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House Bill 5969 (Substitute H-2 as passed by the House)  
Sponsor: Representative Joanne Voorhees  
House Committee: Transportation  
Senate Committee: Transportation

Date Completed: 6-28-04

### **CONTENT**

**The bill would amend the Pupil Transportation Act to delete specific requirements related to signal lights on school buses, and instead require signal lights to conform to Federal regulations and the Michigan Vehicle Code. The bill also would revise procedures for a bus driver stopping to receive or discharge pupils, in regard to activating lights and pulling off the road.**

#### School Bus Signal Lights

Under the Act, a school bus must be equipped with front turn signal lights as provided by the manufacturer and approved by the Michigan Department of State Police (MSP). The signals must be independent units equipped with a four-way hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as a vehicular traffic hazard warning. The location of all exterior lamps and signals must be in conformance with the current U.S. Department of Transportation, Federal motor carrier safety regulations.

The bill would delete the requirement that a school bus be equipped with front turn signal lights approved by the MSP and a four-way hazard warning switch. Instead, the location, number, and color of all exterior lamps and signals would have to be in conformance with current U.S. Department of Transportation, Federal motor vehicle safety regulations under Part 571 of Title 49 of the Code of Federal Regulations (49 CFR Part 571) and Section 698 of the Michigan Vehicle Code.

(Part 571 of Title 49 regulates the color and location of signal lamps on school buses. Section 698 of the Vehicle Code regulates the location and color of lamps on motor vehicles and the possession and use of flashing, oscillating, or rotating lights.)

The bill would delete a requirement that tail lamps and signals on a school bus be positioned as follows:

- Two red seven-inch diameter combination stoptail lamps must be mounted on the rear of the school bus between 15 and 72 inches above the surface upon which the unloaded bus rests, and positioned as far apart as practicable.
- Turn signals at the rear of a school bus must be seven inches in diameter with amber lens and must be mounted on the same level and outboard of the stoptail lamp combination unit.

The bill also would delete several references to "sealed beam" lights and flasher lamps, and instead refer to lights and flasher lamps.

Under the bill, all signal lights and stoplights would have to be in conformance with current U.S. Department of Transportation Federal motor vehicle safety regulations under 49 CFR Part 571.

#### Pupils Required to Cross Roadway

Under the Act, a school bus driver must follow specific procedures when receiving or discharging pupils. If pupils are required to cross the roadway, the driver must activate the red or amber alternatively flashing lights at least 200 feet before the stop; stop the bus as far to the right side of the roadway or private road as possible to provide for the safety of the pupils; and activate the flashing red lights while receiving or discharging pupils. Before resuming motion, the driver must deactivate the lights and allow congested traffic to disperse where practicable. The deactivation of the lights is the signal for stopped traffic to proceed.

Under the bill, the bus driver would have to stop on the roadway or private road, rather than as far to the right side as possible. Additionally, on a roadway or private road at least four lanes wide, the bill would require the bus to stop in the extreme right-hand lane for the purpose of boarding or discharging pupils.

#### Pupils Not Required to Cross Roadway

Under the Act, if pupils are not required to cross the roadway and where the road is wide enough for the school bus to be pulled to the far right, allowing traffic to flow and providing for pupil safety, the driver may activate the hazard warning lights at least 200 feet before the stop and continue to display the lights until the process of receiving or discharging passengers has been completed, if the lawful speed limit is 35 miles per hour or less.

The bill would retain this provision but require, rather than allow, the driver to activate the hazard lights before the stop. This would apply if the lawful speed limit were 45, rather than 35, miles per hour or less.

If pupils are not required to cross the roadway, where the bus may be pulled off the road or the road is wide enough for the bus to be pulled off to the far right, leaving the normal traffic flow unobstructed and providing for the safety of pupils, the driver may activate the hazard warning lights at least 200 feet before the stop. The bill would require a bus driver in this situation to activate the hazard warning lights before the stop.

Also, under the bill, if pupils were not required to cross the roadway, the driver would have to activate the alternatively flashing overhead red lights or red or amber lights, as applicable, at least 200 feet before the stop, stop the bus as far off the roadway or private road as practicable to provide for the safety of the pupils being boarded or discharged, and activate the red flashing lights while receiving or discharging pupils. Before resuming motion, the driver would have to deactivate the lights and allow congested traffic to disperse where practicable. The deactivation of the lights would be the signal for stopped traffic to proceed.

MCL 257.1815 et al.

Legislative Analyst: Julie Koval

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.