

HOUSE BILL No. 4225

February 7, 2007, Introduced by Reps. Condino, Ebli, Bieda, Meadows, Spade, Alma Smith, Vagnozzi, Leland, Byrnes, Constan and Angerer and referred to the Committee on Education.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending section 55 (MCL 257.1855), as amended by 2006 PA 320.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 55. (1) A school bus driver shall actuate alternately
2 flashing lights only when the school bus is stopped or stopping on
3 a highway or private road for the purpose of receiving or
4 discharging pupils in the manner provided in this act. A school bus
5 driver shall not actuate the alternately flashing lights when
6 operating on a public highway or private road and transporting
7 passengers primarily other than school pupils.

8 (2) The driver of a school bus while operating upon the public
9 highways or private roadways open to the public shall receive or

1 discharge pupils from the bus in the following manner:

2 (a) If pupils are required to cross the roadway, the driver of
3 a school bus equipped with only the alternately flashing overhead
4 red lights in accordance with section 17 shall activate the
5 alternately flashing overhead red lights not less than 200 feet
6 before the stop, stop the school bus on the roadway or private road
7 to provide for the safety of the pupils being boarded or
8 discharged, and continue to activate the alternately flashing
9 overhead red lights while receiving or discharging pupils. The bus
10 shall stop in the extreme right-hand lane when boarding or
11 discharging pupils. Before resuming motion, the driver shall
12 deactivate these lights and allow congested traffic to disperse
13 where practicable. The deactivation of these lights is the signal
14 for stopped traffic to proceed.

15 (b) If the pupils are required to cross the roadway, the
16 driver of a school bus equipped with red and amber alternately
17 flashing overhead lights in accordance with section 19 shall
18 activate the alternately flashing overhead amber lights not less
19 than ~~200~~400 feet before the stop, stop the bus on the roadway or
20 private road to provide for the safety of the pupils being boarded
21 or discharged, deactivate the alternately flashing overhead amber
22 lights, and activate the alternately flashing overhead red lights
23 while receiving or discharging pupils. The bus shall stop in the
24 extreme right-hand lane for the purpose of boarding or discharging
25 pupils. Before resuming motion, the driver shall deactivate these
26 lights and allow congested traffic to disperse where practicable.
27 The deactivation of these lights is the signal for stopped traffic

1 to proceed.

2 (c) If the pupils are not required to cross the roadway, the
3 driver of a school bus equipped with only the alternately flashing
4 overhead red lights in accordance with section 17 shall activate
5 the alternately flashing overhead red lights not less than 200 feet
6 before the stop, stop the bus as far off the roadway or private
7 road as practicable to provide for the safety of the pupils being
8 boarded or discharged, and continue to activate the alternately
9 flashing overhead red lights while receiving or discharging pupils.
10 Before resuming motion, the driver shall deactivate these lights
11 and allow congested traffic to disperse where practicable. The
12 deactivation of these lights is the signal for stopped traffic to
13 proceed.

14 (d) If the pupils are not required to cross the roadway, the
15 driver of a school bus equipped with red and amber alternately
16 flashing overhead lights in accordance with section 19 shall
17 activate the alternately flashing overhead amber lights not less
18 than 200 feet before the stop, stop the bus as far off the roadway
19 or private road as practicable to provide for the safety of the
20 pupils being boarded or discharged, deactivate the alternately
21 flashing overhead amber lights, and activate the alternately
22 flashing overhead red lights while receiving or discharging pupils.
23 Before resuming motion, the driver shall deactivate these lights
24 and allow congested traffic to disperse where practicable. The
25 deactivation of these lights is the signal for stopped traffic to
26 proceed.

27 (e) If the pupils are not required to cross the roadway and

1 where the road has adequate width for the school bus to be pulled
2 to the far right of or off the roadway or private road allowing
3 traffic to flow and to provide for the safety of pupils being
4 boarded or discharged, the driver shall activate the hazard warning
5 lights before the stop and continue to display the lights until the
6 process of receiving or discharging passengers has been completed
7 if the lawful speed limit is 45 miles per hour or less. Before
8 resuming motion, the driver shall deactivate these lights. The
9 driver of a school bus shall only use this procedure at stops where
10 the school administrator or person or entity under contract with a
11 school to provide pupil transportation services has approved its
12 use. If this hazard warning light option is not used, the driver
13 shall use the appropriate procedure in subdivision (a), (b), (c),
14 or (d) as if pupils were not required to cross the roadway.

