

59 (5) The operator of a school bus being operated on a highway shall have the headlights
60 of the school bus lighted.

61 (6) (a) A violation of Subsection (2) or (3) is a class C misdemeanor and the minimum
62 ~~fine~~ **penalty** ~~is~~ is:

63 (i) ~~[\$100] \$250~~ ~~fine~~ **and 10 hours of compensatory service** ~~for~~ for a first offense;

64 (ii) ~~[\$200] \$500~~ ~~fine~~ **and 20 hours of compensatory service** ~~for~~ for a second offense
64a within three years of a previous conviction or bail
65 forfeiture; and

66 (iii) ~~[\$500] \$1,000~~ ~~fine~~ **and 40 hours of compensatory service** ~~for~~ for a third or
66a subsequent offense within three years of a previous
67 conviction or bail forfeiture.

68 (b) A violation of Subsection (5) is an infraction and the fine is \$50.

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

71 (d) In accordance with Section [78A-5-110](#), [78A-6-210](#), or [78A-7-120](#), as applicable, if
72 a photograph or video image obtained from an automated traffic enforcement safety device
73 described in Section [41-6a-1310](#) was used as evidence of a violation of Subsection (2) or (3),
74 20% of the fine collected under Subsection (6)(a) shall be deposited with the school district or
75 private school that owns or contracts for the operation of the bus to offset the costs of the
76 automated traffic enforcement safety device.

77 (7) A violation of Subsection (1) or (4) is an infraction.

78 (8) The Driver License Division shall develop and implement a record system to
79 distinguish:

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

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