

Act No. 49
Public Acts of 2021
Approved by the Governor
July 13, 2021
Filed with the Secretary of State
July 13, 2021
EFFECTIVE DATE: October 11, 2021

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Reps. O'Malley, Roth, Allor and Jones

ENROLLED HOUSE BILL No. 4201

AN ACT to amend 1990 PA 187, entitled "An act to regulate the equipment, maintenance, operation, and use of school buses; to prescribe the qualifications of school bus drivers; to prescribe the powers and duties of certain state and local governmental agencies; to create an advisory committee and to prescribe its powers and duties; and to prescribe remedies and penalties," by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

The People of the State of Michigan enact:

Sec. 59. (1) A driver of a school bus shall not transport or permit to be transported on a school bus while transporting pupils to and from school an individual other than pupils, individuals enrolled in a school-sponsored preschool program authorized by state or federal statute, teachers or chaperons of the pupils or other individuals authorized by the school for the protection of property or the health, safety, and welfare of the pupils or individuals attending other school related functions, or both. This subsection does not apply during the transportation of individuals under section 65.

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

(3) A person that violates or directs a violation of subsection (1) or (2) is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00. A civil infraction under this subsection must be processed in the same manner as a civil infraction under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

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

- (a) A pupil.
- (b) A person enrolled in a school-sponsored preschool program.
- (c) A teacher or other school employee.
- (d) A chaperone of the pupils authorized by a school.
- (e) A person authorized by a school or the operator of the school bus for the protection of property or the health, safety, and welfare of the occupants of the school bus.

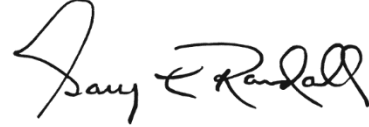
(5) A person shall not impede the progress or operation, or both, of a school bus.

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

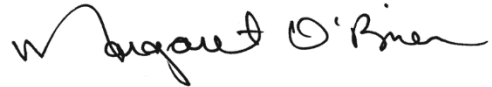
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4203 of the 101st Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor