

HOUSE BILL No. 5785

May 17, 1990, Introduced by Rep. Van Singel and referred to the Committee on Education.

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

1 or part of the area affected as may be most appropriate or
2 sufficiently legible as to be seen by an ordinarily observant
3 person. The driver of a vehicle who fails to stop for a school
4 bus as required by this subsection, who passes a school bus in
5 violation of this subsection, or who fails to stop for a school
6 bus in violation of an ordinance which complies with this subsec-
7 tion, is guilty of a misdemeanor.

8 (3) A school bus driver shall not stop the bus for the pur-
9 pose of receiving or discharging passengers, unless the bus is
10 ~~completely~~ CLEARLY visible in its stopped position to approach-
11 ing or overtaking drivers of vehicles for a distance of at least
12 400 feet.

13 (4) The driver of a vehicle upon a highway which has been
14 divided into 2 roadways by leaving an intervening space, or by a
15 physical barrier, or clearly indicated dividing sections so con-
16 structed as to impede vehicular traffic, need not stop upon meet-
17 ing a school bus which has stopped across the dividing space,
18 barrier, or section.

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

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

9 (6) A school bus shall be equipped with a mirror, convex in
10 shape, at least 7-1/2 inches in diameter firmly mounted at hood
11 or fender top height in front of the bus. The mirror/shall be
12 located on either the left or right side of the bus in a manner
13 so that the seated driver may observe through its use the road
14 from the front bumper forward to the point where direct observa-
15 tion is possible.

16 (7) In a proceeding for a violation of subsection (2), proof
17 that the particular vehicle described in the citation, complaint,
18 or warrant was in violation of subsection (2), together with
19 proof that the defendant named in the citation, complaint, or
20 warrant was, at the time of the violation, the registered owner
21 of the vehicle, shall constitute in evidence a presumption that
22 the registered owner of the vehicle was the driver of the vehicle
23 at the time of the violation.

24 (8) Except as otherwise provided in subsection (2), a person
25 who violates this section is responsible for a civil infraction.