15 (f) Except as provided in subdivision (e), if the pupils are
16 not required to cross the roadway and where the school bus may be
17 pulled off the roadway or private road or where the road has
18 adequate width for the school bus to be pulled off to the far right
19 of the roadway or private road leaving the normal traffic flow
20 unobstructed and to provide for the safety of pupils being boarded
21 or discharged, the driver shall activate the hazard warning lights
22 before the stop and continue to display the lights until the
23 process of receiving or discharging passengers has been completed.
24 Before resuming motion, the driver shall deactivate these lights.
25 The driver of a school bus shall only use this procedure at stops
26 where the school administrator or entity under contract with a
27 school to provide pupil transportation services has approved its

1 use. If this hazard warning light option is not used, the driver
2 shall use the appropriate procedure in subdivision (a), (b), (c),
3 or (d) as if pupils were not required to cross the roadway.

4 (g) The distance of not less than 200 feet required for light
5 activation by this subsection shall be measured on the roadway or
6 private road on which the stop is made for receiving or discharging
7 pupils.

8 (3) Pupils crossing the roadway upon being discharged from a
9 school bus shall cross in front of the stopped school bus. If a
10 school district authorizes its school bus drivers to signal pupils
11 to cross in front of the stopped school bus, the signal shall be
12 uniform throughout the school district.

13 (4) The driver of a school bus shall not stop the bus for the
14 purpose of receiving or discharging pupils in the following
15 instances:

16 (a) Within 200 feet of a public or private roadway
17 intersection unless the stop is approved by the school
18 administrator or entity under contract with a school to provide
19 pupil transportation services.

20 (b) Upon a limited access highway or freeway, or upon any
21 other highway or roadway that has been divided into 2 roadways by
22 leaving an intervening space, a physical barrier, or clearly
23 divided sections so constructed as to impede vehicular traffic if
24 the pupils are required to cross the roadway.

25 (c) Upon a roadway constructed or marked to permit 3 or more
26 separate lanes of vehicular traffic in either direction if the
27 pupils are required to cross the roadway.

1 (5) The driver of a school bus when using the alternately
2 flashing overhead red lights shall not stop the bus on any highway
3 or roadway for the purpose of receiving or discharging pupils under
4 the following conditions:

5 (a) If the lawful speed limit is more than 35 miles per hour
6 and the stopped bus is not clearly and continuously visible to
7 approaching vehicles on that highway or roadway for at least 400
8 feet. When the distance from the stopped bus to the end of the
9 highway or roadway is less than 400 feet, clear and continuous
10 visibility must be available from the bus to the end of the highway
11 or roadway.

12 (b) If the lawful speed limit is 35 miles per hour or less and
13 the stopped bus is not clearly and continuously visible to
14 approaching vehicles on that highway or roadway, for at least 200
15 feet. When the distance from the stopped bus to the end of the
16 highway or roadway is less than 200 feet, clear and continuous
17 visibility must be available from the bus to the end of the highway
18 or roadway.

19 (c) Within 50 feet of an intersection if the intersection is
20 controlled by a traffic control signal.

21 (6) A school may provide instruction on proper school bus
22 etiquette which may include, but not be limited to, boarding and
23 leaving the bus, evacuation of the bus in an emergency, and road
24 crossing procedures and the correct hand signal in the district, if
25 any. If a school uses school bus drivers for this instruction, the
26 state board may reimburse the school for this training.

27 (7) For the purpose of this section, "required to cross the

1 roadway" does not include crossing the roadway with the assistance
2 of a traffic control signal, or with the assistance of a school
3 crossing guard as defined in section 57b of the Michigan vehicle
4 code, 1949 PA 300, MCL 257.57b, and applies only to the roadway on
5 which the stop is being made.

6 (8) For purposes of this section, a school bus is clearly and
7 continuously visible if both of the following standards are
8 satisfied:

9 (a) Approaching traffic is able to see the front of a school
10 bus extending from the roofline to and including the headlamps at
11 the distances specified in subsection (5).

12 (b) Approaching traffic is able to see the back of a school
13 bus extending from the roofline to and including the tail lamps and
14 stop lamps at the distances specified in subsection (5).