

HOUSE BILL No. 5356

October 29, 2001, Introduced by Reps. Patterson and Jannick and referred to the Committee on Transportation.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending section 55 (MCL 257.1855), as amended by 2000 PA 49.

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
3 on a highway or private road for the purpose of receiving or dis-
4 charging 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
9 public highways or private roadways open to the public shall
10 receive or discharge pupils from the bus in the following
11 manner:

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

14 (b) If the pupils are 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 to the right~~
19 ~~side of~~ ON the roadway or private road ~~as is possible to pro-~~
20 ~~vide for the safety of~~ the pupils ~~being boarded or discharged~~
21 ARE REQUIRED TO CROSS, deactivate the alternately flashing over-
22 head amber lights, and activate the alternately flashing overhead
23 red lights while receiving or discharging pupils. Before resum-
24 ing motion, the driver shall deactivate these lights and allow
25 congested traffic to disperse where practicable. The deactiva-
26 tion of these lights is the signal for stopped traffic to
27 proceed.

1 (c) If the pupils are not required to cross the roadway and
2 where the road has adequate width for the school bus to be pulled
3 to the far right of the roadway or private road allowing traffic
4 to flow and to provide for the safety of pupils being boarded or
5 discharged, the driver may activate the hazard warning lights not
6 less than 200 feet before the stop and continue to display the
7 lights until the process of receiving or discharging passengers
8 has been completed if the lawful speed limit is 35 miles per hour
9 or less. Before resuming motion, the driver shall deactivate
10 these lights. The driver of a school bus shall only use this
11 procedure at stops where the school administrator or person or
12 entity under contract with a school to provide pupil transporta-
13 tion services has approved its use. If this hazard warning light
14 option is not used, the driver shall use the appropriate proce-
15 dure in subdivision (a) or (b) as if pupils were required to
16 cross the roadway.

17 (d) Except as provided in subdivision (c), if the pupils are
18 not required to cross the roadway and where the bus may be pulled
19 off the roadway or private road or where the road has adequate
20 width for the school bus to be pulled off to the far right of the
21 roadway or private road leaving the normal traffic flow unob-
22 structed and to provide for the safety of pupils being boarded or
23 discharged, the driver may activate the hazard warning lights not
24 less than 200 feet before the stop and continue to display the
25 lights until the process of receiving or discharging passengers
26 has been completed. Before resuming motion, the driver shall
27 deactivate these lights. The driver of a school bus shall only

1 use this procedure at stops where the school administrator or
2 entity under contract with a school to provide pupil transporta-
3 tion services has approved its use. If this hazard warning light
4 option is not used, the driver shall use the appropriate proce-
5 dure in subdivision (a) or (b) as if pupils were required to
6 cross the roadway.

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

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

16 (4) The driver of a school bus shall not stop the bus for
17 the purpose of receiving or discharging pupils in the following
18 instances:

19 (a) Within 200 feet of a public highway or roadway intersec-
20 tion unless the stop is approved by the school administrator or
21 entity under contract with a school to provide pupil transporta-
22 tion services.

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

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

5 (5) The driver of a school bus when using the alternately
6 flashing overhead red lights shall not stop the bus on any high-
7 way or roadway for the purpose of receiving or discharging pupils
8 under the following conditions:

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

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

23 (c) Within 50 feet of an intersection if the intersection is
24 controlled by a traffic stop and go signal.

25 (6) A school may provide instruction on proper school bus
26 etiquette which may include, but not be limited to, boarding and
27 leaving the bus, evacuation of the bus in an emergency, and road

1 crossing procedures and the correct hand signal in the district,
2 if any. If a school uses school bus drivers for this instruc-
3 tion, the state board may reimburse the school for this
4 training.

5 (7) For the purpose of this section, "required to cross the
6 highway or roadway" does not include crossing the highway or
7 roadway with the assistance of a traffic control signal, or with
8 the assistance of a school crossing guard as defined in
9 section 57b of the Michigan vehicle code, 1949 PA 300,
10 MCL 257.57b, and applies only to the highway or roadway on which
11 the stop is being made.