

Part 13
School Buses and School Bus Parking Zones

41-6a-1301 Standards and specifications for lighting and special warning devices on school buses.

- (1)
 - (a) A school bus shall be equipped with red signal lamps mounted as high and as widely spaced laterally as practicable.
 - (b) The red signal lamps shall display two alternately flashing red lights, located at the same level, to the front and rear of the school bus.
 - (c) The red signal lamps shall be visible at 500 feet in normal sunlight.
- (2)
 - (a) A school bus shall be equipped with yellow signal lamps mounted near each of the four red signal lamps and at the same level but closer to the vertical centerline of the bus.
 - (b) The yellow signal lamps shall display two alternately flashing yellow lights to the front and rear of the school bus.
 - (c) The yellow signal lamps shall be visible at 500 feet in normal sunlight.
- (3) A school bus driver shall activate the yellow signal lamps at least 100 feet, but not more than 500 feet, before every stop at which the alternately flashing red lights are activated.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1302 School bus -- Signs and light signals -- Flashing amber lights -- Flashing red lights -- Passing school bus -- Duty to stop -- Travel in opposite direction -- Penalties.

- (1) A school bus, when operated for the transportation of school children, shall:
 - (a) bear on the front and rear of the bus a plainly visible sign containing the words "school bus" in letters not less than eight inches in height, which shall be removed or covered when the vehicle is not in use for the transportation of school children; and
 - (b) be equipped with alternating flashing amber and red light signals visible from the front and rear, of a type approved and mounted as required under Section 41-6a-1301 and prescribed by the department under Section 41-6a-1601.
- (2) The operator of a vehicle on a highway, upon meeting or overtaking a school bus equipped with signals required under this section which is displaying alternating flashing:
 - (a) amber warning light signals, shall slow the vehicle, but may proceed past the school bus using due care and caution at a speed not greater than specified in Subsection 41-6a-601(2) for school zones for the safety of the school children that may be in the vicinity; or
 - (b) red light signals visible from the front or rear, shall stop immediately before reaching the bus and may not proceed until the flashing red light signals cease operation.
- (3) The operator of a vehicle need not stop upon meeting or passing a school bus displaying alternating flashing red light signals if the school bus is traveling in the opposite direction when:
 - (a) traveling on a divided highway;
 - (b) the bus is stopped at an intersection or other place controlled by a traffic-control signal or by a peace officer; or
 - (c) on a highway of five or more lanes, which may include a left-turn lane or two-way left turn lane.
- (4)

- (a) The operator of a school bus shall operate alternating flashing red light signals at all times when:
 - (i) children are unloading from a school bus to cross a highway;
 - (ii) a school bus is stopped for the purpose of loading children who must cross a highway to board the bus; or
 - (iii) it would be hazardous for vehicles to proceed past the stopped school bus.
- (b) The alternating flashing red light signals may not be operated except:
 - (i) when the school bus is stopped for loading or unloading school children; or
 - (ii) for an emergency purpose.
- (5) The operator of a school bus being operated on a highway shall have the headlights of the school bus lighted.
- (6)
 - (a) A violation of Subsection (2) or (3) is a class C misdemeanor and the minimum penalty is:
 - (i) \$250 and 10 hours of compensatory service for a first offense;
 - (ii) \$500 and 20 hours of compensatory service for a second offense within three years of a previous conviction or bail forfeiture; and
 - (iii) \$1,000 and 40 hours of compensatory service for a third or subsequent offense within three years of a previous conviction or bail forfeiture.
 - (b) A violation of Subsection (5) is an infraction and the fine is \$50.
 - (c) The court may order the person to perform compensatory service in lieu of the fine or any portion of the fine if the court makes the reasons for the waiver part of the record.
 - (d) In accordance with Section 78A-5-110, 78A-6-210, or 78A-7-120, as applicable, if a photograph or video image obtained from an automated traffic enforcement safety device described in Section 41-6a-1310 was used as evidence of a violation of Subsection (2) or (3), 20% of the fine collected under Subsection (6)(a) shall be deposited with the school district or private school that owns or contracts for the operation of the bus to offset the costs of the automated traffic enforcement safety device.
- (7) A violation of Subsection (1) or (4) is an infraction.
- (8) The Driver License Division shall develop and implement a record system to distinguish:
 - (a) a conviction or bail forfeiture under this section from other convictions; and
 - (b) between a first and subsequent conviction or bail forfeiture under this section.

Amended by Chapter 55, 2020 General Session

41-6a-1303 Passing a school bus complaint procedure.

- (1)
 - (a) An operator of a school bus who observes a violation of Subsection 41-6a-1302(2) or (3) may prepare a report, in a manner specified by the school district, to the school district transportation coordinator no more than two working days after the alleged violation occurred.
 - (b)
 - (i) The report under Subsection (1)(a) shall contain:
 - (A) the date, time, and location of the violation;
 - (B) the license plate number and state and description of the offending vehicle;
 - (C) as much as practical, a description of the operator of the offending vehicle;
 - (D) a description of the incident involving the violation;
 - (E) information on how to contact the school bus operator who witnessed the offense; and
 - (F) the signature of the operator of the school bus who witnessed the offense attesting to the accuracy of the report.

- (ii) The report under Subsection (1)(a) may contain photographs or video images produced by an automated traffic enforcement safety device described in Section 41-6a-1310.
- (2)
- (a) Upon receipt of a report in accordance with Subsection (1), the school district transportation coordinator shall promptly send a notification letter to the last-known registered owner of the vehicle.
 - (b) The notification letter shall include:
 - (i) the applicable information on the school bus operator's report stating that the vehicle was observed passing a school bus displaying alternating flashing red lights in violation of state law;
 - (ii) a complete explanation of the applicable provisions of Section 41-6a-1302; and
 - (iii) an explanation that the notification letter is not a peace officer citation but is an effort to call attention to the seriousness of the incident.
 - (c) The school district transportation coordinator may file the report with the local law enforcement agency that has jurisdiction for the alleged violation.
- (3) A law enforcement agency that receives a report in accordance with Subsection (2) may have a peace officer initiate an investigation of the reported violation.

Amended by Chapter 186, 2017 General Session

41-6a-1304 School buses -- Rules regarding design and operation.

- (1)
- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Public Safety, with the advice of the State Board of Education, shall adopt and enforce rules, not inconsistent with this chapter, to govern the design and operation of all school buses in this state when:
 - (i) owned and operated by any school district;
 - (ii) privately owned and operated under contract with a school district; or
 - (iii) privately owned for use by a private school.
 - (b) The rules under this Subsection (1) shall by reference be made a part of any contract with a school district or private school to operate a school bus.
- (2) Every school district or private school, its officers and employees, and every person employed under contract by a school district or private school shall be subject to the rules under Subsection (1).

Amended by Chapter 239, 2021 General Session

41-6a-1305 Violation of rules -- Penalty.

- (1) An officer or employee of a school district who violates any of the rules provided under Section 41-6a-1304 or fails to include the obligation to comply with the rules in a contract executed by that person on behalf of a school district is guilty of misconduct and subject to removal from office or employment.
- (2) A person operating a school bus under contract with a school district who fails to comply with any rules provided under Section 41-6a-1304 is guilty of breach of contract, and the contract shall be canceled after notice and hearing by the responsible officers of the school district.

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1306 School buses removed from service -- Removal of markings -- Repainting -- School district not to bear expense -- Infraction.

- (1)
 - (a) As used in this section, "old school bus" means a school bus that has been removed from service and is operated on the highways, streets, or roads of this state for a nonschool permanent commercial use.
 - (b) A person who acquires an old school bus shall cause:
 - (i) identifying markings be removed; and
 - (ii) the bus be painted a color other than school-bus yellow.
 - (c) The school districts may not be charged any expense related to removing markings from the school bus removed from service.
- (2) A person who violates this section is guilty of an infraction.

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1307 School bus parking zones -- Establishment -- Uniform markings -- Penalty.

- (1) As used in this section, "school bus parking zone" means a parking space that is clearly identified as reserved for use by a school bus.
- (2) A highway authority for highways under its jurisdiction and school boards for roadways located on school property may establish and locate school bus parking zones in accordance with specifications established under Subsection (3).
- (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation, after consultation with local highway authorities and school boards which may include input from school traffic safety committees established under Section 53G-4-402, shall make rules establishing specifications for uniform signage or markings to clearly identify school bus parking zones.
- (4) A person may not stop, stand, or park a vehicle other than a school bus, whether occupied or not, in a clearly identified school bus parking zone.
- (5)
 - (a) A violation of Subsection (4) is an infraction.
 - (b) A person who violates Subsection (4) shall pay a minimum fine of \$75.

Amended by Chapter 415, 2018 General Session

41-6a-1308 School bus idling standards.

The State Board of Education shall, in consultation with local school districts and the Air Quality Board:

- (1) implement an idling reduction program for all school bus drivers in the state; and
- (2) adopt idling reduction standards in the Utah Standards for Utah School Buses and Operations, 2008 edition.

Enacted by Chapter 68, 2008 General Session

41-6a-1309 Advertising on a school bus.

- (1) A local school board or charter school governing board may sell advertising space on the exterior of a school bus in accordance with this section.
- (2)

- (a) A local school board or charter school governing board that sells advertising space on the exterior of a school bus shall adopt guidelines for the type of advertising that will be permitted.
- (b) Advertising on a school bus:
 - (i) shall be age appropriate;
 - (ii) shall be consistent with the instructional requirements of Section 53G-10-402;
 - (iii) may not contain:
 - (A) promotion of any substance or activity that is illegal for minors, such as alcohol, tobacco, drugs, or gambling;
 - (B) promotion of any political party, candidate, or issue; or
 - (C) sexual material; and
 - (iv) may not resemble a traffic-control device as defined in Section 41-6a-102.
- (3)
 - (a) The Department of Transportation shall make and enforce rules pursuant to Section 41-6a-1304 governing the placement and size of an advertisement on a school bus.
 - (b) Rules made under Subsection (3)(a) shall:
 - (i) prohibit the placement of an advertisement on the back or the front of a school bus; and
 - (ii) limit the size of an advertisement to no more than 35% of the area of the side of a school bus.
- (4)
 - (a) A school bus advertisement shall be painted or affixed by decal on a school bus in a manner that complies with rules adopted under Subsection (3).
 - (b) A commercial advertiser that contracts with a school district for the use of space for an advertisement shall pay:
 - (i) the cost of placing the advertisement on a school bus; and
 - (ii) for the removal of the advertisement after the term of the contract has expired.
- (5) A school district or charter school shall use revenue from the sale of advertising space on a school bus for expenditures made within accounting function classification 2700, School Transportation Services, of the Financial Accounting for Local and State School Systems guidelines developed by the National Center for Education Statistics.

Amended by Chapter 415, 2018 General Session

41-6a-1310 School bus traffic safety devices.

- (1) For purposes of this section, "automated traffic enforcement safety device" means a device that:
 - (a) is affixed to a school bus;
 - (b) is capable of detecting a vehicle unlawfully overtaking or passing a school bus;
 - (c) is capable of producing a photograph or video image of the rear of a vehicle, including an image of the vehicle's license plate; and
 - (d) produces a time stamp on the photograph or video image described in Subsection (1)(c).
- (2) A school district or private school may install an automated traffic enforcement safety device on a school bus.
- (3) A photograph, video image, or other record produced by an automated traffic enforcement safety device may not be used for any purpose other than evidence for a violation of Section 41-6a-1302.
- (4) A photograph, video image, or other record produced by an automated traffic enforcement safety device is subject to Title 63G, Chapter 2, Government Records Access and Management Act.

(5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education may make rules to address student privacy concerns that may arise from the use of an automated traffic enforcement safety device authorized in this section.

Enacted by Chapter 186, 2017 General Session