

HOUSE BILL NO. 4201

February 10, 2021, Introduced by Reps. O'Malley, Roth, Allor and Jones and referred to the Committee on Judiciary.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 59. (1) A driver of a school bus shall not transport or
2 permit to be transported on a school bus while transporting pupils
3 to and from school ~~a person~~**an individual** other than pupils,
4 ~~persons~~**individuals** enrolled in a school-sponsored preschool
5 program authorized by state or federal statute, teachers or

1 chaperons of the pupils or other ~~persons~~**individuals** authorized by
2 the school for the protection of property or the health, safety,
3 and welfare of the pupils or ~~persons~~**individuals** attending other
4 school related functions, or both. This subsection ~~shall~~**does** not
5 apply during the transportation of ~~persons~~**individuals** under
6 section 65.

7 (2) After the fourth Friday following Labor ~~day~~**Day** of each
8 school year, a school bus ~~shall~~**must** not be used to transport more
9 than 100% of the number of ~~persons~~**individuals** for which the school
10 bus has a rated seating capacity.

11 (3) A person ~~who~~**that** violates or directs a violation of ~~this~~
12 ~~section~~**subsection (1) or (2)** is responsible for a civil infraction
13 and may be ordered to pay a civil fine of not more than \$100.00. A
14 civil infraction under this subsection ~~shall~~**must** be processed in
15 the same manner as a civil infraction under the Michigan vehicle
16 code, ~~Act No. 300 of the Public Acts of 1949, being sections 257.1~~
17 ~~to 257.923 of the Michigan Compiled Laws.~~**1949 PA 300, MCL 257.1 to**
18 **257.923.**

19 (4) **An individual other than an authorized person shall not**
20 **enter a school bus without the permission of the driver of the**
21 **school bus. As used in this subsection, "authorized person" means**
22 **any of the following:**

23 (a) A pupil.

24 (b) A person enrolled in a school-sponsored preschool program.

25 (c) A teacher or other school employee.

26 (d) A chaperone of the pupils authorized by a school.

27 (e) A person authorized by a school or the operator of the
28 school bus for the protection of property or the health, safety,
29 and welfare of the occupants of the school bus.

1 (5) A person shall not impede the progress or operation, or
2 both, of a school bus.

3 (6) A person that violates subsection (4) or (5) is
4 responsible for a civil infraction and may be ordered to pay a
5 civil fine of not more than \$500.00. A civil infraction under this
6 subsection must be processed in the same manner as a civil
7 infraction under the Michigan vehicle code, 1949 PA 300, MCL 257.1
8 to 257.923.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.

11 Enacting section 2. This amendatory act does not take effect
12 unless Senate Bill No.____ or House Bill No. 4203 (request no.
13 01558'21 *) of the 101st Legislature is enacted into law.