



HOUSE BILL No. 5543

January 31, 1996, Introduced by Reps. Dalman, Cropsey, Ryan, Fitzgerald, Bush and Jersevic and referred to the Committee on Judiciary and Civil Rights.

A bill to amend sections 57 and 59 of Act No. 187 of the Public Acts of 1990, entitled "The pupil transportation act," being sections 257.1857 and 257.1859 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 57 and 59 of Act No. 187 of the Public
2 Acts of 1990, being sections 257.1857 and 257.1859 of the
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 57. (1) Except as provided in subsections (2), (3),
5 and (4), the driver of a school bus, before crossing a railroad
6 track at grade, shall stop the vehicle within 50 feet but not
7 less than 15 feet from the nearest rail, activate hazard warning
8 lights, turn off all interior switches including fans, heaters,
9 and radios, open the passenger door and driver-side window, and

1 while stopped shall listen and look in both directions along the
2 track for an approaching train and for signals indicating the
3 approach of a train, and shall not proceed until the driver can
4 do so safely. After stopping as required in this subsection, and
5 upon proceeding when it is safe to do so, the driver of the vehi-
6 cle shall cross only in a gear of the vehicle that does not
7 require changing gears while traversing the crossing. The driver
8 shall not shift gears while crossing the track or tracks.

9 (2) A stop need not be made at a railroad track grade cross-
10 ing where a police officer or a traffic-control signal directs
11 traffic to proceed.

12 (3) A stop need not be made at an abandoned railroad track
13 grade crossing. As used in this subsection, "abandoned railroad
14 track" means a railroad track which meets all of the following
15 requirements:

16 (a) The track has been abandoned pursuant to THE FORMER PRO-
17 VISIONS OF Act No. 56 of the Public Acts of 1919, being sections
18 469.241 to 469.246 of the Michigan Compiled Laws; section 14 of
19 Act No. 300 of the Public Acts of 1909, being section 462.14 of
20 the Michigan Compiled Laws; or federal law.

21 (b) The track has been covered or removed.

22 (c) All signs, signals, and other warning devices are
23 removed.

24 (4) A stop shall not be made at a railroad track grade
25 crossing on a freeway or limited access highway where the cross-
26 ing is protected by a clearly visible signal, crossing gate, or

1 barrier at a time when the signal, crossing gate, or barrier is
2 not activated.

3 (5) A person who violates this section is responsible for a
4 civil infraction AND MAY BE ORDERED TO PAY A CIVIL FINE OF NOT
5 MORE THAN \$100.00.

6 Sec. 59. (1) A driver of a school bus shall not transport
7 or permit to be transported on a school bus while transporting
8 pupils to and from school a person other than pupils, persons
9 enrolled in a school-sponsored preschool program authorized by
10 state or federal statute, teachers or chaperons of the pupils or
11 other persons authorized by the school for the protection of
12 property or the health, safety, and welfare of the pupils or per-
13 sons attending other school related functions, or both. This
14 subsection shall not apply during the transportation of persons
15 under section 65.

16 (2) After the fourth Friday following Labor day of each
17 school year a school bus shall not be used to transport more than
18 100% of the number of persons for which the school bus has a
19 rated seating capacity.

20 (3) A person who violates or directs a violation of this
21 section is responsible for a civil infraction AND MAY BE ORDERED
22 TO PAY A CIVIL FINE OF NOT MORE THAN \$100.00.