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BILL ANALYSIS



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House Bill 5581 (Substitute H-3 as reported without amendment)

Sponsor: Representative Rick Jones

House Committee: Transportation

Senate Committee: Transportation

Date Completed: 6-26-06

RATIONALE

The Pupil Transportation Act prescribes procedures that school bus drivers must follow when boarding or discharging pupils, and prohibits a driver from stopping the bus on the roadway under certain conditions if the bus is not "clearly and continuously visible" to other motorists. Public Act 108 of 2006, which will take effect on August 15, 2006, revises this and other provisions of the Act. Public Act 108 indicates that approaching drivers must be able to see both the front and back of the bus at the same time in order for the bus to be considered "clearly and continuously visible". It has been suggested that this provision be revised to prevent confusion and reduce the potential for undesirable traffic situations.

CONTENT

The bill would amend the Pupil Transportation Act to revise the standard by which a school bus is considered "clearly and continuously visible" with regard to procedures for receiving or discharging pupils.

Under the Act, a school bus driver must stop the bus either on the roadway, if pupils are required to cross the street, or, if pupils are not required to cross the street, as far off the roadway as practicable, to provide for the pupils' safety. While boarding or discharging pupils, the driver must activate the vehicle's alternatively flashing overhead red lights. 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.

When using the alternately flashing overhead red lights, a school bus driver may not stop on any highway or roadway for the purpose of receiving or discharging pupils under certain conditions, including the following:

- If the speed limit is more than 35 miles per hour and the stopped bus is not clearly and continuously visible to approaching vehicles for at least 400 feet.
- If the speed limit is 35 miles per hour or less and the stopped bus is not clearly and continuously visible to approaching vehicles for at least 200 feet.

When the distance from the stopped bus to the end of the highway or roadway is less than the specified distances, clear and continuous visibility must be available from the bus to the end of the highway or roadway.

A school bus is considered clearly and continuously visible if approaching traffic is able to see the entire width of the front and back of a school bus from a horizontal line tangent with the top of the vehicle's front and rear bumpers to a horizontal line tangent with the vehicle's most forward and rearward roofline for the entire 400-foot sight line to the school bus with no obstruction of the area for the entire 400-foot sight line to the school bus in its stopped position.

Under the bill, instead, a school bus would be clearly and continuously visible if both of the following conditions were satisfied:

- Approaching traffic was able to see the front of the bus extending from the roofline to and including the headlamps at the prescribed distances.
- Approaching traffic was able to see the back of the bus extending from the roofline to and including the tail lamps and stop lamps at the prescribed distances.

MCL 257.1855

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The definition of "clearly and continuously visible" set to take effect on August 15, 2006, implies that a motorist approaching a school bus will have to remain at a complete stop until the bus has passed, in order to see (or attempt to see) both the front and the back of the bus at the same time. Before the new school year begins, the definition should be revised to clarify that drivers approaching from the front must be able to see the front of the bus and drivers approaching from the rear must be able to see the back of the bus.

Legislative Analyst: Julie Koval

FISCAL IMPACT

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

Fiscal Analyst: Kathryn Summers-Coty

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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.