

# HOUSE BILL No. 4468

March 20, 1989, Introduced by Gubow, Kosteva, Weeks, Perry Bullard, Pitoniak, Willis Bullard, DeMars, Crandall and Jaye and referred to the Committee on Transportation.

A bill to amend section 682 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 65 of the Public Acts of 1982, being section 257.682 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 682 of Act No. 300 of the Public Acts of  
2 1949, as amended by Act No. 65 of the Public Acts of 1982, being  
3 section 257.682 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 682. (1) A school bus transporting pupils outside of  
6 incorporated cities or villages and inside of incorporated cities  
7 or villages where stopping of school buses is controlled by local  
8 ordinance shall be painted and shall contain signs on the back  
9 and front of the school bus as approved by the state

1 transportation department and the superintendent of public  
2 instruction.

3       (2) The driver of a vehicle overtaking or meeting a school  
4 bus ~~which~~ THAT has stopped and is displaying 2 alternately  
5 flashing red lights located at the same level shall bring the  
6 vehicle to a full stop not less than 10 feet from the school bus  
7 and shall not proceed until the school bus resumes motion or the  
8 visual signals are no longer actuated. The driver of the school  
9 bus, before resuming motion, shall deactivate THE flashing lights  
10 and permit stopped traffic to proceed and shall, when resuming  
11 motion, proceed in a manner ~~which~~ THAT will allow congested  
12 traffic to disperse by keeping the bus as near to the right side  
13 of the road as can be done with safety. Passengers crossing the  
14 road, upon being discharged from a school bus, shall cross in  
15 front of the stopped school bus. At an intersection where traf-  
16 fic is controlled by an officer or a traffic stop-and-go signal a  
17 vehicle need not be brought to a full stop before passing a  
18 stopped school bus, but may proceed past the school bus at a  
19 speed not greater than is reasonable and proper, but not greater  
20 than 10 miles an hour and with due caution for the safety of pas-  
21 sengers being received or discharged from the school bus. This  
22 subsection ~~shall~~ DOES not ~~be applicable~~ APPLY to ~~buses~~ A  
23 SCHOOL BUS inside AN incorporated ~~cities~~ CITY or ~~villages~~  
24 VILLAGE, but ~~shall~~ DOES apply to a school bus transporting pas-  
25 sengers on a boundary street of an incorporated city or village.  
26 Where the stopping for school buses is controlled by local  
27 ordinance, the ordinance ~~shall be~~ IS enforceable when signs

1 giving notice of the local traffic regulation are posted upon or  
2 at the entrance to the area or part of the area affected as may  
3 be most appropriate or sufficiently legible as to be seen by an  
4 ordinarily observant person. The driver of a vehicle who fails  
5 to stop for a school bus as required by this subsection, who  
6 passes a school bus in violation of this subsection, or who fails  
7 to stop for a school bus in violation of an ordinance ~~which~~  
8 THAT complies with this subsection, is guilty of a misdemeanor.

9 (3) A school bus driver shall not stop the SCHOOL bus for  
10 the purpose of receiving or discharging passengers ~~—~~ unless the  
11 SCHOOL bus is completely visible in its stopped position to  
12 approaching or overtaking drivers of vehicles for a distance of  
13 at least 400 feet.

14 (4) The driver of a vehicle upon a highway ~~which~~ THAT has  
15 been divided into 2 roadways by leaving an intervening space,  
16 ~~or~~ by a physical barrier, or by clearly indicated dividing sec-  
17 tions so constructed as to impede vehicular traffic, need not  
18 stop upon meeting a school bus ~~which~~ THAT has stopped across  
19 the dividing space, barrier, or section.

20 (5) A school bus transporting pupils outside of AN incorpo-  
21 rated ~~cities~~ CITY or ~~villages and~~ VILLAGE OR inside ~~of~~ AN  
22 incorporated ~~cities~~ CITY or ~~villages~~ VILLAGE where stopping  
23 of school buses is controlled by local ordinance, in addition to  
24 any other equipment and distinctive marking required by law,  
25 shall be equipped with signal lamps mounted as high and widely  
26 spaced laterally as practicable which shall be capable of  
27 displaying to the front 2 alternately flashing red lights located

1 at the same level and to the rear 2 alternately flashing red  
2 lights located at the same level. The lights shall have suffi-  
3 cient intensity to be visible from a distance of not less than  
4 500 feet in normal sunlight and shall be actuated by the driver  
5 of the school bus ~~when, but~~ only when ~~—~~ the vehicle is  
6 stopped and for a distance of at least 200 feet in advance of a  
7 stop for the purpose of receiving or discharging school  
8 children. The lights shall not be actuated inside of incorpo-  
9 rated cities or villages unless stopping of school buses is con-  
10 trolled by local ordinance.

11 (6) AT THE DISCRETION OF EACH SCHOOL BOARD, A SCHOOL BUS MAY  
12 BE EQUIPPED WITH A FRONT-MOUNTED OR REAR-MOUNTED AUDIOVISUAL SEN-  
13 SORY WARNING DEVICE. IF A SCHOOL BOARD ELECTS TO EQUIP THE  
14 DISTRICT'S SCHOOL BUSES WITH AN AUDIOVISUAL SENSORY WARNING  
15 DEVICE, THE DEVICE SHALL EMIT A SOUND AUDIBLE UNDER NORMAL CONDI-  
16 TIONS AND DISPLAY A VISUAL IDENTIFICATION TO ALERT THE BUS DRIVER  
17 THAT A PERSON IS IN THE DANGER ZONE.

18 (7) ~~(6)~~ A school bus shall be equipped with a mirror,  
19 convex in shape, at least 7-1/2 inches in diameter firmly mounted  
20 at hood or fender top height in front of the SCHOOL bus. The  
21 mirror shall be located on either the left or right side of the  
22 SCHOOL bus in a manner so that the seated driver may observe  
23 through its use the road from the front bumper forward to the  
24 point where direct observation is possible.

25 (8) ~~(7)~~ In a proceeding for a violation of subsection (2),  
26 proof that the particular vehicle described in the citation,  
27 complaint, or warrant was in violation of subsection (2),

1 together with proof that the defendant named in the citation,  
2 complaint, or warrant was, at the time of the violation, the reg-  
3 istered owner of the vehicle, shall constitute in evidence a pre-  
4 sumption that the registered owner of the vehicle was the driver  
5 of the vehicle at the time of the violation.

6       (9) ~~-(8)-~~ Except as otherwise provided in subsection (2), a  
7 person who violates this section is responsible for a civil  
8 infraction.