

1 **UNAUTHORIZED ENTRY ON SCHOOL BUS**

2 **PROHIBITED**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Neal B. Hendrickson**

6 **This act modifies the Criminal Code by providing that entering a school bus to commit a**
7 **crime or interfere with the driver, or refusing to leave a school bus upon the order of the**
8 **driver, and under specified circumstances, is a misdemeanor. This act also requires that**
9 **each school bus be posted with entrance signs stating that unauthorized entry of a school**
10 **bus is a criminal offense.**

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 ENACTS:

13 **76-9-107**, Utah Code Annotated 1953

14 *Be it enacted by the Legislature of the state of Utah:*

15 Section 1. Section **76-9-107** is enacted to read:

16 **76-9-107. Unauthorized entry of school bus -- Posting of warning on school buses.**

17 (1) As used in this section:

18 (a) "Driver" means the driver of the school bus.

19 (b) "School bus" means every publicly or privately owned motor vehicle designed for
20 transporting ten or more passengers and operated for the transportation of children to or from
21 school or school activities.

22 (2) A person is guilty of a class B misdemeanor if the person:

23 (a) enters a school bus with the intent to commit a criminal offense;

24 (b) enters a school bus and disrupts or interferes with the driver; or

25 (c) enters a school bus and refuses to leave the bus after being ordered to leave by the
26 driver and the person:

26a ĥ (i) IS NOT A PEACE OFFICER ACTING WITHIN THE SCOPE OF HIS OR HER AUTHORITY AS
26b A PEACE OFFICER; ĥ

27 ĥ [(†)] (ii) ĥ is not authorized by the school district to board the bus as a student or as an



28 individual employed by the school district or volunteering as a participant in a school activity;
29 ~~h~~ [(iii)] (iii) ~~h~~ causes or attempts to cause a disruption or an annoyance to any passenger on the
30 bus; or
31 ~~h~~ [(iii)] (iv) ~~h~~ is reckless as to whether the person's presence or behavior will cause fear on
32 the
33 part of any passenger on the bus.
34 (3) Each school district shall ensure that clearly legible signs be placed on each school
35 bus, next to each entrance to the bus, warning that unauthorized entry of a school bus is a
violation of state law.

Legislative Review Note
as of 1-6-03 3:06 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note**Unauthorized Entry on School Bus Prohibited***16-Jan-03***Bill Number HB0074***12:52 PM*

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst