

1 **SCHOOL BUS TRAFFIC SAFETY**

2 **REQUIREMENTS**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David Ure**

6 AN ACT RELATING TO MOTOR VEHICLES; AMENDING CERTAIN PROVISIONS FOR
7 PASSING A SCHOOL BUS.

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

9 AMENDS:

10 **41-6-100.10**, as last amended by Chapter 94, Laws of Utah 1998

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

12 Section 1. Section **41-6-100.10** is amended to read:

13 **41-6-100.10. School bus -- Signs and light signals -- Flashing amber lights -- Flashing**
14 **red lights -- Passing school bus -- Duty to stop -- Travel in opposite direction -- Penalties.**

15 (1) (a) Every school bus, when operated for the transportation of school children, shall bear
16 upon the front and rear of the bus a plainly visible sign containing the words "school bus" in letters
17 not less than eight inches in height, which shall be removed or covered when the vehicle is not in
18 use for the transportation of school children.

19 (b) Every school bus, when operated for the transportation of school children, shall be
20 equipped with alternating flashing amber and red light signals visible from the front and rear, of
21 a type approved and mounted as prescribed by the department.

22 (2) The operator of any vehicle upon a highway, upon meeting or overtaking any school
23 bus equipped with signals required under this section which is displaying alternating flashing
24 amber warning light signals, shall slow his vehicle, but may proceed past the school bus using due
25 care and caution at a speed not greater than specified in Subsection 41-6-46(2) for school zones
26 for the safety of the school children that may be in the vicinity.

27 (3) If a school bus is displaying alternating flashing red light signals visible from the front

28 or rear, all approaching or overtaking vehicles on the same roadway shall stop immediately before
29 reaching the bus and may not proceed until the flashing red light signals cease operation. The
30 operator of a vehicle need not stop upon meeting or passing a school bus traveling in the opposite
31 direction when:

32 (a) traveling upon a divided highway;

33 (b) the bus is stopped at an intersection or other place controlled by [an official] a
34 traffic-control [device] signal or by a peace officer; or

35 (c) upon a highway of five or more lanes, which may include a left-turn lane or two-way
36 left turn lane.

37 (4) (a) The operator of a school bus shall operate alternating flashing red light signals at
38 all times when children are unloading from a school bus to cross a highway, or when a school bus
39 is stopped for the purpose of loading children who must cross a highway to board the bus, or at any
40 other time when it would be hazardous for vehicles to proceed past the stopped school bus.

41 (b) The alternating flashing red light signals may not be operated except when the school
42 bus is stopped for loading or unloading school children or for any emergency purpose.

43 (5) (a) A violation of Subsection (2) or (3) is a class C misdemeanor and the minimum fine
44 shall be:

45 (i) \$100 for a first offense;

46 (ii) \$200 for a second offense within three years of a previous conviction or bail forfeiture;
47 and

48 (iii) \$500 for a third and subsequent offense within three years of a previous conviction
49 or bail forfeiture.

50 (b) The court may order the person to perform compensatory service in lieu of the fine or
51 any portion of the fine if the court makes the reasons for the waiver part of the record.

52 (6) The Driver License Division shall develop and implement a record system to
53 distinguish:

54 (a) a conviction or bail forfeiture under this section from other convictions; and

55 (b) between a first and subsequent conviction or bail forfeiture under this section.

Legislative Review Note
as of 12-16-98 3:23 PM

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

Office of Legislative Research and General Counsel