamps front and rear.
9 Lamps indicating alternating flashing light operation shall be
10 visible to the driver when in a normal seated position.

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

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

22 (a) If pupils are required to cross the roadway, the driver
23 of a school bus equipped with only the alternately flashing over-
24 head red lights in accordance with section 17 shall activate the
25 alternately flashing overhead red lights not less than 200 feet
26 before the stop, stop the school bus as far to the right side of
27 the roadway or private road as possible to provide for the safety

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

7 ~~(b) If the pupils are required to cross the roadway, the~~
8 ~~driver of a school bus equipped with red and amber alternately~~
9 ~~flashing overhead lights in accordance with section 19 shall~~
10 ~~activate the alternately flashing overhead amber lights not less~~
11 ~~than 200 feet before the stop, stop the bus as far to the right~~
12 ~~side of the roadway or private road as is possible to provide for~~
13 ~~the safety of the pupils being boarded or discharged, deactivate~~
14 ~~the alternately flashing overhead amber lights, and activate the~~
15 ~~alternately flashing overhead red lights while receiving or dis-~~
16 ~~charging pupils. Before resuming motion, the driver shall deac-~~
17 ~~tivate these lights and allow congested traffic to disperse where~~
18 ~~practicable. The deactivation of these lights is the signal for~~
19 ~~stopped traffic to proceed.~~

20 (B) ~~(c)~~ If the pupils are not required to cross the road-
21 way and where the road has adequate width for the school bus to
22 be pulled to the far right of the roadway or private road allow-
23 ing traffic to flow and to provide for the safety of pupils being
24 boarded or discharged, the driver may activate the hazard warning
25 lights not less than 200 feet before the stop and continue to
26 display the lights until the process of receiving or discharging
27 passengers has been completed if the lawful speed limit is 35

1 miles per hour or less. Before resuming motion, the driver shall
2 deactivate these lights. The driver of a school bus shall only
3 use this procedure at stops where the school administrator or
4 person or entity under contract with a school to provide pupil
5 transportation services has approved its use. If this hazard
6 warning light option is not used, the driver shall use the appro-
7 priate procedure in subdivision (a) ~~or (b)~~ as if pupils were
8 required to cross the roadway.

9 (C) ~~(d)~~ Except as provided in subdivision ~~(c)~~ (B), if
10 the pupils are not required to cross the roadway and where the
11 bus may be pulled off the roadway or private road or where the
12 road has adequate width for the school bus to be pulled off to
13 the far right of the roadway or private road leaving the normal
14 traffic flow unobstructed and to provide for the safety of pupils
15 being boarded or discharged, the driver may activate the hazard
16 warning lights not less than 200 feet before the stop and con-
17 tinue to display the lights until the process of receiving or
18 discharging passengers has been completed. Before resuming
19 motion, the driver shall deactivate these lights. The driver of
20 a school bus shall only use this procedure at stops where the
21 school administrator or entity under contract with a school to
22 provide pupil transportation services has approved its use. If
23 this hazard warning light option is not used, the driver shall
24 use the appropriate procedure in subdivision (a) ~~or (b)~~ as if
25 pupils were required to cross the roadway.

26 (D) ~~(e)~~ The distance of not less than 200 feet required
27 for 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) Pupils crossing the roadway upon being discharged from a
4 school bus shall cross in front of the stopped school bus. If a
5 school district authorizes its school bus drivers to signal
6 pupils to cross in front of the stopped school bus, the signal
7 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 entity under contract with a school to provide pupil transporta-
14 tion 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 marked to
21 permit 3 or more separate lanes of vehicular traffic in either
22 direction if the pupils are required to cross the highway or
23 roadway.

24 (5) The driver of a school bus when using the alternately
25 flashing overhead red lights shall not stop the bus on any high-
26 way or roadway for the purpose of receiving or discharging pupils
27 under the following conditions:

1 (a) If the lawful speed limit is more than 35 miles per hour
2 and the stopped bus is not clearly and continuously visible to
3 approaching vehicles on that highway or roadway for at least 400
4 feet. When the distance from the stopped bus to the end of the
5 highway or roadway is less than 400 feet, clear and continuous
6 visibility must be available from the bus to the end of the high-
7 way or roadway.

8 (b) If the lawful speed limit is 35 miles per hour or less
9 and the stopped bus is not clearly and continuously visible to
10 approaching vehicles on that highway or roadway, for at least 200
11 feet. When the distance from the stopped bus to the end of the
12 highway or roadway is less than 200 feet, clear and continuous
13 visibility must be available from the bus to the end of the high-
14 way or roadway.

15 (c) Within 50 feet of an intersection if the intersection is
16 controlled by a traffic stop and go signal.

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

24 (7) For the purpose of this section, "required to cross the
25 highway or roadway" does not include crossing the highway or
26 roadway with the assistance of a traffic control signal, or with
27 the assistance of a school crossing guard as defined in

1 section 57b of the Michigan vehicle code, 1949 PA 300,
2 MCL 257.57b, and applies only to the highway or roadway on which
3 the stop is being made.

4 Enacting section 1. Section 19 of the pupil transportation
5 act, 1990 PA 187, MCL 257.1819, is repealed.