

# SENATE BILL No. 575

August 24, 2011, Introduced by Senators WALKER, BOOHER, CASPERSON, KOWALL, EMMONS, HANSEN, BRANDENBURG, COLBECK and MOOLENAAR and referred to the Committee on Transportation.

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 5, 31, and 55 (MCL 257.1805, 257.1831, and 257.1855), sections 5 and 31 as amended by 2006 PA 107 and section 55 as amended by 2006 PA 320.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5. (1) "Motor bus" and "motor carrier of passengers" mean  
2 those terms as defined in section 3 of the motor bus transportation  
3 act, 1982 PA 432, MCL 474.103.

4           (2) "Nonpublic school" means that term as defined in section 5  
5 of the revised school code, 1976 PA 451, MCL 380.5.

6           (3) "Public school" means that term as defined in section 5 of  
7 the revised school code, 1976 PA 451, MCL 380.5.

1           (4) "PUBLIC TRANSIT BUS" MEANS A BUS USED TO TRANSPORT PUPILS  
2 TO OR FROM SCHOOL, WHICH BUS IS OPERATED BY A PUBLIC TRANSIT AGENCY  
3 OPERATING UNDER ANY OF THE FOLLOWING:

4           (A) A COUNTY, CITY, TOWNSHIP, OR VILLAGE AS PROVIDED BY LAW,  
5 OR OTHER AUTHORITY INCORPORATED UNDER 1963 PA 55, MCL 124.351 TO  
6 124.359.

7           (B) AN AUTHORITY INCORPORATED UNDER THE METROPOLITAN  
8 TRANSPORTATION AUTHORITIES ACT OF 1967, 1967 PA 204, MCL 124.401 TO  
9 124.426, OR THAT OPERATES A TRANSPORTATION SERVICE ACCORDING TO AN  
10 INTERLOCAL AGREEMENT UNDER THE URBAN COOPERATION ACT OF 1967, 1967  
11 (EX SESS) PA 7, MCL 124.501 TO 124.512.

12           (C) A CONTRACT ENTERED INTO ACCORDING TO 1967 (EX SESS) PA 8,  
13 MCL 124.531 TO 124.536, OR 1951 PA 35, MCL 124.1 TO 124.13.

14           (D) AN AUTHORITY INCORPORATED UNDER THE PUBLIC TRANSPORTATION  
15 AUTHORITY ACT, 1986 PA 196, MCL 124.451 TO 124.479, OR A NONPROFIT  
16 CORPORATION ORGANIZED UNDER THE NONPROFIT CORPORATION ACT, 1982 PA  
17 162, MCL 450.2101 TO 450.3192, THAT PROVIDES TRANSPORTATION  
18 SERVICES.

19           (E) AN AUTHORITY FINANCING PUBLIC IMPROVEMENTS TO  
20 TRANSPORTATION SYSTEMS UNDER THE REVENUE BOND ACT OF 1933, 1933 PA  
21 94, MCL 141.101 TO 141.140.

22           (5) ~~(4)~~"Rule" means a rule promulgated pursuant to the  
23 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
24 24.328.

25           (6) ~~(5)~~"School" means either a public school or a nonpublic  
26 school, or both.

27           Sec. 31. A school bus OR PUBLIC TRANSIT BUS may be equipped

1 with a flashing, oscillating, or rotating light mounted on the roof  
2 of the bus approximately 6 feet from the rear of the vehicle ~~which~~  
3 **THAT** displays a white light to the front, side, and rear of the  
4 bus. If a school bus **OR PUBLIC TRANSIT BUS** is equipped with such a  
5 light, there is no requirement that a driver use it. The light  
6 shall not be actuated by the driver unless 1 or more of the  
7 following conditions exist:

8 (a) Inclement weather such as fog, rain, or snow.

9 (b) When passengers are boarding or being discharged.

10 (c) From 1/2 hour after sunset until 1/2 hour before sunrise.

11 (d) Where conditions hinder the visibility of the school bus.

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

20 (2) The driver of a school bus **OR PUBLIC TRANSIT BUS** while  
21 operating upon the public highways or private roadways open to the  
22 public shall receive or discharge pupils from the bus in the  
23 following manner:

24 (a) If pupils are required to cross the roadway, the driver of  
25 a school bus **OR PUBLIC TRANSIT BUS** equipped with only the  
26 alternately flashing overhead red lights in accordance with section  
27 17 shall activate the alternately flashing overhead red lights not

1 less than 200 feet before the stop, stop the school bus **OR PUBLIC**  
2 **TRANSIT BUS** on the roadway or private road to provide for the  
3 safety of the pupils being boarded or discharged, and continue to  
4 activate the alternately flashing overhead red lights while  
5 receiving or discharging pupils. The bus shall stop in the extreme  
6 right-hand lane when boarding or discharging pupils. Before  
7 resuming motion, the driver shall deactivate these lights and allow  
8 congested traffic to disperse where practicable. The deactivation  
9 of these lights is the signal for stopped traffic to proceed.

10 (b) If the pupils are required to cross the roadway, the  
11 driver of a school bus **OR PUBLIC TRANSIT BUS** equipped with red and  
12 amber alternately flashing overhead lights in accordance with  
13 section 19 shall activate the alternately flashing overhead amber  
14 lights not less than 200 feet before the stop, stop the bus on the  
15 roadway or private road to provide for the safety of the pupils  
16 being boarded or discharged, deactivate the alternately flashing  
17 overhead amber lights, and activate the alternately flashing  
18 overhead red lights while receiving or discharging pupils. The bus  
19 shall stop in the extreme right-hand lane for the purpose of  
20 boarding or discharging pupils. Before resuming motion, the driver  
21 shall deactivate these lights and allow congested traffic to  
22 disperse where practicable. The deactivation of these lights is the  
23 signal for stopped traffic to proceed.

24 (c) If the pupils are not required to cross the roadway, the  
25 driver of a school bus **OR PUBLIC TRANSIT BUS** equipped with only the  
26 alternately flashing overhead red lights in accordance with section  
27 17 shall activate the alternately flashing overhead red lights not

1 less than 200 feet before the stop, stop the bus as far off the  
2 roadway or private road as practicable to provide for the safety of  
3 the pupils being boarded or discharged, and continue to activate  
4 the alternately flashing overhead red lights while receiving or  
5 discharging pupils. Before resuming motion, the driver shall  
6 deactivate these lights and allow congested traffic to disperse  
7 where practicable. The deactivation of these lights is the signal  
8 for stopped traffic to proceed.

9 (d) If the pupils are not required to cross the roadway, the  
10 driver of a school bus **OR PUBLIC TRANSIT BUS** equipped with red and  
11 amber alternately flashing overhead lights in accordance with  
12 section 19 shall activate the alternately flashing overhead amber  
13 lights not less than 200 feet before the stop, stop the bus as far  
14 off the roadway or private road as practicable to provide for the  
15 safety of the pupils being boarded or discharged, deactivate the  
16 alternately flashing overhead amber lights, and activate the  
17 alternately flashing overhead red lights while receiving or  
18 discharging pupils. Before resuming motion, the driver shall  
19 deactivate these lights and allow congested traffic to disperse  
20 where practicable. The deactivation of these lights is the signal  
21 for stopped traffic to proceed.

22 (e) If the pupils are not required to cross the roadway and  
23 where the road has adequate width for the school bus **OR PUBLIC**  
24 **TRANSIT BUS** to be pulled to the far right of or off the roadway or  
25 private road allowing traffic to flow and to provide for the safety  
26 of pupils being boarded or discharged, the driver shall activate  
27 the hazard warning lights before the stop and continue to display

1 the lights until the process of receiving or discharging passengers  
2 has been completed if the lawful speed limit is 45 miles per hour  
3 or less. Before resuming motion, the driver shall deactivate these  
4 lights. The driver of a school bus **OR PUBLIC TRANSIT BUS** shall only  
5 use this procedure at stops where the school administrator or  
6 person or entity under contract with a school to provide pupil  
7 transportation services has approved its use. If this hazard  
8 warning light option is not used, the driver shall use the  
9 appropriate procedure in subdivision ~~(a), (b), (c)~~ or (d). ~~as if~~  
10 ~~pupils were not required to cross the roadway.~~

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

1 (g) The distance of not less than 200 feet required for light  
2 activation by this subsection shall be measured on the roadway or  
3 private road on which the stop is made for receiving or discharging  
4 pupils.

5 (3) Pupils crossing the roadway upon being discharged from a  
6 school bus shall cross in front of the stopped school bus. If a  
7 school district authorizes its school bus drivers to signal pupils  
8 to cross in front of the stopped school bus, the signal shall be  
9 uniform throughout the school district.

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

13 (a) Within 200 feet of a public or private roadway  
14 intersection unless the stop is approved by the school  
15 administrator or entity under contract with a school to provide  
16 pupil transportation services.

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

22 (c) Upon a roadway constructed or marked to permit 3 or more  
23 separate lanes of vehicular traffic in either direction if the  
24 pupils are required to cross the roadway.

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

1 the following conditions:

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

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

16 (c) Within 50 feet of an intersection if the intersection is  
17 controlled by a traffic control signal.

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

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

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

4 (8) For purposes of this section, a school bus is clearly and  
5 continuously visible if both of the following standards are  
6 satisfied:

7 (a) Approaching traffic is able to see the front of a school  
8 bus extending from the roofline to and including the headlamps at  
9 the distances specified in subsection (5).

10 (b) Approaching traffic is able to see the back of a school  
11 bus extending from the roofline to and including the tail lamps and  
12 stop lamps at the distances specified in subsection (5).